

Presidential Elections (Amendment) Bill

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Bill No: 8/2005

Read the first time: 18th April 2005

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Presidential Elections (Amendment) Bill

Bill No. 8/2005

Read the first time on 18th April 2005.

An Act to amend the Presidential Elections Act (Chapter 240A of the 1999 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Presidential Elections (Amendment) Act 2005 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 9

2. Section 9 of the Presidential Elections Act (referred to in this Act as the principal Act) is amended —

(a) by deleting subsection (3) and substituting the following subsection:

“(3) Every nomination paper shall —

- (a) set out the name, identity card number and occupation of the person seeking nomination;
- (b) contain a statement, signed by that person, to the effect that he consents to the nomination; and
- (c) contain a statutory declaration by the person seeking nomination stating —
 - (i) that he is qualified to be elected to the office of President; and
 - (ii) that on nomination day he is not a member of any political party.”;

(b) by deleting paragraphs (a) and (b) of subsection (4); and

(c) by deleting the words “statutory declaration or” in subsection (5) and substituting the words “statutory declaration which is required by subsection (3)(c) to be made is not so made, or any”.

Amendment of section 11

3. Section 11 of the principal Act is amended —

- (a) by deleting the words “, statutory declarations,” in subsection (1) and substituting the word “and”;
- (b) by deleting subsection (2) and substituting the following subsection:

“(2) Every such nomination paper and certificate shall be delivered to the Returning Officer, in duplicate and in person, by the person seeking nomination accompanied by his proposer, seconder and at least 4 assentors, at the place of nomination between 11 a.m. and 12 noon (both times inclusive) on nomination day, and if not so delivered, shall be rejected.”; and
- (c) by deleting the words “and seconders” in subsection (4) and substituting the words “, seconders and assentors”.

New section 11A

4. The principal Act is amended by inserting, immediately after section 11, the following section:

“Amendment of nomination papers

11A.—(1) Subject to subsection (3), where the Returning Officer detects in any nomination paper —

- (a) an error or omission, or what appears to be an error or omission, which may amount to a ground for rejecting the nomination paper or allowing an objection to the nomination paper; or
- (b) anything which may affect the validity of the nomination paper and the Returning Officer considers that it can be corrected before 12 noon on nomination day,

the Returning Officer may, before making his decision under section 11 or 12, give the candidate or person seeking nomination, as the case may be, a reasonable opportunity to correct the error or omission before 12 noon on nomination day.

(2) Subject to subsection (3), where any error or omission in a person’s nomination paper is brought to the attention of the candidate or person seeking nomination (whether by the Returning Officer under subsection (1) or following an objection made under section 12), the candidate or person seeking nomination, as the case may be, may, at any time before 12 noon on nomination day but no later, take such action as may be necessary to correct any such error or omission in his

nomination paper.

(3) Nothing in subsection (1) or (2) shall authorise any candidate or person seeking nomination to substitute a different person —

- (a) as a candidate for election; or
- (b) as proposer, seconder or assentor.

(4) In this section, “error” has the same meaning as in section 82.”.

Amendment of section 13

5. Section 13(1) of the principal Act is amended by inserting, immediately after the words “by giving”, the words “, in person,”.

Repeal and re-enactment of section 14

6. Section 14 of the principal Act is repealed and the following section substituted therefor:

“Persons entitled to be present during nomination proceedings

14. The following persons, and no others, shall be entitled to be present at the proceedings specified in sections 11 and 13:

- (a) the candidates;
- (b) each candidate’s proposer, seconder and assentors;
- (c) one other person, if any, appointed in writing by each candidate;
- (d) the Returning Officer and such other persons authorised by the Returning Officer to assist him at such proceedings; and
- (e) any other person with the written permission of the Returning Officer to be present at those proceedings.”.

Amendment of section 15

7. The principal Act is amended by renumbering section 15 as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) Nothing in sections 11 and 12 shall prevent the Returning Officer from exercising any of his powers under subsection (1) before 12.30 p.m. if, at 12 noon on nomination day for an election, only one candidate stands nominated.”.

Amendment of section 56