

= Presidential elections in Singapore =

Presidential elections in Singapore, in which the President of Singapore is directly elected by popular vote, were introduced through amendments to the Constitution of Singapore in 1991. Potential candidates for office have to fulfil stringent qualifications set out in the Constitution. Certificates of eligibility are issued by the Presidential Elections Committee (PEC). In particular, the PEC must assess that they are persons of integrity, good character and reputation; and if they have not previously held certain key government appointments or acted as chairman of the board of directors or chief executive officer of a company incorporated or registered under the Companies Act (Cap. 50, 2006 Rev. Ed.) with a paid up capital of at least S\$ 100 million, they must demonstrate to the PEC that they held a position of comparable seniority and responsibility in the public or private sector that has given them experience and ability in administering and managing financial affairs. The strictness of these qualifications led to the 1999 and 2005 elections being walkovers as only one candidate, S.R. Nathan, received a certificate of eligibility from the PEC. The stringent criteria, the transparency of the PEC's decision making process and the practice of political parties endorsing candidates have drawn criticism.

The office of President falls vacant upon the expiry of the incumbent's six year term or if the President is for some reason unable to complete his or her term; for example, due to death, resignation or removal from office for misconduct or mental or physical infirmity. If the office of President becomes vacant before the incumbent's term expires, a poll for an election must be held within six months. In other cases, an election can take place any time from three months before the expiry of the incumbent's term of office.

The procedure for elections is laid out in the Presidential Elections Act (Cap. 240A, 2007 Rev. Ed.). The process begins when the Prime Minister issues a writ of election to the returning officer specifying the date and place of nomination day. Potential candidates must then obtain certificates of eligibility from the PEC, obtain political donation certificates from the Registrar of Political Donations stating that they have complied with the Political Donations Act (Cap. 236, 2001 Rev. Ed.) and file their nomination papers with and pay a deposit to the returning officer on nomination day. If there is only one candidate nominated, he or she is declared to have been elected President. Otherwise, the returning officer issues a notice of contested election specifying when polling day will be.

During the election period, a candidate may not spend more than \$ 600,000 or 30 cents for each person on the electoral register, whichever is greater. Permits must be obtained to hold election meetings and display posters and banners. A number of acts are unlawful, including bribery, dissuading electors from voting, making false statements about candidates, treating and undue influence. Legal changes introduced in 2010 made the eve of polling day a "cooling off day"? campaigning must not take place on that day or on polling day itself.

= The Elected President scheme =

The President of Singapore is the nation's head of state. The President was originally indirectly elected by Parliament and had a largely ceremonial role. The Elected President scheme was instituted in 1991 through a constitutional amendment, which transformed the office of President into one directly elected by the people. The scheme conferred additional powers on the President that enabled him to act as a safeguard or "second key" over Singapore's rich financial reserves built up by the Government. Additionally, the President exercises a custodial role over the integrity of the public service with the power to veto public appointments and check against abuses of power by the government.

= Qualifications =

The qualifications required for a person to be elected as President are set out in the Constitution of the Republic of Singapore and are as follows:

He or she must be a citizen of Singapore .

He or she must not be less than 45 years of age .

His or her name must appear in a current register of electors .

He or she must be resident in Singapore at the date of his or her nomination for election and must have been so resident for periods amounting in the aggregate to not less than 10 years prior to that date .

He or she must not be subject to any of the disqualifications specified in Article 45 of the Constitution , which include matters such as being of unsound mind , being an undischarged bankrupt , holding an office of profit , having a criminal record and being a citizen of a foreign country .

He or she must satisfy the Presidential Elections Committee ( PEC ) that he or she is a person of integrity , good character and reputation .

He or she must not be a member of any political party on the date of his or her nomination for election .

He or she must have been one of the following for not less than three years :

A Minister , Chief Justice , Speaker of Parliament , Attorney @-@ General , Chairman of the Public Service Commission , Auditor @-@ General , Accountant @-@ General or a Permanent Secretary .

Chairman or chief executive officer of the Central Provident Fund Board , the Housing and Development Board , the Jurong Town Corporation or the Monetary Authority of Singapore ;

Chairman of the board of directors or chief executive officer of a company incorporated or registered under the Companies Act with a paid @-@ up capital of at least S \$ 100 million or its equivalent in foreign currency .

In any other similar or comparable position of seniority and responsibility in any other organization or department of equivalent size or complexity in the public or private sector which , in the PEC 's opinion , has given him / her such experience and ability in administering and managing financial affairs as to enable him / her to carry out effectively the functions and duties of the office of President .

There is no restriction on the number of times a qualified person can be elected President .

= = = Strictness of qualifications = = =

The strict qualifications required of presidential candidates resulted in walkovers during the elections of 1999 and 2005 . The incumbent President Ong Teng Cheong did not run for a second term at the 1999 presidential election , saying that he had no compelling reason to do so . In addition to the eventual winner , Sellapan Ramanathan ( better known as S.R. Nathan ) , the other potential candidates were Tan Soo Phuan , a member of the opposition Workers ' Party of Singapore ; and Ooi Boon Ewe , a private tutor turned real estate executive . Both of them were found not to have met the criteria to stand for election . As a result , Nathan , a former civil servant and Ambassador to the United States , was deemed to have been elected President . At the presidential election of 2005 , the persons who applied for a certificate of eligibility to contest the election were Nathan , Ooi and Ramachandran Govindasamy Naidu . However , as Nathan was again the only candidate issued with a certificate , he was elected by default on nomination day .

The strict requirements have been justified on the basis that the President should be a person of integrity and moral standing , with the ability to monitor the financial affairs of the state and the management of the public service sector . Prime Minister Lee Hsien Loong has argued that this stringent screening process is necessary as the President does not stand as a political party nominee . He is thus not subjected to the internal screening mechanism of the ruling People 's Action Party ( PAP ) .

The qualifying criteria have been criticised as elitist and pro @-@ establishment in nature . The argument against allowing the electorate to elect as President a candidate of their choice without the need for candidates to meet detailed qualification criteria has been said to be " unconvincing " and predicated on " the government 's paternalistic distrust of the electorate " .

It has been pointed out that the stringent criteria severely limit the pool of available candidates . In 2005 , the Prime Minister 's press secretary estimated that only 700 to 800 people potentially satisfied the criteria . This may be contrary to the principle of equality under the law as it " impairs the equal right of candidature " . It also runs contrary to the principle of democracy which " demands that a broad selection of people should be able to stand for high public office " . However , the press secretary wrote that the dignity of the office of the President and Singapore 's reputation would be diminished by elections in which " manifestly unfit candidates participate , just for the sake of having one " .

= = = Political endorsement = = =

Singapore law does not prevent political parties , the Government , or non @-@ governmental bodies with close government ties from endorsing candidates . The first presidential election in Singapore in 1993 pitted Ong Teng Cheong , a former PAP Member of Parliament who had been Deputy Prime Minister and Chairman of the National Trades Union Congress ( NTUC ) , against the former Accountant @-@ General , Chua Kim Yeow . Chua showed initial reluctance , accepting the nomination only as his " national duty " and even proclaiming Ong to be the far superior candidate . He declined to campaign , saying he could not afford it . However , he did address the populace via two ten @-@ minute broadcasts offered by state @-@ owned television and radio stations . His appeal was based on preventing an over @-@ concentration of powers ? he asked Singaporeans whether they wanted the PAP to dominate the Presidency as well . In contrast , Ong invested \$ 50 @,@ 000 to \$ 60 @,@ 000 of his own money in the campaign . He was assisted by the NTUC which mobilized its 230 @,@ 000 members to canvass at least five votes each for their former union boss . Ong was backed by Prime Minister Goh Chok Tong who appealed to Singaporeans to vote for him . On polling day , 28 August 1993 , Ong received 952 @,@ 513 votes ( 58 @.@ 7 % ) and Chua 670 @,@ 358 votes ( 41 @.@ 3 % ) out of a total of 1 @,@ 756 @,@ 517 votes . Ong was thus declared the first Elected President of Singapore . Ironically , Ong himself said that his links to the PAP might have cost him a few percentage points in votes . Given the strong show of government support for Ong , commentators expressed the view that Ong 's victory meant a victory for the PAP and the continuation of its values and style of governance . Although the votes for Ong fell short of the PAP 's expected 60 ? 70 % range , the result was not seen as a repudiation of the PAP but as indicative of Singaporeans ' appetite for stronger checks and balances .

At both the 1999 and 2005 presidential elections , S.R. Nathan was elected by default as the only eligible candidate on nomination day . While being a member of a minority community worked to his advantage , he was unanimously endorsed by the 1999 Cabinet because of the merit of his overall qualities . Similarly , Nathan 's decision to run for a second term in 2005 was accompanied by declarations of support from Government ministers and organizations like the NTUC .

The practice of the PAP endorsing a candidate has led to criticisms that this is improper as the Government is essentially " revealing who they would rather have as their supervisor " . Ong , who received the PAP 's endorsement during the 1991 elections , revealed in a later interview :

[ T ] here was a swing of support over to my opponent 's side , especially in the educated class ... The issue was whether they wanted a PAP man as president to check on a PAP government , or whether it would be better to have a neutral independent like Chua . That 's why they voted against me because I had the PAP government support . I would have been happier without the PAP 's open support .

Furthermore , such endorsements can be said to undermine the principle that a candidate for President should not be beholden to any political formation , which is reflected in the requirement for a candidate not to be a member of any political party .

= = Election procedure = =

The President holds office for a term of six years from the date on which he assumes office . The office of President becomes vacant when the term of the incumbent expires , or before this event if ,

among other things , the President dies , resigns , or is removed from office for misconduct or mental or physical infirmity . If the office of President falls vacant before the incumbent 's term expires , a poll for an election is to be held within six months . In other cases , the election must take place not more than three months before the date of expiration of the incumbent 's term of office . Article 17 ( 2 ) of the Constitution provides that " [ t ] he President shall be elected by the citizens of Singapore in accordance with any law made by the Legislature " . The Presidential Elections Act lays out the election procedure in Singapore .

= = = Issuance of writ of election = = =

To initiate the election process , the Prime Minister issues a writ addressed to the returning officer , who is responsible for overseeing the election . The writ of election states when nomination day will be ( which must not be less than five days nor more than a month after the date of the writ ) , and the place of nomination . The returning officer is required to notify the public that the writ of election has been issued and the day , time and place of nomination of candidates by publishing a notice in the Government Gazette at least four clear days before nomination day .

= = = Application for certificate of eligibility = = =

A potential candidate for President must apply to the Presidential Elections Committee for a certificate of eligibility ( " COE " ) . This can be done any time after the office of the President falls vacant before the end of the incumbent 's term , or within three months before the expiry of the incumbent 's term . The deadline for applications is three days after the date when the writ of election is issued .

The PEC is tasked to ensure that a candidate fulfils the necessary qualifications set out in the Constitution . The Committee consists of the Chairman of the Public Service Commission ( PSC ) , the Chairman of the Accounting and Corporate Regulatory Authority , and a member of the Presidential Council for Minority Rights . The Chairman of the PSC chairs the committee . The PEC must be satisfied that the candidate " is a person of integrity , good character and reputation " and , if the candidate indicates that he wishes to qualify on the basis that he has held office in an organisation or department that has given him such experience and ability in administering and managing financial affairs as to enable him to effectively carry out the President 's functions and duties , that he possesses the necessary experience and ability . To demonstrate his good character and reputation , the candidate must submit to the PEC three references from persons who are not his immediate relatives . If the candidate satisfies the PEC , the Committee must issue a COE no later than the day before nomination day .

The PEC 's decision as to whether a candidate fulfils the two requirements mentioned above is final and not subject to appeal or judicial review in any court . The PEC is not constitutionally required to provide any justification for its decision . In the absence of malice , the Committee is immune from a defamation suit when it discharges its functions under the Presidential Elections Act .

The non @-@ justiciable nature of the PEC 's decisions has been criticised as contrary to the rule of law as the PEC is not accountable to any external body and its operations are " less than transparent " . If the PEC thinks fit , it may request that an applicant for a COE or his referees appear before the Committee before it makes its decision , and may ask an applicant to provide information . However , if the PEC takes neither of these steps , a candidate has no right to insist that the Committee hear submissions or consider information tendered by him .

One of the potential candidates during the 2005 presidential election was Andrew Kuan , then running his own executive search firm , Blue Arrow International . He had been a grassroots leader in Pasir Ris and a PAP member , as well as Chief Financial Officer ( CFO ) of the Jurong Town Corporation ( JTC ) and the Hyflux joint venture . Kuan was thrust into the media limelight after announcing his bid . While Kuan was financially sound , reports reflecting a range of reactions towards his bid surfaced . Whereas some saw him as " conceited " and " arrogant " , there were others who spoke of him warmly . This was followed by reports of him having been ousted from his

position as chairman of his condominium 's management committee in May 2001 . Reports of Kuan 's performance from his former employers also surfaced . JTC reported that Kuan had needed more " handholding " than was appropriate for a CFO and had been asked to resign thrice . Kwan asserted that his performance had been rated " good " for eight months and had received performance bonuses . Another former employer , Inderjit Singh , a PAP Member of Parliament and founder of United Test & Assembly Centre , said Kuan 's performance as a consultant had been unsatisfactory . Kuan lodged a defamation suit against Singh , but eventually withdrew it .

The PEC eventually denied Kuan a COE on the grounds that he lacked the requisite financial credentials and responsibility required by the Constitution . Kuan was not given an opportunity to be interviewed by the PEC despite the negative media reports , which were speculated to have contributed to the PEC 's decision not to issue him a COE . The Prime Minister 's press secretary said that public hearings would " politicise the decision " and therefore affect the independence of the PEC . It has been argued that since the PEC 's decision not to issue a COE may cast aspersions on an applicant 's character , the lack of a procedure for the candidate to respond to negative findings in a public setting is contrary to the principles of natural justice . This is even more so given that the PEC is immune from defamatory actions .

In addition , it has been said that the independence of the PEC 's decision @-@ making process could be affected by political endorsements of a candidate expressed prior to the issuance of his COE .

= = = Political donations = = =

Under the Political Donations Act , candidates for presidential elections may only receive political donations from Singapore citizens who are at least 21 years old , or Singapore @-@ controlled companies which carry on business wholly or mainly in Singapore . The receipt of anonymous donations is prohibited , except for anonymous donations totalling less than \$ 5 @,@ 000 received during a period starting with the date 12 months before the date when the candidate makes the declaration referred to below and ending with nomination day .

After the date of the writ of election and at least two clear days before nomination day , a candidate or prospective candidate must provide the Registrar of Political Donations with a report stating all the donations received from permissible donors that amount to at least \$ 10 @,@ 000 received during the 12 months preceding the declaration mentioned in the next sentence . He must also submit to the Registrar a declaration stating , to the best of his knowledge and belief , that he did not receive any other donations required to be mentioned in the donation report , and that only donations from permissible donors or allowable anonymous donations were accepted . If this paperwork is in order , the Registrar will issue a political donation certificate not later than the eve of nomination day stating that the candidate has complied with the provisions of the Act .

= = = Nomination = = =

A person who has received a certificate of eligibility is entitled to be nominated as a presidential candidate . He must submit a nomination paper to the returning officer between 11 : 00 a.m. and 12 : 00 noon on nomination day , together with a political donation certificate . In addition , at some time between the date of the writ of election and 12 : 00 noon on nomination day , he or someone on his behalf must hand to the returning officer a deposit amounting to three times of 8 % of the total allowances payable to an MP in the preceding calendar year , rounded to the nearest \$ 500 . At the 2011 presidential election , the deposit was \$ 48 @,@ 000 . The deposit is returned if the person is not nominated as a candidate , withdraws his candidature or is eventually elected . If the candidate is unsuccessful at the election , he is only repaid the deposit if he polled more than one @-@ eighth of the total number of votes polled , not including rejected votes .

If on nomination day only one candidate stands nominated , he shall be declared elected to the office of President . This occurred at both the 1999 and 2005 elections , at which S.R. Nathan was deemed elected because he was the only candidate considered eligible by the PEC . The

desirability of this state of affairs has been questioned on the basis that " [ i ] f an elected President is to have a mandate to protect the reserves and to veto proposed public appointments , it is desirable that he should receive a minimum percentage of votes cast by the electorate , as an endorsement of him " . Allowing election by default arguably places the PEC 's decision as to the eligibility of the candidates above the electorate 's choice . One commentator has said that a true contest is needed to legitimise the institution of the Elected Presidency . On the other hand , it has been argued that if there is no contest for the Presidency it does not affect the President 's right or legitimacy to hold this office :

[ A ] s long as Singaporeans believe that the Constitution is the principal source of political legitimacy , a candidate who occupies the office by virtue of a walkover , as is consistent with the Constitution , has as much moral authority as one who wins in a contested election .

If , on nomination day , there are two or more candidates nominated for election , the returning officer must immediately adjourn the election so that a poll can be taken . He must assign each candidate an approved symbol to be printed on the candidate 's ballot paper and announce by publishing a notice of contested election in the Government Gazette with information about the forthcoming poll , including the candidates ' names and symbols , the date of polling day ( which must be not earlier than the 10th day or later than the 56th day after the date of the notice ) and the locations of polling stations .

= = = Campaigning = = =

During the election period , a candidate is not permitted to spend more than \$ 600 @, @ 000 or 30 cents for each person on the electoral register , whichever is the greater amount . It amounts to an illegal practice to pay to transport voters to or from the poll ; or to pay a voter for the use of premises to display a notice , unless the voter is an advertising agent or the transaction is carried out in the ordinary course of business . It is also an illegal practice for a person to borrow or lend , hire or rent out , or use any motor vehicle to convey voters other than himself and his family members to or from the poll . Committing an illegal practice is a criminal offence , the penalty for which is a fine of up to \$ 2 @, @ 000 and disqualification for three years from being a voter or a candidate for Parliament or the office of President .

The following acts are also prohibited :

Bribery . Doing any one of a number of acts to induce a person to vote or refrain from voting or to reward him for having done so , such as giving or lending money ; and giving or procuring an office or employment , amounts to bribery . It is also bribery for a person to procure or promise to procure that a voter exercise his vote in a certain way or that a candidate be elected as President in return for some inducement ; to give money to someone else , knowing that he will use the money for bribery at an election ; to accept an inducement for voting or not voting or agreeing to do so ; and to induce a person to consent to being nominated as a candidate , or refrain or withdraw from being a candidate in return for some inducement . The penalty is a fine of up to \$ 5 @, @ 000 or imprisonment not exceeding three years or both ; and disqualification from being registered as a voter , voting at any election , or being elected to Parliament or the office of President for seven years .

Dissuasion from voting . Dissuading or attempting to dissuade a person from voting verbally or in writing between nomination day and polling day is a criminal offence punishable with a fine of up to \$ 2 @, @ 000 or up to 12 months ' jail or both .

False statements . Offenders who make or publish false statements of fact regarding the personal character or conduct of a candidate , or false statements about a candidate 's withdrawal from the election , are liable on conviction to a fine or jail of up to 12 months or both , and to the disqualifications referred to above .

Treating . Treating is the act of corruptly giving or providing , or paying in whole or part for , any food , drink , refreshment , cigarette , entertainment or other thing , or any money or ticket or other means to enable such things to be obtained , in order to corruptly influence a person to vote or refrain from voting , or to induce the person to attend an election meeting , or to reward him for

having done so . The penalty is a fine of up to \$ 5 @, @ 000 or imprisonment not exceeding three years or both , and the disqualifications referred to above .

Undue influence . When a person makes use of or threatens to make use of force , violence or restraint , or inflicts or threatens to inflict temporal or spiritual injury , damage , harm or loss on a person to induce him to vote or refrain from voting , or to punish him for having done so ; or uses abduction , duress or some fraudulent scheme to impede or prevent a person 's free exercise of his vote , or to compel or induce him to vote or refrain from voting , this amounts to the offence of undue influence . The penalty is a fine of up to \$ 5 @, @ 000 or imprisonment not exceeding three years or both , and the disqualifications referred to above .

A permit from the Commissioner of Police is required if a candidate wishes to hold an election meeting between nomination day and the day before the eve of polling day . The display of banners and posters by candidates during the campaigning period must also be authorized by the returning officer , who may impose conditions as to the places where or objects or things on which , and the manner in which , banners or posters may or may not be displayed . The returning officer also determines the maximum number of banners and posters that may be put up , bearing in mind the number of electors and the need to treat candidates equally . Further authorization is required if a candidate wishes to display a banner or poster or its contents in some other medium , such as the Internet ; a newspaper , magazine or periodical ; or a television broadcast . Election banners and posters may not be displayed in such a way that they obscure the view of other banners and posters , or within 200 metres ( 660 ft ) ( or a shorter distance if so determined by the returning officer ) of a polling station . Making inscriptions on buildings or roads is prohibited . It is an offence to display any banner or poster in breach of the law or the terms imposed by the returning officer ; and to deface , destroy or remove any authorized banner or poster .

= = = Eve of polling day and polling day = = =

In 2010 , legal changes were introduced to turn the eve of polling day for both presidential and parliamentary elections into a " cooling @-@ off day " on which no campaigning would be permitted . Prime Minister Lee Hsien Loong justified the changes as enabling voters to think dispassionately about the candidates ' stands on issues raised and reducing the chance of public disorder . On the eve and on polling day itself , election advertising is prohibited , though the following activities remain unaffected :

- distributing a book or promoting 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 ;

- publishing news relating to an election in a licensed newspaper in any medium or in a licensed radio or television broadcast ;

- conveying one 's own political views on a non @-@ commercial basis to another individual by telephonic or electronic transmission ;

- election advertising lawfully published or displayed before the start of the eve of polling day on the Internet which is not changed after its publication or display ; and

- the continued lawful display of posters and banners already displayed before the start of the eve of polling day .

Badges , favours , flags , rosettes , symbols , sets of colours , advertisements , handbills , placards , posters and replica voting papers may not be carried , worn , used or displayed by any person or on any vehicle as political propaganda , although candidates may wear replicas of the symbols allotted to them for election purposes . In addition , holding election meetings and canvassing are not permitted on the day before polling day or on polling day itself . Canvassing involves trying to persuade a person to vote or not to vote in a particular way ; or visiting a voter for an election @-@ related purpose at home or at his or her workplace . It is an offence to exercise undue influence on any person at or near a polling station : for example , trying to find out the identity of any person entering a polling station ; recording voters ' particulars ; and waiting outside or loitering within 200 metres ( 660 ft ) of polling stations .

Polling day is a public holiday and voting is compulsory . Unless the returning officer decides

otherwise , polling stations are open from 8 : 00 a.m. to 8 : 00 p.m. on polling day . To vote , voters must go to the polling stations assigned to them . Applying for a ballot paper or voting in the name of someone else amounts to the offence of personation . If a person claiming to be a voter named in the electoral register turns up at a polling station after someone else claiming to be that voter has already voted , the second person is permitted to cast what is called a " tendered vote " using a ballot paper of a different colour after taking an oath to confirm his identity .

After the poll closes , the presiding officer of each polling station seals the ballot boxes without opening them . Candidates or their polling agents may affix their own seals to the ballot boxes . The ballot boxes are then taken to counting centres to be opened and the ballots counted . A candidate or his counting agent may ask the returning officer for a recount of votes if the difference between the number of votes for the candidate with the most votes and any other candidate 's number of votes is 2 % or less , excluding rejected and tendered votes . After all counts , and recounts if any , have been completed , the returning officer ascertains whether the total number of electors registered to vote overseas is less than the difference between the number of votes for the two candidates with the highest number of votes . If so , the returning officer declares the candidate with the highest number of votes to be elected as President . If not , the overseas votes may be decisive . The returning officer then states the number of votes cast for each candidate and the date and location where the overseas votes will be counted .

All officers , clerks , interpreters , candidates and candidates ' agents at polling stations must maintain the secrecy of voting in stations . Before the poll is closed , they must not communicate to anyone the name of any elector who has not yet voted or his or her identification number on the electoral register . They are prohibited from communicating information obtained during the counting of votes as to which candidate has been voted for in any particular ballot paper . Furthermore , no person is allowed to try to find out from within a polling station who a voter intends to vote for or has voted for , or to communicate with a voter after he has been given a ballot paper but before he has placed it in a ballot box .

= = = Declaration that election is void = = =

A person claiming to have been a candidate at a presidential election or to have had a right to be elected , or a person who voted or had a right to vote at a presidential election , may apply to an election judge for a candidate 's election as President to be declared void on any of the following grounds :

The majority of voters was or might have been prevented from electing their preferred candidate due to a general occurrence of bribery , treating , intimidation or some other form of misconduct or circumstances .

There was a failure to comply with the Presidential Elections Act and this affected the result of the election .

A corrupt or illegal practice in connection with the election was committed by the candidate , or by an agent of the candidate with his knowledge or consent .

The candidate personally hired someone as an election agent , canvasser or agent while aware that the person had been found guilty of a corrupt practice within the seven years before he was engaged .

At the time the candidate was elected , he was disqualified from standing for election .

The Chief Justice or a Supreme Court judge nominated by him acts as the election judge .

The applicant for an election to be avoided may ask for a declaration that the election is void , that a particular candidate was wrongfully declared to have been elected , and / or that another candidate was duly elected . The applicant may also request for a scrutiny ? that is , a re @-@ examination of the ballot papers ? if he alleges that an unsuccessful candidate had a majority of lawful votes . When a scrutiny is conducted , the election judge may order a vote to be struck off if the voter was not on the register of electors assigned to the polling station at which the vote was recorded or was not authorized to vote at the station ; if the vote was obtained by bribery , treating or undue influence ; if the voter committed or induced someone to commit the offence of personation ; and if the vote



was for a disqualified candidate and the disqualification was either a matter that the voter was aware of or was sufficiently publicized or widely known . During a scrutiny , a tendered vote that is shown to be valid will be added to the poll if any party to the proceedings asks for the vote to be added . On the other hand , a registered elector 's vote will not be struck off at a scrutiny just because he was not qualified to be on the electoral register , and the returning officer 's decision as to whether or not a ballot paper should be rejected may not be questioned .

The election judge is empowered to exempt from being an illegal practice any particular act or omission by a candidate , his election agents or any other agent or person in paying a sum , incurring an expense or entering into a contract if it was done in good faith and was due to inadvertence , accidental miscalculation or the like . Similarly , the judge may make an order allowing an authorized excuse for a failure to file a proper return or declaration relating to election expenses if the candidate or his principal election agent shows that he acted in good faith and that there is a reasonable explanation for the shortcoming such as his inadvertence or illness , or the absence , death , illness or misconduct of some other agent , clerk or officer . In particular , the judge may relieve a candidate from the consequences of an act or omission by his principal election agent if he did not sanction or connive in it and took all reasonable means to prevent it .

The election judge certifies his decision , which is final , to the Prime Minister . The judge must also report to the Prime Minister whether any corrupt or illegal practice was established to have been committed by or with the knowledge and consent of any candidate or his agent . If a judge intends to report a person who was neither a party to the proceedings nor a candidate claiming he should have been declared elected , that person must be given an opportunity to be heard and to give and call evidence to show why a report should not be made against him . However , where a candidate 's agents are found to have been guilty of treating , undue influence or an illegal practice , but the candidate proves that the offences were committed contrary to his orders and without his or his election agents ' sanction or connivance , that all reasonable means were taken to prevent corrupt and illegal practices at the election , that the offences were of a trivial and limited nature , and in other respects the election was free from corrupt or illegal practice , the election is not void .

Depending on whether the judge has determined that the election was valid or void , the election return is confirmed or altered . If the election is declared void , the Prime Minister is empowered to order that another election be held within six months of the determination .

= = Election results = =

Some information in the table above was obtained from Presidential elections results , Elections Department , 7 November 2008 , archived from the original on 2 September 2010 , retrieved 2 September 2010 .

= = = Legislation = = =

Constitution of the Republic of Singapore ( 1999 Reprint ) .

Political Donations Act ( Cap . 236 , 2001 Rev. Ed . ) ( " PDA " ) .

Presidential Elections Act ( Cap . 240A , 2007 Rev. Ed . ) ( " PEA " ) .

Presidential Elections ( Amendment ) Act 2010 ( No. 11 of 2010 ) ( " PEAA " ) .

Parliamentary Elections ( Forms and Fees ) Regulations ( Cap . 240A , Rg 1 , 2000 Rev. Ed . ) , archived from the original on 7 September 2010 .

Presidential Elections ( Certificate of Eligibility ) Regulations ( Cap . 240A , Rg 2 , 2000 Rev. Ed . ) , archived from the original on 31 August 2010 .

Presidential Elections ( Posters and Banners ) Regulations ( Cap . 240A , Rg 3 , 2000 Rev. Ed . ) , archived from the original on 2 September 2010 ( " PEPBR " ) .

= = = Secondary materials = = =

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