

**SECOND READING SPEECH: CONSTITUTION OF THE REPUBLIC OF
SINGAPORE (AMENDMENT) BILL 2010
PARLIAMENT SITTING ON MONDAY, 26 APRIL 2010**

Mr Speaker, Sir, I beg to move, that the Bill be now read a second time.

2. Sir, the Constitution of the Republic of Singapore (Amendment) Bill 2010 seeks to amend the Constitution in three areas. First, to introduce refinements to the framework for Non-Constituency Members of Parliament (NCMPs) and Nominated Members of Parliament (NMPs). Second, to allow for arrested persons to be produced before magistrates for First Mentions via Video-Conferencing. Third, to abolish the Citizenship Advisory Committee. I will go through each in turn.

Refinements to NCMP and NMP system

3. In May last year, the Prime Minister announced changes to our electoral system. Of these changes, the refinements to the NCMP and NMP systems will require amendments to the Constitution¹. The changes to the NCMP system will also require amendments to the Parliamentary Elections Act, which will be moved by the Minister for Law and Second Minister for Home Affairs later.

¹ Changes to the Group Representation Constituency (GRC) and Single Member Constituency (SMC) framework will not require constitutional amendments but will be achieved through the terms of reference set for the Electoral Boundary Review Committee.

Rationale behind the Refinements

4. Let me first set out the context for the specific amendments.

5. Like many Commonwealth countries, Singapore's political system was modelled after the British Westminster system of parliamentary democracy. One of the key features of such a system is a legislature elected by voters through "first past the post" contests and the appointment of the Prime Minister and his Cabinet from among the elected Members of Parliament. As we have matured and grown as a sovereign independent country, so too has our political system evolved to meet the changing needs of our society. The objective, however, remains unchanged from the day we achieved independence – that is to have good governance for the well-being and betterment of all our people, regardless of race, language, religion or social class.

6. Good governance, in our view and experience, requires a political system which on one hand fosters political stability by representing the varied interests of an ethnically plural society, and on the other hand enables whichever party forms the Government to make well-considered decisions and implement them effectively for the national good. This gives us the strength and discipline for long-term and strategic planning, as well as the nimbleness and responsiveness that has enabled Singapore to prosper and progress since independence. Parliament in our political system therefore allows the expression of diverse independent views and the representation of constituent interests and concerns. However, these should augment and not

undermine the role of Parliament to act decisively – for its Members to decide on issues and policies, balancing all relevant considerations, and after hearing and debating all relevant points of view.

7. Singapore's political system has produced political stability, prosperity and a high quality of life for citizens since independence. This is clear to both Singaporeans and external observers. For instance, the IMD World Competitiveness Report has, since 2005, consistently ranked Singapore among the third most competitive countries in the world. We have also been ranked highly by the World Economic Forum, the Political and Economic Risk Consultancy (PERC) and Mercer Consulting, among others. Investors also rate highly the political stability of Singapore and continue to invest in us because of their confidence in the Government.

8. Sir, in our political system, the Government has to renew its mandate from the people at least once every five years through free and fair elections. This is how the Government secures the legal and moral authority as well as the political legitimacy to govern and lead the country, implementing policies and programmes for the betterment of our people. The ballot box is the ultimate way by which the people exercise their right to choose what they want and who they want to represent them and to govern and lead Singapore for the next five years.

9. Our political system has worked well because the PAP Government has regularly reviewed and updated our framework and laws to

advance our political development in tandem with societal changes. An example of this is the Group Representation Constituency or GRC system. In the 70s and early 80s, when there was increasing evidence of voting patterns along ethnic lines, the Government, after long debate, decided to introduce the GRC system. GRCs encourage political parties to take a multi-racial perspective, and ensure that our ethnic minorities will always be represented in Parliament regardless of who wins the election.

10. As we mature as a society and our citizens become better educated and informed, we see a growing desire among Singaporeans to follow and express views on important national matters. Singaporeans are keen to be engaged more on issues affecting their lives and futures, but they also want themselves and their children to continue enjoying stability, security, order and communal harmony. Finding the dynamic and changing balance between these aspirations and interests is a challenge for both the Government and the people. But it is a challenge that we will not ignore and will continue to seek to address in a wise and practical manner.

11. A corollary of this desire for more engagement is a desire to see greater diversity of views on issues discussed and debated in Parliament. This is not just a political fashion. It is an evolution which the Government has consistently and progressively fostered. As the world we live in grows more complex and dynamic, it is vital that we maximize ideas and knowledge by engaging a greater diversity of views. Parliament is the best place to develop this. It is the highest decision making body in the land. It is the right forum to

have a responsible free exchange of views and representation of interests, on the record and accountably, and ultimately to take an informed, collective decision, which will be legitimate and accepted by Singaporeans.

12. To provide for this, the Government made changes to the political system with the introduction of the Non-Constituency Members of Parliament (NCMP) scheme in 1984, and Nominated Members of Parliament (NMP) scheme in 1990. The results of General Elections since then have consistently shown that the majority of Singaporeans continue to desire and support a strong and dependable Government. However, recognising that Singaporeans also desire to hear more diverse views in Parliament, and indeed the value of engaging comprehensive perspectives to help sharpen and refine policy formulation, the Government has decided to expand and entrench the NCMP and NMP schemes further.

Non-Constituency Members of Parliament (NCMP)

13. Let me now focus on the NCMP scheme. The Constitution currently provides for up to six NCMPs to ensure a minimum Opposition representation in Parliament. The Parliamentary Elections Act prescribes that the number of NCMPs shall be 3, or such greater number not exceeding 6 that the President may by order specify for the purpose of that General Election after the dissolution of Parliament and not later than the day of nomination, less the number of elected Opposition MPs.

14. NCMPs are provided with most of the rights, privileges and duties of elected MPs. They can participate fully in Parliamentary debates, raise motions, ask questions in Parliament and even vote on most Bills. They are thus provided with the opportunity to propagate their parties' programmes and positions. However, as un-elected Members, they cannot vote on a Bill to amend the Constitution, a Supply, Supplementary or Final Supply Bill, a Money Bill, a vote of no confidence in the Government or a vote for the removal of the President from office². These powers will remain the privileges of an elected MP.

15. The NCMP scheme was introduced in 1984 to ensure that Parliament has at least a few Opposition Members, even if the electorate only returned candidates from the ruling party to Parliament. Three benefits were highlighted then. The first was to provide PAP Ministers and MPs with the experience of the cut and thrust of debate by sparring with Opposition Members. The second benefit was to allow the electorate to judge for themselves what elected Opposition Members can and cannot do for the people. The third was to dispel any suspicions of cover-ups, since Opposition MPs would give vent to any allegation of misfeasance or corruption or nepotism, even if these proved false, and allow the Government to rebut them.

16. The NCMP scheme has fulfilled its intended purposes. It has ensured the presence of Opposition Members in Parliament. The Workers'

² Article 22L of the Constitution provides for the removal from office of the President for certain violations. Only elected MPs can vote to remove the President.

Party rejected the NCMP seat for its candidate in the 1984 General Election after the scheme was approved by Parliament before the General Election. But since 1988, there have been four NCMPs in Parliament – Dr Lee Siew Choh and Mr JB Jeyaretnam both from the Workers' Party, Mr Steve Chia of the Singapore Democratic Alliance and Ms Sylvia Lim also of the Workers' Party. Together with other Opposition Members, they have participated and contributed in their own way to Parliamentary debates.

17. Clause 3 of the Amendment Bill therefore amends Article 39(1) of the Constitution to increase the maximum number of NCMPs in Parliament from six to nine, similar to the number of Nominated MPs. Coupled with changes to the Parliamentary Elections Act, there will be a minimum of nine Opposition Members in the House at any one time, whether directly elected or via the NCMP route, subject to the opposition candidate or candidates winning at least 15% of the total number of valid votes polled. Therefore, regardless of the electoral outcome, the Opposition will be a fixed and significant feature of this House.³ As to whether they can increase their membership in Parliament beyond what is provided for in future, it will ultimately depend on whether they can convince Singaporeans that their policies and programmes will benefit Singaporeans more than those put forth by the ruling Party. The NCMP scheme gives them access to Parliament to try and do so.

³ Technically, there a possibility that no NCMPs are brought into Parliament. That is when none of the best losers garnered 15% or more of the total number of valid votes polled in the constituency that they contested.

18. The NCMP scheme is unique to Singapore as no ruling Party in any other country has created a scheme to allow the losing opposition candidates into Parliament. We have done so because as a Government, we think that this is a good thing that is in Singapore's interests. But let me also say that as a Party, the PAP treats Parliamentary elections very seriously and we will therefore field our best candidates and will continue to contest each and every Parliamentary seat robustly, to win.

Nominated Members of Parliament (NMPs)

19. Sir, now let me turn to the NMP scheme. The Constitution currently provides for up to nine NMPs. After each general election, Parliament has to decide whether to pass a motion that there shall be NMPs during the term of that Parliament. If Parliament so resolves, a Special Select Committee of Parliament will invite the public to submit names of persons who may be considered for nomination by the Committee⁴. From the nominations received, the Special Select Committee will then nominate nine persons for appointment by the President. These persons nominated come from diverse backgrounds and bring to Parliament valuable views drawn from their expertise and experiences. NMPs have been given the same rights as NCMPs to allow them to participate meaningfully in the Parliamentary process.

20. The NMP scheme was first approved in Parliament in 1990 and the number of NMPs was increased from six to nine in 1997. We have

⁴ The Committee also formally invites nominations from six sectors. PM has also announced that the six sectors would be broadened to include the people sector.

extensively debated the merits of the NMP scheme in this House. This scheme has worked well in providing non-partisan alternative views.

21. When we first instituted the NMP scheme, then DPM Goh Chok Tong said that each Parliament will be given the discretion to decide if it wished to have NMPs for the term of that Parliament. This safeguard was introduced because the scheme was new and it was uncertain whether the scheme will work. Twenty years have passed. I believe that the NMP scheme has become an accepted feature of this House. Past and present NMPs have played valuable roles in enriching the debate and discussion on national issues.

As such, clause 5 of this Bill abolishes the requirement for a resolution to be passed by the Parliament before NMPs may be appointed. This will entrench the NMP scheme as a staple feature of all future Parliaments and not a matter to be determined by each new Parliament. NMPs can now be appointed any time within 6 months after the Parliament first sits following a General Election.

22. Sir I beg to move.

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