

Parliamentary Elections (Amendment No. 2) Bill

Table of Contents

Bill No: 29/2001

Read the first time: 25th July 2001

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Amendment of section 27B

4 Amendment of section 28

5 New section 32A

6 Amendment of section 61

7 New sections 78A to 78E

8 New section 108

Explanatory Statement

Expenditure of Public Money

Parliamentary Elections (Amendment No. 2) Bill

Bill No. 29/2001

Read the first time on 25th July 2001.

An Act to amend the Parliamentary Elections Act (Chapter 218 of the 2001 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 Parliamentary Elections (Amendment No. 2) Act 2001 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

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

(a) by inserting, immediately after the definition of “election”, the following definition:

““election advertising” means any poster, banner, notice, circular, handbill, illustration, article, advertisement or other material that can reasonably be regarded as intended —

(a) to promote or procure the electoral success at any election for one or more identifiable political parties, candidates or groups of candidates; or

(b) to otherwise enhance the standing of any such political parties, candidates or groups of candidates with the electorate in connection with any election,

and such material shall be election advertising even though it can reasonably be regarded as intended to achieve any other purpose as well and even though it does not expressly mention the name of any political party or candidate, but excludes any button, badge, pen, pencil, balloon and any other thing prescribed by the Minister by notification in the *Gazette*.”;

- (b) by inserting, immediately after the definition of “Parliament”, the following definition:

“ “political party” means a political party which is registered under the Societies Act (Cap. 311);”;

- (c) by inserting, immediately after the definition of “public authority”, the following definition:

“ “publish” means make available to the general public, or any section thereof, in whatever form and by whatever means, including broadcasting (by wireless telegraphy or otherwise) and transmitting on what is commonly known as the Internet;” and

- (d) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) For the purposes of the definition of “election advertising” in subsection (1) —

- (a) the reference to electoral success at any election shall be a reference —

(i) in relation to any political party, to the return at any such election of candidates or groups of candidates standing in the name of the party; and

(ii) in relation to candidates or groups of candidates, to their return at any such election;

- (b) the reference to the doing of anything mentioned in paragraph (a) or (b) of that definition shall include doing so by prejudicing the electoral prospects at the election of other political parties, candidates or groups of candidates or (as the case may be) by prejudicing the standing with the electorate of other political parties, candidates or groups of candidates; and

- (c) the reference to candidates or groups of candidates shall include any person or group of persons (whether or not a member of any political party) who, on or after the date of the issue of a writ for the election is declared, by himself or others, as

seeking nomination as a candidate at that election.”.

Amendment of section 27B

3. Section 27B(5) of the principal Act is amended by inserting, immediately after the word “withdraws”, the words “or is deemed to have withdrawn”.

Amendment of section 28

4. Section 28 of the principal Act is amended by deleting subsections (5) and (5A).

New section 32A

5. The principal Act is amended by inserting, immediately after section 32, the following section:

“Multiple nominations

32A.—(1) A candidate who is validly nominated for more than one electoral division at a general election shall withdraw his candidature in all those electoral divisions except one before 12 noon on the day of nomination, and if he does not so withdraw he shall be deemed to have withdrawn his candidature in all the electoral divisions under section 32.

(2) Subsection (1) shall also apply where 2 or more by-elections are held at the same time.”.

Amendment of section 61

6. Section 61 of the principal Act is amended —

(a) by deleting paragraph (c) of subsection (1) and substituting the following paragraph:

“(c) publishes or causes to be published any election advertising during the period beginning with the day the writ of election is issued for an election and ending on the eve of polling day at the election which —

(i) in the case of election advertising that is, or is contained in, a printed document, does not bear on its face or, if there is more than one side of printed matter, on the first or last page of the document, the

names and addresses of its printer, its publisher and the person for whom or at whose direction the election advertising is published; or

- (ii) in the case of any other election advertising, does not bear in the form and manner prescribed under section 78A the names and addresses of its publisher and the person for whom or at whose direction the election advertising is published;”; and

(b) by inserting, immediately after subsection (4), the following subsections:

“(5) Where any election advertising is published in contravention of subsection (1)(c), the printer of the election advertising as well as the person for whom or at whose direction the election advertising is published shall each also be guilty of a corrupt practice and shall each be liable on conviction to the same punishment and incapacity under this section as the publisher thereof.

(6) Subsection (1)(c) shall not apply in respect of —

- (a) the distribution of a book, or the promotion of the sale of a book, for not less than its commercial value, if the book was planned to be published regardless of whether there was to be an election;
- (b) the publication of a document directly by a person or a group of persons to their members, employees or shareholders, as the case may be;
- (c) the transmission by an individual to another individual, on a non-commercial basis on what is commonly known as the Internet, of his own political views;
- (d) the publication of any news relating to an election in a newspaper in any medium or in a radio or television broadcast; or
- (e) such other circumstances or activities as may be prescribed by the Minister by order in the *Gazette*.”.