

**SECOND READING SPEECH:
PRESIDENTIAL ELECTIONS (AMENDMENT) BILL 2010
DELIVERED BY MR K SHANMUGAM, MINISTER FOR LAW AND SECOND
MINISTER FOR HOME AFFAIRS**

Background

1. Mr Speaker, Sir, I beg to move, "That the Bill be now read a Second time".
2. Sir, this Bill amends the Presidential Elections Act ("PEA").
3. Presidential Elections are run in a similar manner as parliamentary elections. The amendments proposed in this Bill are almost identical to those in the Parliamentary Elections (Amendment) Act, which was just passed.
4. There are three main amendments to the Act. First, it provides for a Cooling Off day on the eve of Presidential Polling day. Second, it introduces contingency measures into the electoral system in order to deal with unexpected situations. And third, it updates the offences and maximum penalties in the Act.

Cooling Off day

5. Sir, the most significant amendment in the Bill is the introduction of a Cooling Off day, on the eve of Polling day. As I had explained during the Second Reading of the Parliamentary Election (Amendment) Bill, the main purpose of Cooling off day is to give Singaporeans some time to reflect and analyse the issues raised during the Presidential campaign.
6. The secondary advantage of having a Cooling off day is that it reduces any potential risk of disorder on the eve of Polling day and on Polling day proper.
7. The Bill increases the minimum period between Nomination day and Polling day by one, as a result of the introduction of Cooling off day. This means that the minimum campaigning period will not be affected.
8. Presidential candidates will be allowed television broadcasts on Cooling off day. Save for this exception, the prohibitions that apply to Polling day will also be extended to Cooling off day. This means that on the Cooling off day, the carrying or wearing of political propaganda, the publication or display of election advertising, the canvassing for votes, as well as the holding of election rallies, will all not be permitted.
9. The Bill will also clarify that election rally permits are needed before Presidential rallies may be conducted during an election period at Speakers' Corner and other unrestricted areas that may be gazetted in future under the Public Order Act.

Election contingencies

10. The Bill introduces a range of contingency measures to deal with crisis situations. These are almost identical to those which just been added to the Parliamentary Elections Act.

Review of election offences

11. Finally, although the Presidential Elections Act was enacted much later, in 1991, the provisions were modeled on the PEA, and hence the penalties were out of sync with more contemporary legislation.
12. The Bill therefore proposes amendments to the maximum penalties of offences in the Act, again largely mirroring amendments to the Parliamentary Elections Act. This is being undertaken as part of the ongoing review of our electoral law.
13. We are also introducing a new offence that prohibits individuals other than Singaporeans from publishing or displaying election advertising during a presidential election period. This is a technical alignment, since there it is already an offence for foreigners to take part in election activity in Singapore.

Conclusion

14. Mr Speaker, Sir, I beg to move.