

# **Constitution of the Republic of Singapore (Amendment No. 2) Bill**

## **Table of Contents**

**Bill No: 24/1994**

*Read the first time: 25th July 1994*

**Long Title**

**Enacting Formula**

**1 Short title and commencement**

**2 Amendment of Article 17**

**3 Amendment of Article 18**

**4 Amendment of Article 22**

**5 Amendment of Article 22B**

**6 Amendment of Article 22D**

**7 Amendment of Article 22L**

**8 Amendment of Article 22N**

**9 Amendment of Article 35**

**10 Amendment of Article 37B**

**11 Amendment of Article 37C**

**12 Amendment of Article 37F**

**13 New Articles 37L and 37M**

- 14 Amendment of Article 39**
- 15 Amendment of Article 45**
- 16 Amendment of Article 110**
- 17 Amendment of Article 110A**
- 18 Amendment of Article 110B**
- 19 New Article 110D**
- 20 Amendment of Article 128**
- 21 Amendment of Article 144**
- 22 Amendment of Article 148**
- 23 Amendment of Article 148A**
- 24 Amendment of Article 148C**
- 25 Amendment of Article 148F**
- 26 Amendment of Article 148G**
- 27 New Article 151A**
- 28 Amendment of First Schedule**
- 29 Amendment of Fifth Schedule**
- 30 Miscellaneous amendments**
- 31 Saving**

## **Explanatory Statement**

## **Expenditure of Public Money**

## Constitution of the Republic of Singapore (Amendment No. 2) Bill

### **Bill No. 24/1994**

*Read the first time on 25th July 1994.*

An Act to amend the Constitution of the Republic of Singapore (1992 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.**—(1) This Act may be cited as the Constitution of the Republic of Singapore (Amendment No. 2) Act 1994 and shall come into operation on such date as the President may, by notification in the *Gazette*, appoint.

(2) The President may appoint different dates for the coming into operation of the different provisions of this Act.

#### **Amendment of Article 17**

**2.** Article 17 of the Constitution of the Republic of Singapore (referred to in this Act as the Constitution) is amended by inserting, immediately after clause (2), the following clause:

“(3) Any poll for the election of President shall be held as follows:

- (a) in the case where the office of President becomes vacant prior to the expiration of the term of office of the incumbent and a writ for the election has not been issued before such vacation of office or, if so issued, has already been countermanded — within 6 months after the date the office of President becomes vacant; or
- (b) in any other case — not more than 3 months before the date of expiration of the term of office of the incumbent.”.

#### **Amendment of Article 18**

**3.** Article 18(1) of the Constitution is amended by deleting the words “Article 19” and substituting the words “paragraph (e) or (g)(iv) or both such paragraphs of Article 19(2), as the case may be”.

#### **Amendment of Article 22**

4. Article 22 of the Constitution is amended —

- (a) by deleting paragraph (d); and
- (b) by re-lettering paragraphs (e), (f) and (g) as paragraphs (d), (e) and (f), respectively, and by inserting immediately thereafter the following paragraph:

“(g) the Chairmen of the Education Service Commission and the Police and Civil Defence Services Commission, and the persons appointed thereto under Articles 110A(1)(c) and 110B(1)(c), respectively;”.

**Amendment of Article 22B**

5. Article 22B of the Constitution is amended —

- (a) by deleting the word “transaction” in the last line of clause (7) and substituting the words “proposed transaction, except that if he does not disapprove any such proposed transaction even though he is of the opinion that the proposed transaction is likely to draw on the reserves accumulated by the statutory board prior to the current term of office of the Government, the President shall cause his decision and opinion to be published in the *Gazette*”; and
- (b) by inserting, immediately after clause (8), the following clause:

“(9) For the purposes of this Article, where the Minister responsible for finance undertakes in writing to add to the reserves accumulated by the Government prior to its current term of office any reserves of a statutory board which are proposed to be transferred to the Government by or under the authority of any written law or otherwise, the proposed transfer and transfer of those reserves shall have effect as follows:

- (a) the proposed transfer and transfer shall not be taken into account in determining whether the reserves accumulated by the statutory board prior to the current term of office of the Government are likely to be or have been drawn on; and
- (b) the reserves to be transferred by the statutory board shall be deemed to form part of the reserves accumulated by the Government prior to its current term of office on the following occasions:

- (i) where a budget of the statutory board for any financial year provides for the proposed transfer and the budget is approved by the President under this Article — at the beginning of that financial year; or
- (ii) where a supplementary budget provides for the proposed transfer and the supplementary budget is approved by the President under this Article — on the date of approval by the President.”.

### **Amendment of Article 22D**

#### **6. Article 22D of the Constitution is amended —**

(a) by deleting the word “transaction” at the end of clause (6) and substituting the words “proposed transaction, except that if he does not disapprove any such proposed transaction even though he is of the opinion that the proposed transaction is likely to draw on the reserves accumulated by the Government company prior to the current term of office of the Government, the President shall cause his decision and opinion to be published in the *Gazette*”; and

(b) by inserting, immediately after clause (7), the following clause:

“(8) For the purposes of this Article, where the Minister responsible for finance undertakes in writing to add to the reserves accumulated by the Government prior to its current term of office any reserves of a Government company which are proposed to be transferred to the Government by or under the authority of any written law or otherwise, the proposed transfer and transfer of those reserves shall have effect as follows:

- (a) the proposed transfer and transfer shall not be taken into account in determining whether the reserves accumulated by the Government company prior to the current term of office of the Government are likely to be or have been drawn on; and
- (b) the reserves to be transferred by the Government company shall be deemed to form part of the reserves accumulated by the Government prior to