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### The Singapore Constitution: A Brief Introduction

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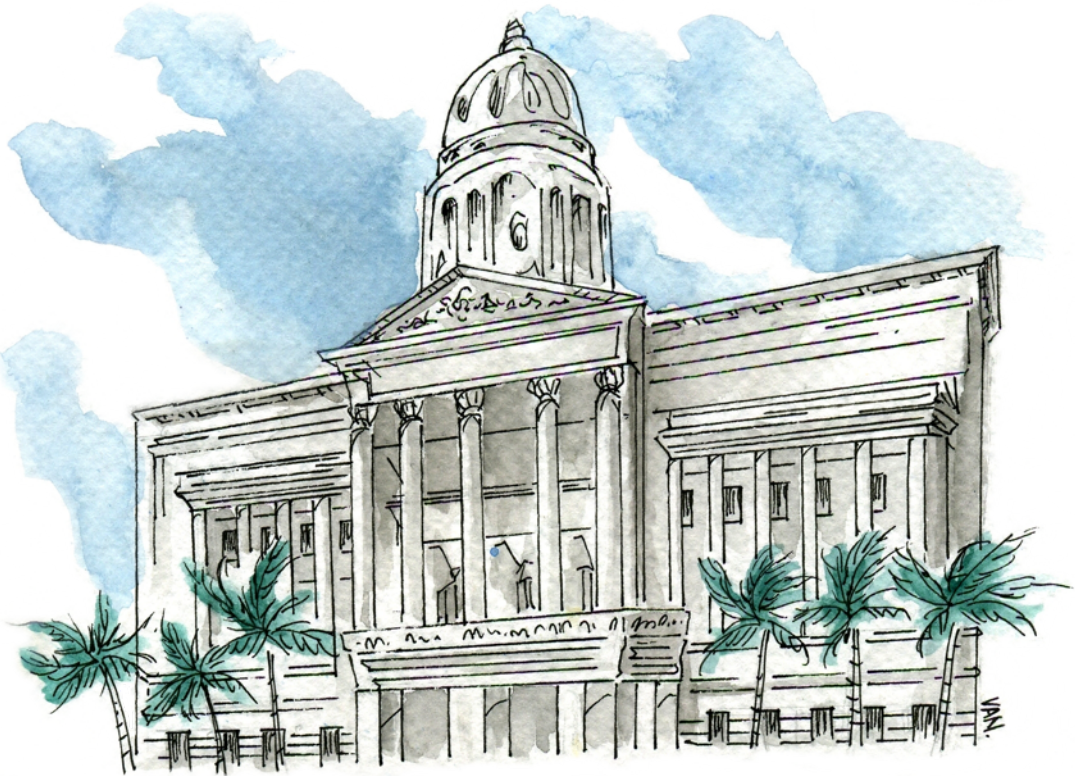
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# THE SINGAPORE CONSTITUTION:

## A Brief Introduction

*Edited by Dierdre Grace Morgan*



# THE SINGAPORE CONSTITUTION

# **THE SINGAPORE CONSTITUTION:**

A Brief Introduction

PROJECT BY:



SMU Apolitical is a student-run club at the Singapore Management University. It was established in 2010, and its mission is to raise awareness of societal affairs.

SPECIAL THANKS TO:

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# Foreword

It gives me great pleasure to write the foreword to this primer on the Singapore Constitution.

This primer seeks to provide an easy guide to those interested in finding out more about the Singapore Constitution. The Constitution provides for the structure of the government and the roles of the judiciary and the parliament. It also secures our fundamental liberties. Hence, some basic knowledge of the Constitution is useful for every citizen.

The primer starts by providing an introduction to the Singapore Constitution and explains the meaning of the concept of separation of powers among the executive, legislature and the judiciary. It also touches on the functions of the three entities, such as how laws are made in Parliament or the impact of a court decision. The primer also takes a brief look at the electoral system and the political parties in Singapore. The use of diagrams and flowcharts should aid the readers' understanding of the subject.

I would like to commend the team of Singapore Management University undergraduates for their painstaking effort in putting this primer together, from the contents to the design and publication.

As the supreme law of the land, the Constitution provides the basis for all the other laws passed in Singapore. So, let us work towards a better understanding of it!

**MDM HALIMAH YACOB,**  
**SPEAKER OF PARLIAMENT AND MEMBER OF PARLIAMENT FOR JURONG GRC**

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# Introduction

Singapore is a sovereign republic, after becoming independent from Malaysia on 9 August 1965. The Constitution of the Republic of Singapore lays down the fundamental principles and basic framework for the three organs of state, namely, the Executive, the Legislative and the Judiciary.

## This book will cover:

**1** An introduction to the Singapore Constitution. The government's power is derived from the Constitution. The Constitution also sets out important principles about the fundamental liberties we are entitled to as individuals.

**2** Next, the functions of the various branches of government will be examined. The relationship of checks and balances between the branches will be discussed in greater detail.

**3** By now, having understood how certain branches of the government derive their power through elections, the elections process will then be explained. Some peculiarities of the presidential and parliamentary elections will also be discussed.

**4** Finally, we will have a brief look at the political parties in Singapore.

*We also include a reference page for the key abbreviations (page 35), as well as several appendices for those who would like to find out more (page 36 onwards).*

# What is a Constitution?

**A** Constitution has been defined as the collection of rules that determine the creation and operation of the government and its institutions. In Singapore, under Article 4, the Constitution is the supreme law (read: the “mother” of all laws). All other laws passed must not contravene the Constitution. This is called constitutional supremacy.



# What is the **FUNCTION** of a Constitution?

A constitution serves many functions. In Singapore, these include:

- **Being the source of the government's power**

- + The constitution sets out the functions and powers of various organs of the government.
- + These include:
  - ◆ The Elected President
  - ◆ The Executive
  - ◆ The Council for Presidential Advisers
  - ◆ The Legislature
  - ◆ The Presidential Council for Minority Rights
  - ◆ The Judiciary
  - ◆ The Public Service

- **Limiting the government's power**

- + The government's power is with limits because of safeguards provided for in the Constitution.
- + This is achieved by dividing the whole of the government's power between the three arms of government. The three arms are the Legislature, Executive and the Judiciary.
- + The separation of powers prevents the concentration of power within a small, select group.
- + It is important to ensure that the laws make the government control itself, rather than rely completely on democratic control (i.e. the will of the people expressed through voting and elections).

# *The* Separation *of* Powers

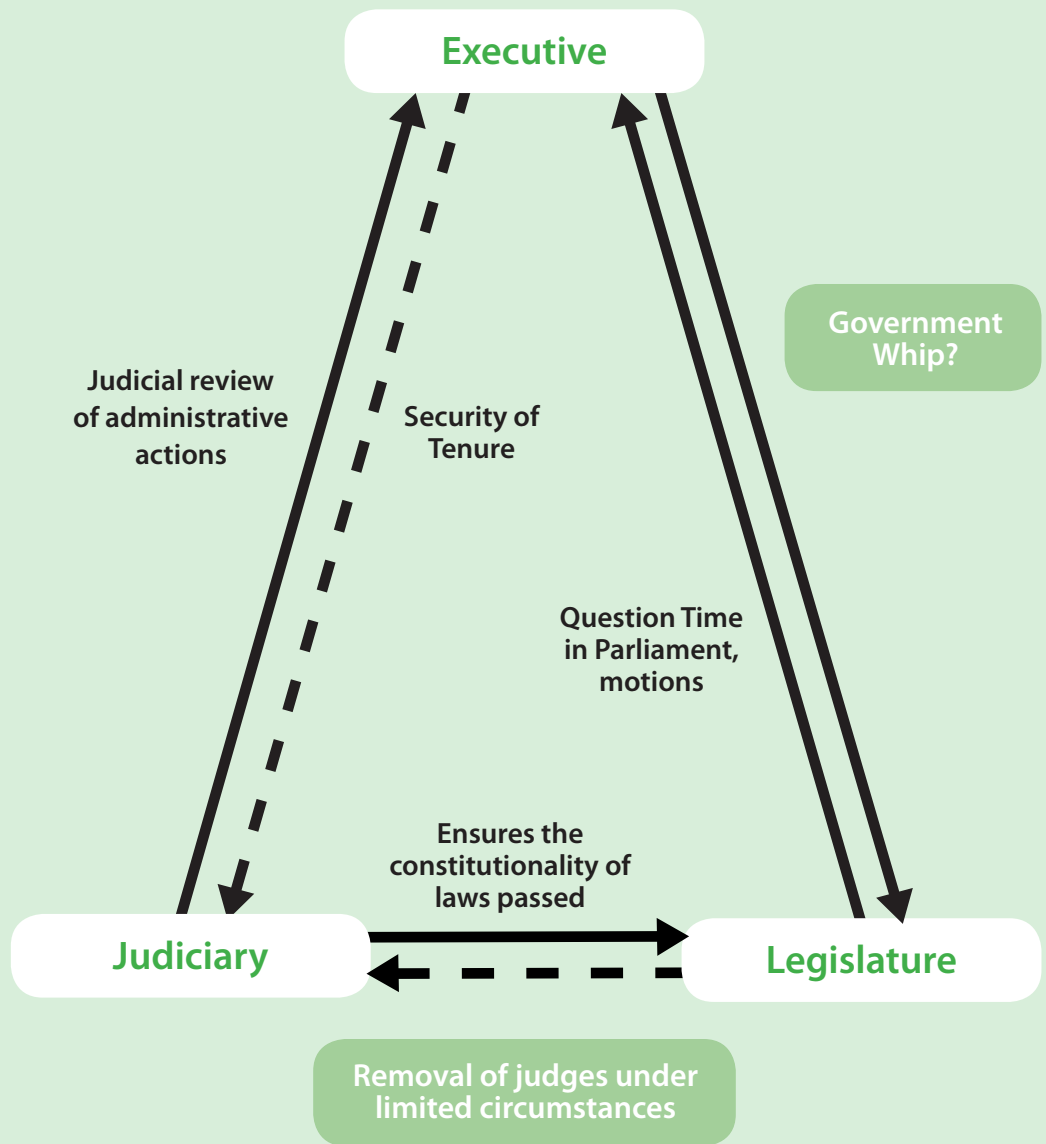
## What is the separation of powers?

It is the theory that different powers of the government must be separate and distinct to preserve liberty. Each department should have a will of its own. Members of each department should be as independent of the other departments as possible.

The basic idea behind the separation of powers is that power should be distributed, and not concentrated within the hands of a select few. In Singapore, the three branches of government are the Executive, Legislature and Judiciary. Each branch, directly or indirectly, acts as a watchdog over the other two.

## How does this work in practice?

- The Judiciary checks the Legislature and Executive through judicial review. This means that the Judiciary can examine administrative decisions and laws made by the Executive.
- The Legislature checks the Executive by asking questions in Parliament.



# Other functions of the Constitution

- **Protects minority interests**
  - + The role of the Presidential Council for Minority Rights is stated (see the section on “The Law-making Process”)
  - + Minority interests are also protected in the form of fundamental liberties, as their guaranteed rights are stated clearly
- **Guards the fundamental liberties of individuals**
  - + Liberty of the person (Articles 9 and 10)
  - + Freedom of speech (Article 14)
    - ◆ This constitutional right to the freedom of speech is enjoyed only by Singapore citizens
    - ◆ This right can be restricted if it is considered necessary for security reasons or to maintain public order
  - + Freedom of religion (Article 15)
    - ◆ This article protects the right to profess, practice and propagate one’s religion
    - ◆ Singapore has no state religion and is therefore a secular state

*Please refer to Appendix A for some key provisions of the Constitution*

## How is the Singapore Constitution amended?

When an amendment is proposed, Parliament will have to vote to approve the change to the Constitution. This requires a 2/3 majority of Parliament. In comparison, normal laws can be amended with a simple majority in Parliament. This means only 50% +1 Members of Parliament must vote for the bill.

# Structure of the Singapore Government

## Constitution of the Republic of Singapore

### **Executive authority of Singapore**

23.— (1) The executive authority of Singapore shall be vested in the President and exercisable subject to the provisions of this Constitution by him or by the Cabinet or any Minister authorised by the Cabinet.

(2) The Legislature may by law confer executive functions on other persons.

### **Legislature of Singapore**

38. The legislative power of Singapore shall be vested in the Legislature which shall consist of the President and Parliament

### **Judicial power of Singapore**

93. The judicial power of Singapore shall be vested in a Supreme Court and in such subordinate courts as may be provided by any written law for the time being in force.

# EXECUTIVE

## The Elected President

The President is the head of state of Singapore and is elected for a six-year term.

The Elected Presidency was introduced in 1991. It effectively expanded the role of the President from being merely ceremonial in nature, to one that gives the President some custodial and discretionary powers. This means that the President has actual powers.

In practice however, the Cabinet has general control over the Government and its policies. The President also has to exercise his powers in accordance with the advice of Cabinet or a minister acting under the Cabinet's general authority.

The President acts as a custodian or "second key" over Singapore's rich financial reserves built up by the Government. He has the power to block attempts by the Government to draw down on past reserves he deems to be against Singapore's interests. This safeguard mechanism was triggered for the first time in 2009. At that time, the Government had wanted to use past reserves to fund special policies to reduce the effects of the global financial crisis. Then-President Mr. S. R. Nathan gave his approval for the drawdown of \$4.9 billion of past reserves. This was mostly used to fund the Jobs Credit Scheme, which was aimed at saving jobs.

The President also plays a gatekeeper-role in decisions made under the Internal Security Act and Maintenance of Religious Harmony Act ("MRHA"). Take the MRHA for example. If an order to restrain someone is made under the MRHA, the President may step in to cancel or change the order if the Cabinet does not agree with the recommendations made by the Presidential Council for Religious Harmony.

Finally, the President has a role to play in ensuring the Government remains corruption-free. This is because the director of the Corrupt Practices Investigation Bureau ("CPIB") may conduct certain investigations with the President's assent. This is even if the Prime Minister or his Cabinet does not agree. The President also has the power to veto some key appointments in the public service.



## Council of Presidential Advisers

The Constitution requires the President to consult the Council of Presidential Advisers (CPA) when exercising some of his powers. The Council is made up of six members and two alternate members. Among the six, the President appoints two members; two are the Prime Minister's nominees, one is the Chief Justice's nominee and one is the nominee of the Chairman of the Public Service Commission. This system of appointment ensures the Council as a whole will be as neutral as possible, and not be overly influenced by one particular branch. The Council is appointed for a six-year term.

## Presidential Council for Minority Rights

This council is not elected and its main function is to scrutinise most of the bills passed by Parliament to ensure that they do not discriminate against any racial or religious community.

## Decision-making

The powers of the President of Singapore may be divided into three categories:

**1** Those which he must exercise in accordance with the advice of the Cabinet or of a Minister acting under the general authority of the Cabinet

**2** Those for which he must consult the Council of Presidential Advisers prior to exercising

**3** Those that fall in neither of the above categories; in such cases, the President may use his personal discretion

While these powers were introduced in 1991, several subsequent changes were introduced in 1996 to allow Parliament to overrule certain decisions made by the President. What is needed is support from two-thirds majority of Parliament.

# CABINET

The Cabinet and the President together form the Executive branch of the Government.

The Cabinet is made up of the Prime Minister and other Ministers. The Prime Minister, like all Cabinet Ministers, is a Member of Parliament. To become Prime Minister, he has to be appointed by the President. In so deciding, the President selects the person who is likely to command the confidence of the majority of the Members of Parliament. Our current Prime Minister is Mr. Lee Hsien Loong.

The President, on the Prime Minister's advice, appoints the other members of the Cabinet, i.e. the Ministers (Article 25). Members of the Cabinet are not allowed to hold any office of profit or actively engage in commercial enterprise (Article 33). Parliamentary Secretaries and Ministers of State are not part of the Cabinet, though they are part of the Executive.

## Collective responsibility of the Cabinet

Article 24(2) states that every member of the Cabinet is collectively responsible to Parliament. What is collective responsibility of the Cabinet? This has been taken to mean that the Cabinet must speak with one voice, and that internal Cabinet discussions are kept confidential. This is so that a united front can be presented to the public. Additionally, the concept of collective responsibility entails that the whole of Cabinet is responsible for the decisions made. In practical terms, under the Westminster system, the convention has been that the whole Cabinet resigns if a confidence vote is tabled in Parliament and lost by the Government.

For a list of the current members of Cabinet and their respective portfolios, please refer to Appendix B.

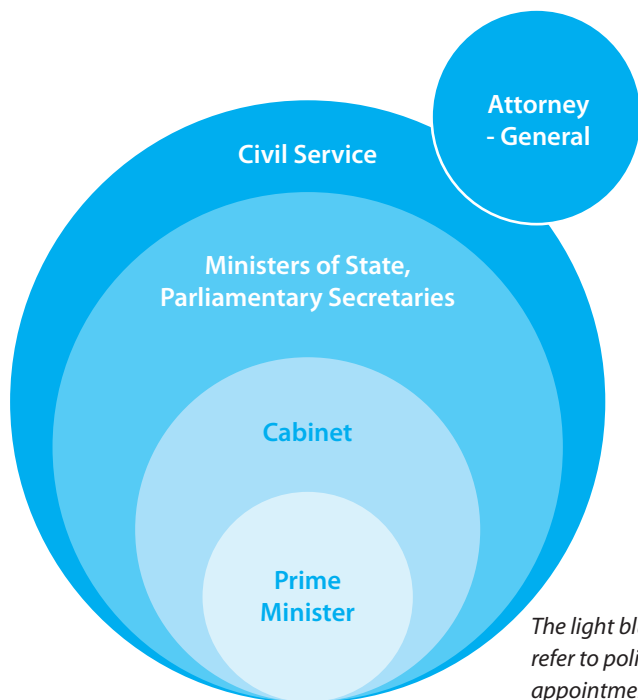
Executive power lies in the hands of the Cabinet, which is made up of the Prime Minister of Singapore (the head of Government) and other Ministers. At the same time, the Prime Minister and Ministers are also Members of Parliament (MPs).

# THE EXECUTIVE - ATTORNEY - GENERAL

The office of the Attorney-General is provided for under Article 35. Broadly speaking, the Attorney-General performs two main functions. First, the Attorney-General is the Government's legal officer. This means he provides the Government with legal advice, drafting and vetting its contracts, and represents the Government in its civil lawsuits.

Second, the Attorney-General is also the Public Prosecutor with relation to criminal offences. He decides who to charge and what specific offences to charge them with. In making his decision, the Attorney-General takes into account many factors. This power to decide is called "prosecutorial discretion", and it is a very wide power indeed. No one, not even the judiciary, can interfere with the Attorney-General's decision-making here, unless there are clear breaches of constitutional rights.

Our current Attorney-General is Mr. Steven Chong, SC.



*The light blue circles refer to political appointments.*

# LEGISLATURE

Parliament is the law-making body in Singapore. The Singapore Parliament is based on the Westminster model, which was inherited from the British. It is unicameral (i.e. there is only one chamber, no upper house).

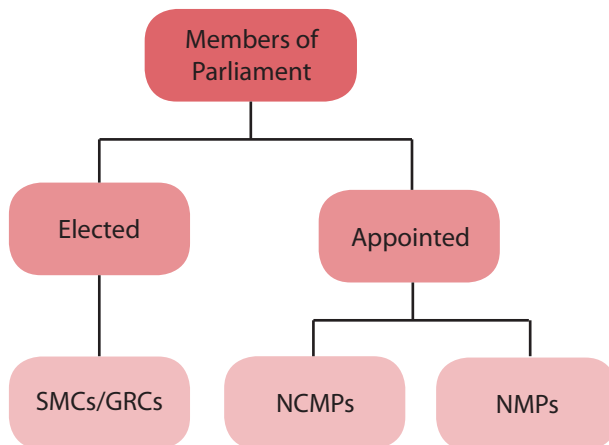
This part looks at:

**1** The make-up of Parliament

**2** The law-making process

## The make-up of Parliament

Based on the British Westminster model of Parliament, members of Parliament are the elected representatives of the people. They speak on behalf of the people in debating and passing laws. However, departing from the British system, Singapore has introduced two innovations to allow people who were not democratically elected to be members of Parliament. The Speaker of Parliament oversees all sittings of Parliament and ensures they are conducted in an orderly manner. To do so, the Speaker acts impartially and fairly towards all MPs.



*For a detailed comparison of the different types of MPs, please refer to Appendix C.*

## Elected members

These members are elected through general elections.

## Appointed members

In the Singapore Parliament, apart from elected members, there are two types of appointed members — Non-Constituency Members of Parliament (NCMPs) and Nominated Members of Parliament (NMPs).

### *Non-Constituency Members of Parliament*

Non-Constituency Members of Parliament are the “best losers” from the Opposition in a general election. This means among all the Opposition members who lost in the elections, those with the highest percentages of votes will get to be NCMPs. This scheme was introduced in 1984 to ensure the representation in Parliament of a minimum number of MPs not from the ruling party. The Constitution states there can be a maximum of nine NCMPs.

There are currently three NCMPs: Mr. Gerald Giam and Mr. Yee Jenn Jong from the Workers’ Party, and Mrs. Lina Chiam from the Singapore People’s Party.

### *Nominated Members of Parliament*

Nominated Members of Parliament are not members of any political party, and they do not participate in elections. They are hence able to speak in Parliament in a non-partisan manner. NMPs are typically individuals who have distinguished themselves in the field of arts, culture, the sciences, business, industry, the professions, social or community service or the labour movement. NMPs are nominated by a Special Select Committee of Parliament chaired by the Speaker of Parliament and appointed by the President. The Constitution states that there can be a maximum of nine NMPs, with each term lasting two and a half years.

# GOVERNMENT PARLIAMETARY COMMITTEES (GPCs)

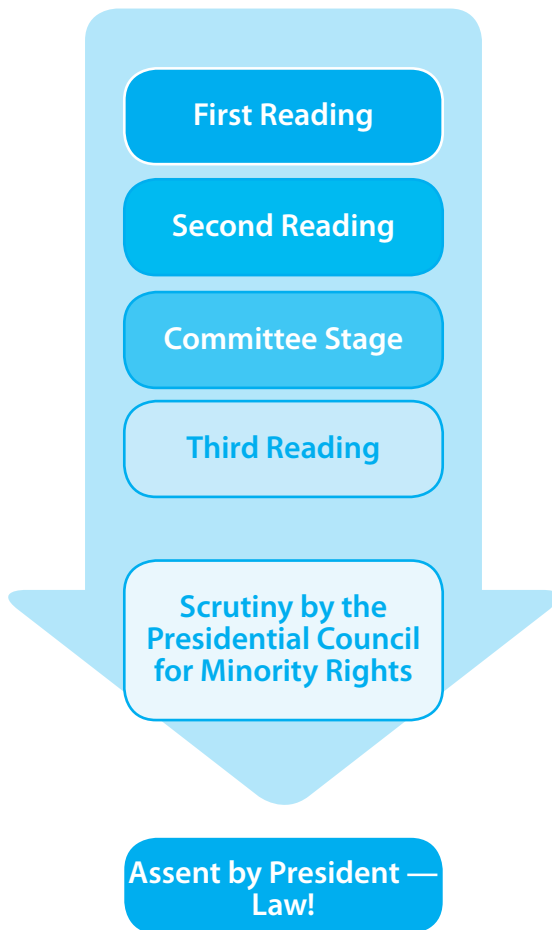
Government Parliamentary Committees are made up of PAP backbenchers, and each GPC examines the policies and proposed legislation of a particular ministry. One of the aims of having GPCs is to allow PAP backbenchers to participate more in the policy-making process. GPCs are not legislated, and is a scheme established and implemented by the PAP.

In 2010, a group of MPs led by GPC Chair for Community Development, Youth and Sports tabled a Private Members' Bill to amend and update the Maintenance of Parents Act. The Bill was eventually passed. A significant moment indeed, as this was only the second ever Private Member's Bill to be passed as law!



# THE LAW- MAKING PROCESS

Before a law is passed, the draft that is debated in Parliament is called a Bill. All bills must go through three readings in Parliament and receive the President's assent to become an Act of Parliament (i.e. part of the law in Singapore).



## First Reading

The bill is introduced for the first time. There is no debate during this stage, it is more of a formality.



## Second Reading

During this stage, members debate the general principles of the bill. They then vote on whether the bill should proceed to the next stage. Most bills require a simple majority of 50% + 1 MPs to vote for the bill in order to proceed.



## Committee Stage

During this stage, the details of the drafting of the proposed law are examined. Specific changes to certain clauses can be proposed. Depending on the contents of the bill, it can be referred to the Committee of the Whole House or a Select Committee.



## Third Reading

During this stage the principles behind the bill can no longer be questioned, and only minor amendments will be allowed. The bill is then voted upon. A simple majority of all the MPs present and voting is all that is needed for the bill to be approved in most cases.



## Scrutiny by the Presidential Council for Minority Rights

The Council reports to the Speaker of Parliament on whether there is any clause in a bill that contains a "differentiating measure", that is, one which discriminates against any racial or religious community. It will issue an adverse report if so.



## President's Assent



Bill becomes an Act of Parliament, and forms part of SINGAPORE LAW!



# JUDICIARY

The Judiciary is the counter-majoritarian check. What is that? Democracy is rule of majority. In Singapore, Members of Parliament are popularly elected through elections. This may result in a situation which some call the “tyranny of the majority”, where since the Government is elected by the majority, their policy decisions will inadvertently favour the majority.

The Judiciary, on the other hand, is not elected. It has a duty to act as a check on both the Executive and the Legislature.



## How does the Judiciary check on the Executive and the Legislature?

For the Executive, the Judiciary ensures that it acts within the powers conferred to it by law and by Parliament. This means that if, for example, an officer from a Ministry acts beyond the powers given to him by a particular law, the Judiciary can hold him accountable.

For the Legislature, the Judiciary ensures that the laws passed by it are consistent with the Singapore Constitution. Remember, Singapore functions on the basis of constitutional supremacy. Everyone, including Parliament when passing laws, has to act consistently with its provisions. Hence, the Judiciary can strike down laws which it deems inconsistent with the Constitution.

The Judiciary's other main function is to decide the outcome of disputes between individuals, and disputes between individuals and the Government.

In order to perform these functions well, it is important for the Judiciary to be independent from the other branches. To achieve this, there are several legal safeguards in place.



**1**

Security of tenure — an existing high court judge cannot be removed from office unless strict specific criteria (such as mental or physical disability) are met. This prevents the removal of a judge by members of the Executive or Legislature because he/she may have made a decision against their favour.

**2**

Remuneration — a judge's pay cannot be adjusted to his/her disadvantage after being appointed. This is to prevent the other branches from cutting or increasing a judge's pay depending on how they decide cases.

**3**

Immunity from civil suits — a judge is immune from personal civil law suits in respect of any act that he does in his capacity as a judge. This protection does not extend to acts done outside his/her capacity as a judge. Nonetheless, it gives the judge peace of mind to decide cases without fear of being sued.

**4**

Constitutional and Legislative measures protecting respect and support — in particular, the conduct of a judge cannot be discussed in Parliament by the Legislature unless specific conditions are met.

**5**

Contempt of court — the court has the power to punish individuals for contempt. What is contempt? This includes acts suggesting that a judge is biased, or making direct unsubstantiated accusations about the judiciary. The offence of contempt of court is there to maintain public confidence in the judiciary and the administration of justice.

# ELECTIONS IN SINGAPORE

There are two types of elections in Singapore: Parliamentary and Presidential elections.

Under the Singapore Constitution, general (Parliamentary) elections must be conducted within 5 years of the first sitting of Parliament (Article 65(4)). The exact timing is up to the Prime Minister to decide.

Presidential elections, on the other hand, are conducted every 6 years. This President's term is therefore independent of Parliament.

## Voting

Voting is compulsory for all Singapore citizens aged 21 and above, and who are ordinarily resident in Singapore. Eligible voters will receive their polling cards by mail, and they do not need to register beforehand. The right to vote has been recognised as a constitutional right to be enjoyed by Singapore citizens.

## First-past-the-post system

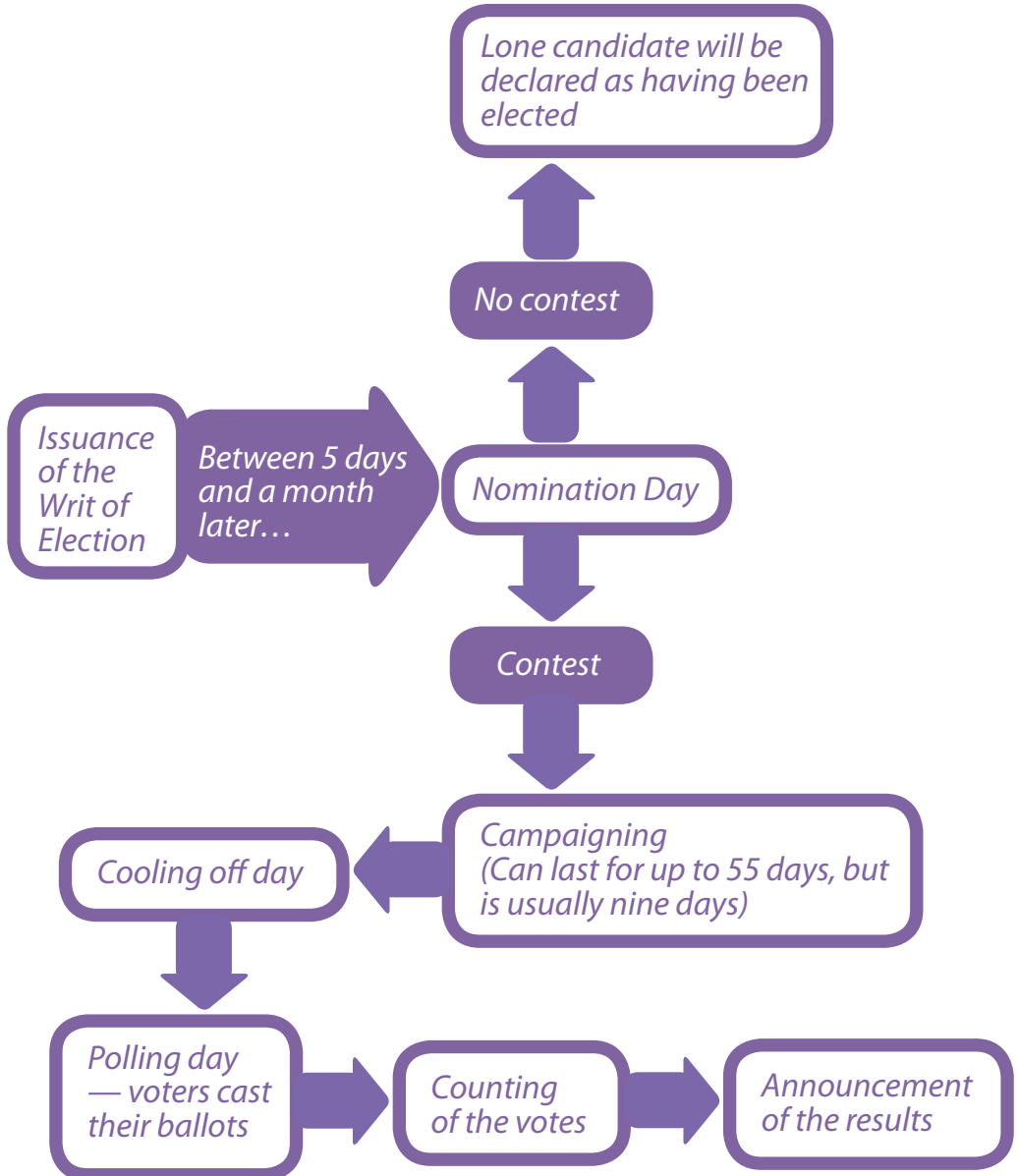
The system we have is also a first-past-the-post (FPTP) system. This means the candidate with the most number of votes will be the winner, regardless of the actual winning margin. One interesting example is the result in Potong Pasir constituency in the 2011 General Elections. The winner, Mr. Sitoh Yih Pin, won a mere 114 votes more than his opponent, Mrs. Lina Chiam – a close race indeed!

Another effect of the FPTP system is that the eventual winner may not actually have the majority of votes – he just needs to have more than the rest. This is more likely to happen when there are more than 2 candidates taking part in the elections. For example, in the 2011 Presidential Elections, four candidates ran. The votes were mostly split between three of the candidates, and Dr. Tony Tan Keng Yam emerged victorious with 35.20% of votes.

Hence, a candidate can win an election by winning even just one vote more than his opponents!

*Please refer to Appendix D for a description of some other methods of elections.*

# THE ELECTORAL PROCESS IN GENERAL



## *Issuance of the Writ of Elections*

The writ is issued by the President, acting on the Cabinet's advice (section 24(1), PEA). Once this writ is issued, details of Nomination Day will be announced by the Returning Officer (section 25, PEA). These include the date, time and places for nomination of candidates, the documents that candidates must submit on nomination day, and the amount of the deposit that must be lodged.

## *Nomination Day*

Aspiring candidates file their nomination papers and make an election deposit within the nomination period between 11 am and 12 noon (s 29(2), PEA). After the nomination period closes, half an hour is then set aside for candidates to scrutinise one another's application forms. If they have any objections, this is the time during they can raise them to the Returning Officer.

After this, if there is more than one eligible candidate for the President's office or a particular constituency, the Returning Officer will declare a contest.

## *Campaigning*

Campaigning begins immediately after a contest has been declared and the eligible candidates announced. This has usually lasted for nine days, though it can technically last up to 55 days (section 34(6)(d), PEA). Traditional modes of campaigning include visits to homes and neighbourhoods, rallies at designated fields, and party political broadcasts on television.

Also, in 2010, the rules on internet advertising during elections were relaxed. Candidates may now use the Internet to promote their campaigns, including using websites, chat rooms or discussion forums, e-mail, Twitter, Youtube, SMS and MMS messages, blogs and social networking sites like Facebook.

### *Cooling off day*

On cooling off day, no new advertising or campaigning is allowed. However, advertising material already out in the public domain can remain. This was introduced in 2010, and is intended to provide voters with a day to get over the excitement and emotion of campaigning, and reflect on the issues in a rational manner.

### *Polling day*

This is the day all voters cast their votes, and is declared a public holiday (s 35, PEA). Voting is compulsory in Singapore. No campaigning is allowed on this day, though the candidates may inspect the polling stations. Polls will close at the end of the day (usually at 8pm), and the votes will then be counted.

Candidates may also inspect the counting process. A candidate can also ask for a recount of votes if the difference in vote share is 2% or less, excluding rejected votes (section 49B, PEA). The results of the elections will be announced by the Returning Officer after they have been confirmed.

### *Overseas voting*

Singapore citizens abroad who have been registered as overseas electors can cast their votes at the overseas polling stations allotted to them. Polling overseas may take place before polling starts in Singapore but has to close before polling ends in Singapore. After an overseas poll is closed, the ballot boxes will be brought back to Singapore for counting and they must reach the Returning Officer not later than 10 days after Polling Day.

# Parliamentary elections

The number of elected MPs in each term of Parliament depends on the number of constituencies. This is not fixed by any law. An Electoral Boundaries Review Committee is usually appointed just before a General Election makes recommendations on the boundaries. The Committee comes under the purview of the Prime Minister's Office (PMO). The Committee will examine factors like population changes, and make recommendations on the number and size of constituencies. The Prime Minister can then accept the recommendations. The list of electoral divisions is usually declared by the Prime Minister one or two months before the General Election.

In this regard, there are two types of constituencies – Single Member Constituencies (SMCs), and Group Representation Constituencies (GRCs).

## *SMCs*

Each SMC returns one MP. Before GRCs were introduced in 1988, all constituencies in Singapore were SMCs.

## *GRCs*

In a GRC, MPs are voted into Parliament as a group. A GRC can have between three and six MPs, and at least one member must belong to the Malay, Indian or another minority community of Singapore. The Government's reasons for introducing the GRC scheme were firstly, to ensure minority representation in Parliament. Second, it was to enable town councils to reap economies of scale by handling larger constituencies. The precise numbers of GRCs and MPs in each GRC are not fixed by law, and are declared by the Prime Minister along with the other constituencies.

In the 2011 General Elections, a record 82 out of the 87 seats in Parliament were contested. This translated into 9 days of action-packed and exhilarating campaigning by the different political parties. In the end, the PAP won 60.14% of the total votes. It was the first time an Opposition party — the Workers' Party — had won a GRC.

A registered voter will only have to vote if his constituency is contested. Where there is no contest, the unopposed candidate will be elected by default. This is also known as a walkover.



## By-elections

Where an “ordinary” MP’s seat has been vacated, for example because he passes away, the seat must be filled by election under Article 49(1). In a 2013 Court of Appeal decision, this article was interpreted to provide that the Prime Minister must call for a by-election within a reasonable time. However, there is no specific time-frame and the Prime Minister is entitled to take into account all relevant circumstances

In May 2012, by-elections were held in Hougang SMC after the then-MP Mr Yaw Shin Leong was expelled from the Workers’ Party. This led to a “showdown” between PAP’s Mr Desmond Choo and WP’s Mr Png Eng Huat. Mr Png eventually won, with 62.09% of the votes.

In December 2012, by-elections were held in Punggol East SMC after then-Speaker of Parliament Mr Michael Palmer resigned from the PAP. This time, four candidates vied for the position — Ms Lee Li Lian (WP), Mr Koh Poh Koon (PAP), Mr Kenneth Jeyaretnam (Reform Party), and Mr Desmond Lim (SDA). Ms Lee emerged victorious with 54.5% of the votes.

# Presidential elections

Where there is a contest in a Presidential election, all Singapore registered voters will have to vote regardless of which constituency they belong to. In addition, unlike Parliamentary elections, aspiring candidates in a presidential election must first obtain a "Certificate of Eligibility" before they are able to contest.

There are a few requirements for the Certificate of Eligibility. These include:

- + Being a citizen of Singapore;
- + Being not less than 45 years of age;
- + Being a person of integrity, good character and reputation;
- + NOT being a member of any political party on the date of his nomination for election; and
- + Having held any of these positions for a period of at least three years:
  - ◆ Minister, Chief Justice, Speaker, Attorney-General, Chairman of the Public Service Commission, Auditor-General, Accountant-General or Permanent Secretary;
  - ◆ Chairman or chief executive officer of CPF Board, HDB, JTC or MAS;
  - ◆ Chairman of the board of directors or chief executive officer of a company with a paid-up capital of at least \$100 million; or
  - ◆ A comparable position of seniority and responsibility in any other organisation in the public or private sector.

It is the Presidential Elections Committee that decides whether an aspiring candidate satisfies these requirements for the Certificate of Eligibility. Under Article 18(2) of the Singapore Constitution, the PEC comprises the Chairman of the Public Service Commission, the Chairman of Accounting and Corporate Regulatory Authority (ACRA), and a member of the Presidential Council for Minority Rights (PCMR).

In the 2011 Presidential Elections, a record four candidates contested. Incidentally, all four of them had the same surname! They were: Dr. Tony Tan Keng Yam, Dr. Tan Cheng Bock, Mr. Tan Jee Say and Mr. Tan Kin Lian.

# POLITICAL PARTIES IN SINGAPORE

While Singapore has a one-party dominant system, it is certainly not a one-party state. In fact, since Singapore gained independence in 1965, there have been at least 30 registered parties. It is also important to note that the opposition parties are not monolithic. They do differ in ideologies and policy proposals. There are three parties with a presence in the current term of Parliament. They are: the People's Action Party, the Workers' Party, and the Singapore People's Party.

## *PAP*

The People's Action Party (PAP) is the dominant and ruling party in Singapore's political scene. Ever since winning a majority in the 1959 legislative assembly general election, the PAP has unfailingly held on to power with a convincing majority. For many years, the secretary-general of the PAP was Mr. Lee Kuan Yew. Mr. Lee served as the Prime Minister of Singapore from 1959 to 1990. Mr. Goh Chok Tong then took over as secretary-general in 1991. The current secretary-general of the PAP is Mr. Lee Hsien Loong. He has been the Prime Minister of Singapore since 12 August 2004. It has 80 MPs in the current Parliament.

## *WP*

The Workers' Party was founded in 1957 by Singapore's former Chief Minister, Mr. David Marshall. In 1981, the party's then-leader J.B. Jeyaretnam became the first opposition MP to be elected to Parliament since Singapore's independence in 1965. Since then, the WP has maintained a consistent, albeit relatively small, presence in Parliament. In the 2011 General Elections, WP became the first Opposition party to win a GRC. It has nine MPs in the current term of Parliament.

## *SPP*

The Singapore People's Party was founded in 1984 by Sin Kek Tong. In 2001, the SPP became a founding member of the Singapore Democratic Alliance (SDA), together with three other parties. However, SPP withdrew from the alliance in 2011 conceivably due to a divergence of views. SPP hence contested on its own, apart from the SDA and other parties, in the 2011 General Elections. It has one NCMP in the current term of Parliament.

Apart from these three parties, the National Solidarity Party (NSP), the Singapore Democratic Party (SDP), the Singapore Democratic Alliance (SDA) and the Reform Party (RP) contested in the 2011 General Elections.

## *NSP*

The National Solidarity Party was formed in 1987. It was also a founding member of the SDA, but withdrew from the alliance in 2007. In the 2011 General Elections, the NSP fielded 24 candidates, the highest number among all opposition parties.

## *SDP*

The Singapore Democratic Party was founded by Mr Chiam See Tong in 1980. It currently has a liberal human rights-oriented approach, which some political observers say appeals more to the English-educated and younger segment of the electorate.

## *Reform Party*

This party was founded by Joshua Benjamin Jeyaretnam (JBJ) in 2008, three months before he passed away. The Reform Party is now led by his son, Kenneth Jeyaretnam. It seeks to promote transparency and accountability in the government.

## *SDA*

The SDA started out as an alliance of four political parties: the NSP, the SPP, the Singapore Justice Party (SJP) and the Singapore Malay National Organization (PKMS). However, NSP and SPP have since withdrawn from the alliance, and contested in the 2011 General Elections on their own as described above.

# INSTITUTIONS ASSOCIATED WITH THE GOVERNMENT

## Statutory boards

Statutory boards are semi-autonomous organisations, which are created by laws (statutes) passed by Parliament. They are semi-autonomous because on the one hand, each statutory board receives some funding from and reports to a particular Ministry. On the other hand, statutory boards carry out their daily operations independently. Employees of statutory boards are not usually considered civil servants.

## Town councils

Town councils essentially control, manage, maintain and improve the common property of HDB housing estates. The establishment and functions are stated in the Town Councils Act. However, in practice, town councils are not statutory boards, but are private companies.

## Community Development Councils

Community Development Councils are semi-Government organisations. CDCs serve two major functions. First, they initiate and plan programmes to promote community bonding and social cohesion. Second, CDCs also provide social assistance services delegated from various Ministries. CDCs get most of their funds from the Government.

# ABBREVIATIONS

Government with a capital “G” — refers to the Elected President and the Executive Government with a small “g” — refers to all three branches which collectively govern Singapore, may even refer to the civil service in certain contexts

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**ACRA:** Accounting and Regulatory Authority

**NSP:** National Solidarity Party

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**CPA:** Council of Presidential Advisers

**PAP:** People’s Action Party

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**CPF:** Central Provident Fund

**PCMR:** Presidential Council for Minority Rights

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**GRC:** Group Representation Constituency

**PEC:** Presidential Elections Committee

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**ISA:** Internal Security Act

**Returning Officer:** Someone in charge of overseeing elections

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**JTC:** Jurong Town Corporation

**SDP:** Singapore Democratic Party

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**HDB:** Housing and Development Board

**SDA:** Singapore Democratic Alliance

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**MAS:** Monetary Authority of Singapore

**SMC:** Single Member Constituency

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**MP:** Member of Parliament

**SPP:** Singapore People’s Party

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**NCMP:** Non-constituency Member of Parliament

**WP:** Workers’ Party

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**NMP:** Nominated Member of Parliament

**Writ:** A formal written order

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# APPENDIX A

## Selected provisions of Part IV of the Singapore Constitution

### **Liberty of the person**

**9.** —(1) No person shall be deprived of his life or personal liberty save in accordance with law.

### **Equal protection**

**12.** —(1) All persons are equal before the law and entitled to the equal protection of the law.

### **Freedom of speech, assembly and association**

**14.** —(1) Subject to clauses (2) and (3) —

- (a) every citizen of Singapore has the right to freedom of speech and expression;
- (b) all citizens of Singapore have the right to assemble peaceably and without arms; and
- (c) all citizens of Singapore have the right to form associations.

### **Freedom of religion**

**15.** —(1) Every person has the right to profess and practise his religion and to propagate it.

# APPENDIX B

## List of current Cabinet Ministers

*Mr. LEE Hsien Loong* – Prime Minister

*Mr. TEO Chee Hean* – Deputy Prime Minister and Coordinating Minister for National Security and Minister for Home Affairs

*Mr. Tharman SHANMUGARATNAM* – Deputy Prime Minister and Minister for Finance

*Mr. LIM Hng Kiang* – Minister for Trade and Industry

*Mr. LIM Swee Say* – Minister, Prime Minister's Office

*Dr. YAACOB Ibrahim* – Minister for Communications and Information

*Mr. KHAW Boon Wan* – Minister for National Development

*Dr. NG Eng Hen* – Minister for Defence

*Dr. Vivian BALAKRISHNAN* – Minister for the Environment and Water Resources

*Mr. K Shanmugam* – Minister for Foreign Affairs and Minister for Law

*Mr. GAN Kim Yong* – Minister for Health

*Mr. LUI Tuck Yew* – Minister for Transport

*Mr. S Iswaran* – Minister, Prime Minister's Office, Second Minister for Home Affairs and Second Minister for Trade and Industry

*Mr. HENG Swee Keat* – Minister for Education

*Ms. Grace FU Hai Yien* – Minister, Prime Minister's Office, Second Minister for the Environment and Water Resources and Second Minister for Foreign Affairs

*Mr. CHAN Chun Sing* – Minister for Social and Family Development and Second Minister for Defence

*Mr. TAN Chuan-Jin* – Acting Minister for Manpower

*Mr. Lawrence WONG* – Acting Minister for Culture, Community and Youth and Senior Minister of State, Ministry of Communications and Information



# APPENDIX C

	Elected MPs	NCMPs	NMPs
<b>Participated in elections?</b>	Yes	Yes, but lost	No, they also cannot be members of political parties
<b>Appointment process</b>	NA	It is based on the candidate's share of votes. The appointments go in descending order (i.e. the losing candidate with the highest share of votes will be appointed first)	Nominations are made by Special Select Committee of Parliament chaired by the Speaker of Parliament. This process includes an interview
<b>Legislative powers</b>	Full law-making powers	<p>Can participate in all debates But cannot vote on any motion relating to:</p> <ul style="list-style-type: none"> <li>▪ bills to amend the Constitution;</li> <li>▪ Supply Bills, Supplementary Supply Bills or Final Supply Bills, which authorize the spending of public funds by the Government;</li> <li>▪ Money Bills, which deal with various finance-related matters;</li> <li>▪ votes of no confidence in the Government; and</li> <li>▪ Removal of the President from office</li> </ul>	Same as NCMPs
<b>Length of term</b>	One term of Parliament (five years in general)	One term of Parliament (five years in general)	Two and a half years

# APPENDIX D

## What other methods of elections are out there?

### FPTP

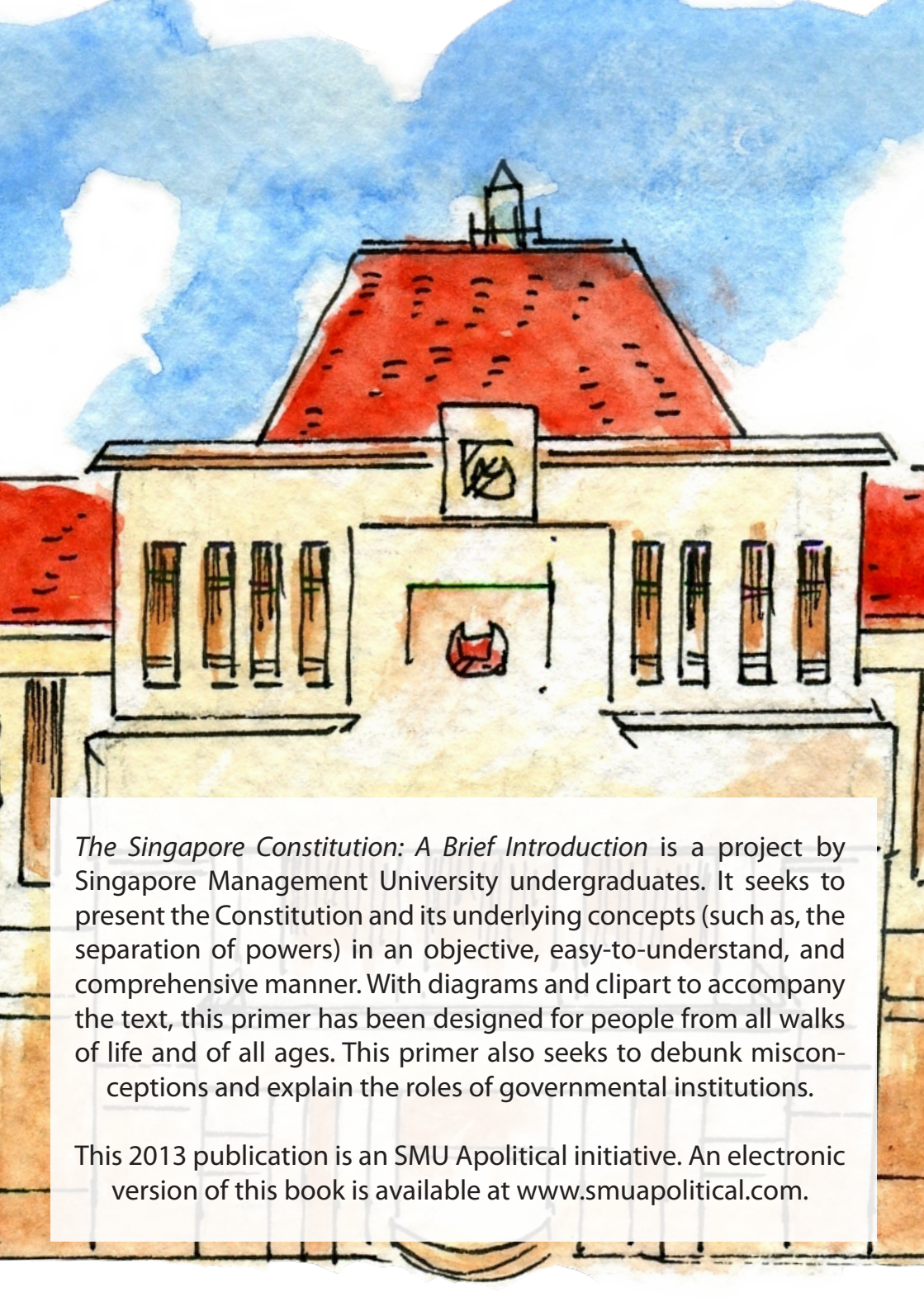
It is not the only method of running an election. The U.S. Presidential elections operate through the Electoral College system and in the United Kingdom, a referendum was held in 2011 to decide whether to retain the FPTP system or switch to an Alternative Vote (AV) system (they ultimately chose to retain FPTP).

### Electoral College

It is a process in which voters in an election do not actually choose between candidates for an office. Rather, they elect persons (known as electors) who will then make the choice.

### AV Method

It is a form of preferential voting (or ranked choice voting) in which voters rank the candidates in order of preference, and their ballots are counted as one vote for their first choice candidate. If a candidate secures more than 50% of votes cast, that candidate wins. Otherwise, the candidate with the fewest votes is eliminated. A new round of counting takes place, with each ballot counted as one vote for the advancing candidate who is ranked highest on that ballot. This process continues until one candidate has more votes than the other candidates combined, and then that candidate is declared the winner.



*The Singapore Constitution: A Brief Introduction* is a project by Singapore Management University undergraduates. It seeks to present the Constitution and its underlying concepts (such as, the separation of powers) in an objective, easy-to-understand, and comprehensive manner. With diagrams and clipart to accompany the text, this primer has been designed for people from all walks of life and of all ages. This primer also seeks to debunk misconceptions and explain the roles of governmental institutions.

This 2013 publication is an SMU Apolitical initiative. An electronic version of this book is available at [www.smuapolitical.com](http://www.smuapolitical.com).