

PRESS RELEASE

CONSTITUTION OF THE REPUBLIC OF SINGAPORE (AMENDMENT) BILL

The Constitution of the Republic of Singapore (Amendment) Bill has been introduced in Parliament on 4 April 2022. The Bill seeks to amend Article 45 of the Constitution of the Republic of Singapore (Constitution) relating to the disqualification as a Member of Parliament (MP) and to correspondingly amend Articles 37E and 72 of the Constitution relating to the disqualification of members of the Council of Presidential Advisers (CPA) and the Presidential Council for Minority Rights (PCMR) respectively.¹

2 The Bill is part of the Elections Department's review of Singapore's electoral processes and legislation. These amendments ensure that the disqualification criteria for membership for Parliament and memberships for CPA and PCMR are updated and remain relevant in ensuring that members are persons with integrity and who adhere to high standards of conduct.

3 The Bill proposes the following:

- (a) Revise the fine quantum for disqualification as MPs from "not less than \$2,000" to "not less than \$10,000";
- (b) Expand the disqualification criterion due to convictions by a court of law in Singapore or Malaysia to include convictions by a court of law in any foreign country;
- (c) Make similar changes to the disqualification criteria for members of CPA and PCMR with respect to the fine quantum and convictions by foreign courts of law; and
- (d) Remove the exception from being disqualified as MPs if a person has voluntarily acquired the citizenship of a Commonwealth country or the Republic of Ireland.

Revision of the fine quantum for disqualification to "not less than \$10,000"

4 The revision of the fine quantum from "not less than \$2,000" to "not less than \$10,000" serves to account for inflation over the years and brings the revised sum to correspond to the sentences handed down by the courts in Singapore today for relevant offences.²

Expansion of disqualification criteria to include convictions by a court of law in any foreign country

¹ As the disqualification criteria of the President (Article 19 of the Constitution) makes reference to the disqualification criteria of MPs, these amendments will similarly apply to the disqualification of the President.

² The fine quantum of "not less than \$2,000" has not been revised since Singapore's independence. Revising the fine quantum from "not less than \$2,000" to "not less than \$10,000" would ensure that the fine quantum is commensurate with fines meted out for offences which are relevant to the integrity of the person, such as tax evasion, corruption, etc.

5 With more Singaporeans living, travelling and doing business in other countries besides Malaysia, convictions in other countries should be included in the disqualification criteria.

Removal of exception from disqualification for a person who has voluntarily acquired the citizenship of a Commonwealth country or the Republic of Ireland

6 Currently, a Singapore citizen who voluntarily acquires a foreign citizenship will be disqualified as MP. The proposed amendment removes an outdated clause which provides an exception if a Singapore citizen voluntarily acquires citizenship in a Commonwealth country or the Republic of Ireland.

Application of amendments to past and future convictions

7 The amendments will apply to convictions by a court of law in Singapore or elsewhere **before, on or after the date** of commencement of the amendments. For individuals who were fined at least \$2,000 but less than \$10,000 and are currently disqualified, they will cease to be disqualified once the amendments come into operation.

ISSUED BY
ELECTIONS DEPARTMENT
PRIME MINISTER'S OFFICE

4 APRIL 2022