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A Guide to the Singapore Presidency

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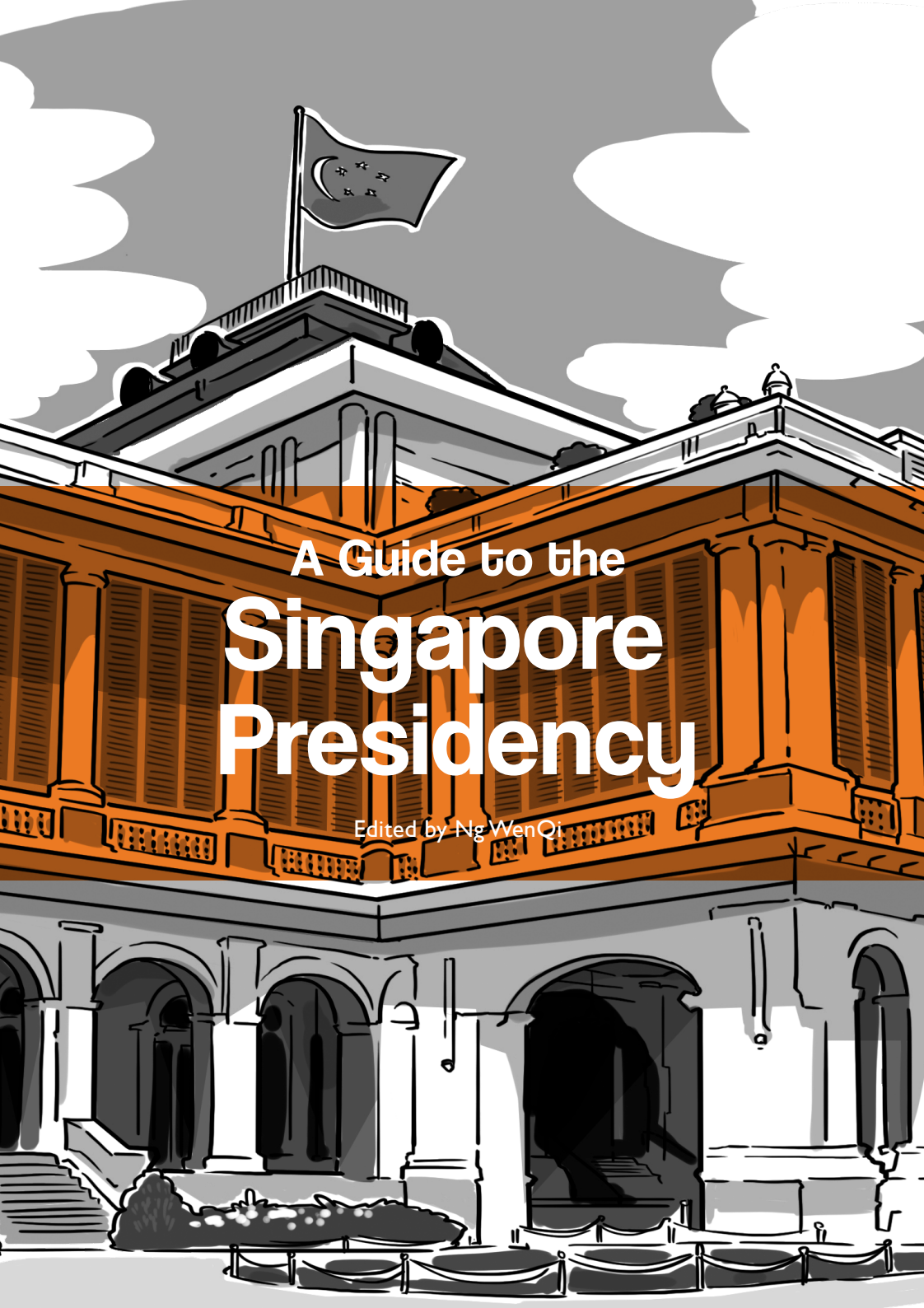
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The image is a stylized illustration of the Singapore Presidency building. The building is depicted in a two-tone color scheme: the upper portion is a vibrant orange, and the lower portion is a light grey. The architecture features classical elements such as columns, arches, and a prominent flagpole on the roof. The flag of Singapore, with its crescent and five stars, is shown waving from the top. The sky is a light grey with white, stylized clouds. The overall style is clean and graphic, using bold lines and flat colors.

A Guide to the Singapore Presidency

Edited by Ng Wen Qi

A GUIDE TO THE SINGAPORE PRESIDENCY

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A Guide to the Singapore Presidency

Edited by Ng WenQi

An SMU Apolitical initiative in partnership with the Singapore Management University:



About the Singapore Management University: A premier university in Asia established in 2000, SMU is internationally recognised for its world-class research and distinguished teaching. SMU is known for its highly interactive, collaborative and project-based approach to learning.

About SMU Apolitical: Formed in 2010, SMU Apolitical provides platforms for the SMU community to gain a better understanding of the policy-making process and the issues that affect our society today through dialogues and forums on a diverse range of topics.

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Foreword

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

This primer seeks to provide an easy guide to those interested in finding out more about the Singapore Presidency, and includes sections introducing the functions and powers of the President, the advisers and aides assisting the President in the carrying out of his or her duties and even a look at the official residence of the President. This primer also further shares on how political infrastructures differ across political boundaries with a comparison of the Singapore Presidency with that of other countries.

I would like to commend the team of Singapore Management University undergraduates for their painstaking efforts in putting this primer together. This primer would complete the trilogy of primers initiated by SMU Apolitical, SMU's only political society, and is testament to the society's goal of increasing awareness on current affairs and public policy for SMU students and the general public at large. Congratulations, SMU Apolitical!

Professor Paulin Straughan
SMU Dean of Students

Introduction to the Singapore Presidential System

Origins of the position

Singapore adopted the Westminster Parliamentary system of government from the United Kingdom. Under this system, the head of state and head of government are distinct roles that are held by different people. The head of state of Singapore is the President, and in the United Kingdom it is the monarch who holds that responsibility. The head of government in both countries is the Prime Minister.

Before 1991, the President was “elected” (essentially appointed) by Parliament. The role of the President was entirely ceremonial. Singapore’s first President, Yusof Ishak, who was also the last Yang di-Pertuan Negara, interacted with various communities frequently to promote a sense of togetherness and communal trust. This was especially important because following Singapore’s separation from Malaysia, there was much uncertainty and disheartenment among the people.

In 1991, the Singapore Constitution was amended to make the Presidency an elected position.

Yang di-Pertuan Negara

Prior to Singapore’s independence, the Yang di-Pertuan Negara was Singapore’s Head of State. This Malay term translates into “(he) who is Lord”. The Yang di-Pertuan Negara was a de facto head of state, acting as a vice-regal representative (to the British Monarch during British colonial days and to the Yang di-Pertuan Agong of Malaysia under the Federation of Malaya). On 22 December 1965, this title was changed to “President of the Republic of Singapore” when Singapore gained independence from Malaysia.

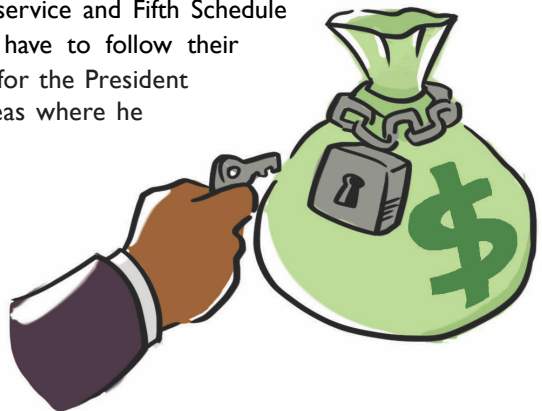
Duties of the President

Since the constitutional amendment in 1991, the President's role has expanded beyond ceremonial purposes. The President now has three main functions: acting as a constitutional safeguard, a ceremonial figurehead, and a community integrator.

Constitutional safeguard

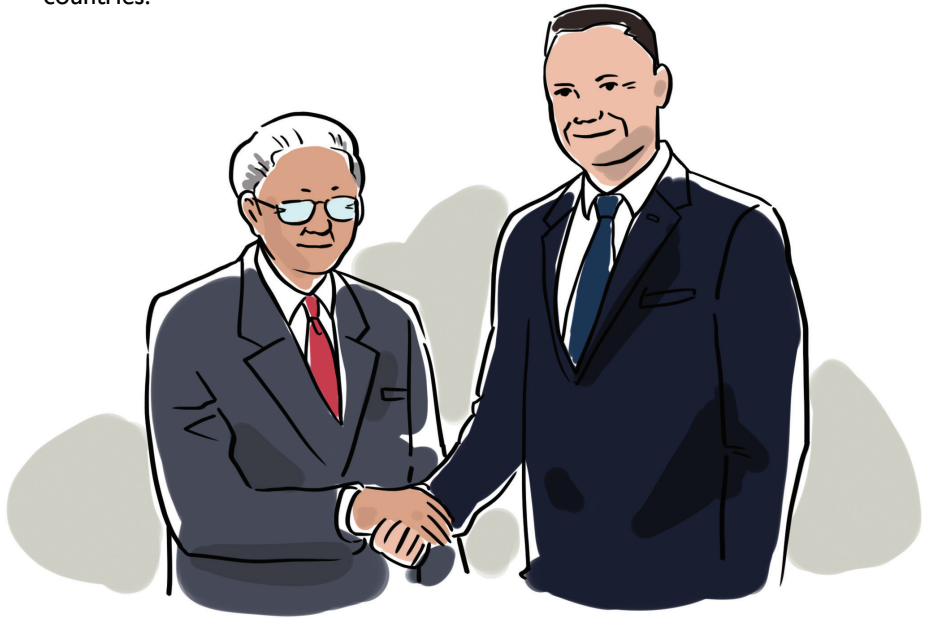
As the constitutional safeguard, the President has the power to veto government proposals to utilize the nation's past financial reserves. These are reserves accumulated during previous terms of Government, and does not include current financial reserves. To protect the integrity of the public service, the President also holds the power to veto appointments to and dismissals from key public service positions. In addition, the President may authorize investigations by the Corrupt Practices Investigation Bureau even if the Prime Minister disagrees, and in some situations has a say over whether a person should be detained without trial under the Internal Security Act (ISA), or should have a restraining order issued against him or her under Maintenance of Religious Harmony Act (MRHA).

The President must consult the Council of Presidential Advisers (CPA) in the exercise of any discretionary powers touching on the use of past reserves and the appointment and removal of key office holders in the public service and Fifth Schedule entities. However, he does not have to follow their recommendations. It is optional for the President to consult the CPA in other areas where he has discretionary powers.



Ceremonial figurehead

As the head of state, the President plays the role of ceremonial figurehead. Acting as Singapore's chief diplomat, the President interacts with international dignitaries to promote Singapore's global image and relationships with other countries.



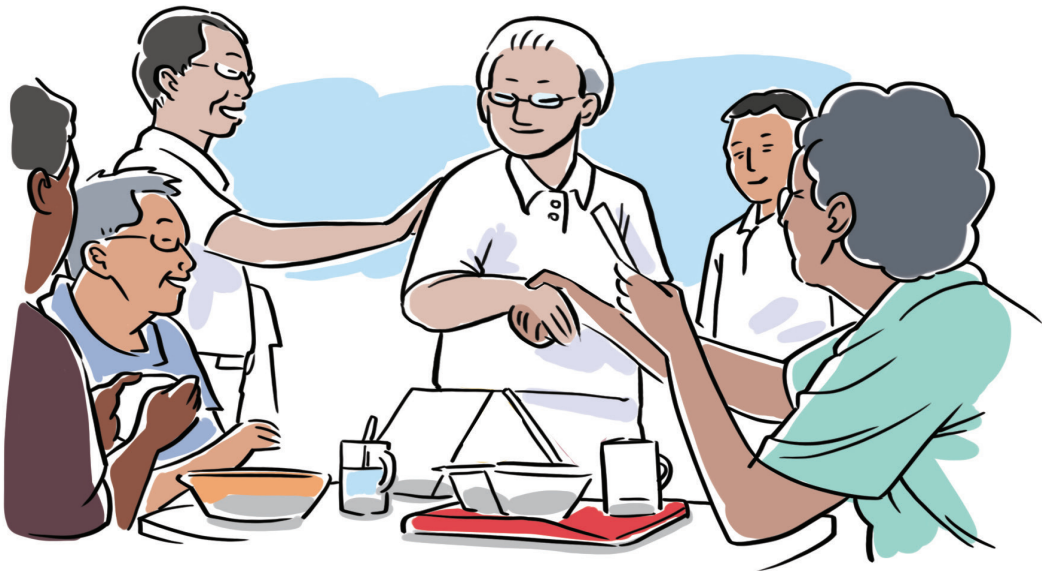
Fifth Schedule entities

The term *Fifth Schedule entities* refers to key statutory boards and Government companies that are listed in the Fifth Schedule under the Constitution. Examples of *Fifth Schedule entities* are the Central Provident Fund Board, the Housing and Development Board, and the Monetary Authority of Singapore which are statutory boards; and GIC Pte Ltd (formerly the Government of Singapore Investment Corporation) and Temasek Holdings (Pte) Ltd which are Government-owned investment companies.

Community integrator

Within the national context, the President also acts as a community integrator. The President hosts many different local events, and is often invited as a guest-of-honour to grace ceremonies. The President helps foster national values among various community groups to promote a strong national identity. The President also supports various community causes. Other than recognizing professional accomplishments through meeting with public officers and celebrating local sports and arts achievements, the President also promotes active development and growth among the young and the elderly.

In this primer, we explain the various powers and functions of the President (Chapter 2), and the roles of the advisers and aides that work closely with the President (Chapter 3). We then set out the President's role in relation to the 3 branches of the government — the executive, legislature and judiciary (Chapter 4). We also examine the similarities and differences with the roles of heads of state around the world (Chapter 5), and give an overview of the presidential electoral process (Chapter 6). This primer concludes with a look at the official residence of the President (Chapter 7), and the lives of past Presidents (Annex).



The functions and powers of the President

The Elected President serves mostly as a constitutional safeguard. The nature of such safeguard is reactive in nature; in other words, the President has discretionary power to withhold assent to certain actions taken by the Government but does not initiate his or her own policies.

Some of the President's important discretionary powers are listed below:

Acting as a safeguard against fiscal mismanagement when the Government draws upon 'past reserves'

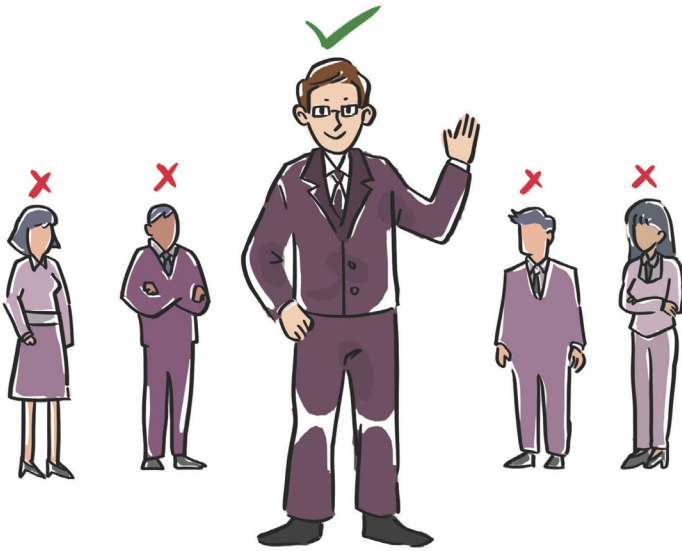


For each year's budget, the President can veto budgets of the Government and Fifth Schedule entities if he or she is of the opinion that they unnecessarily draw on past reserves. The Government can only draw on past reserves with the President's approval.

The President's approval to draw on past reserves has been sought on two occasions: in October 2008, when the Government wished to give a \$150 billion guarantee on all bank deposits in Singapore in view of the global financial crisis, and in January 2009 when it wished to use

\$4.9 billion to fund the Jobs Credit Scheme and Special Risk-Sharing Initiative to subsidise employers' wage bills and help viable companies gain access to credit. Past reserves were only actually drawn upon in 2009, and the amount used turned out to be \$4.0 billion rather than \$4.9 billion. Even though there is no legal requirement for the Government to return money drawn from past reserves, in February 2011 the Government repaid the sum as it felt that it should act prudently to maintain the nation's financial reserves.

Preventing the irresponsible appointment or dismissal of key public servants by the Government



The President is empowered to disapprove the Government's appointments to, and dismissals from, key public service positions, in order to preserve the integrity of the public service. These positions include the Chief Justice, Attorney-General, the chairman and members of the Pub-

lic Service Commission, the Chief of Defence Force, and the Commissioner of Police. Additionally, the President appoints as the Prime Minister a Member of Parliament (MP) from the political party that he or she believes can command the confidence of a majority of the MPs.

The Role of the Council of Presidential Advisers

In certain cases, the President has an obligation to consult the Council of Presidential Advisers (CPA) before exercising discretionary powers. If the President then withholds assent to something that the Government wishes to do, against the CPA's recommendations, this triggers a parliamentary override mechanism. In such a case, the President's withholding of assent may be overruled by at least two-thirds of all the MPs in Parliament, excluding Nominated MPs (NMPs).



Ensuring that the Internal Security Act is used properly



The ISA authorises the Minister for Home Affairs to order that a person be detained without trial up to two years at a time, if the President is satisfied that this action is necessary to prevent the person from harming Singapore’s national security or the maintenance of public order or essential services.

The detained person can make representations against detention to an advisory board. If the advisory board recommends the detainee’s release, but the Minister disagrees with the recommendation, the President makes the final decision as to whether the person should continue being detained.

On the other hand, if the advisory board agrees with the Minister that the person should remain under detention, the President has no power to direct the detainee’s release.

Ensuring that the Maintenance of Religious Harmony Act is used properly

The MRHA authorises the Minister for Home Affairs to make a restraining order for up to two years against a person where the Minister is satisfied that he or she has committed or is attempting to commit acts detrimental



to religious harmony in Singapore. A restraining order made against a person in a position of authority in a religious group or institution, or a member of such an entity, can prevent the person from addressing any congregation, and from being involved in the publications by any religious entity, without the Minister's permission. Restraining orders can also be made against people who are not directly involved with any religious entity. Such people can be restrained from making statements concerning or affecting relations between the Government and any religious entity. Similar to the procedure under the ISA, when a restraining order is made under the MRHA, it must be referred to the Presidential Council for Religious Harmony which must recommend to the President whether the order should be confirmed, cancelled, or varied in some way. If the Council agrees with the Minister that the order should be confirmed, the President must go along with the Council's recommendation. However if the Council disagrees with the Minister and recommends that the order be cancelled or varied, the President has discretion to decide whether this step should be taken.

Approving Corrupt Practices Investigations Bureau investigations

The Director of the CPIB may seek the President's assent to investigate complaints about any person's allegedly corrupt conduct. Even if the Prime Minister refuses to consent to such an investigation, if the President concurs with the CPIB Director, the Director has permission to proceed with investigations. This is a rare instance where the President's power is not constrained by another body.



The President also plays a role in the lawmaking process. For an Act of Parliament or statute to be enacted, a bill must be introduced in Parliament and must go through three 'readings', during which the pros and cons of the bill are discussed. Once a bill has made its way through Parliament successfully, the President must assent to the bill for it to become an Act of Parliament. Most of the time, the President must act on the Cabinet's advice in assenting to bills —

he cannot ignore it. (The Cabinet is made up of the Prime Minister and other Government ministers.) However, the President may decide not to assent to a bill if it relates to a matter that he or she has discretionary power over, or if the bill tries to cut down or take away these discretionary powers without the President's consent.

Bills

One of Parliament's main functions is to make laws for the country. Before any law is passed, it is first introduced in Parliament as a draft law called a bill. Bills are usually introduced by a Minister on behalf of the Government. However, any Member of Parliament can introduce a bill known as a private member's bill.



Evolution of the role of the President

On 27 July 1988, Goh Chok Tong, then First Deputy Prime Minister and Minister for Defence, presented a white paper on the Elected Presidency (EP) to the Parliament for debate. This was prompted by the Government's view that the President's role needed to be expanded to be part of a "two-key mechanism" in safeguarding the two main assets of the country — its reserves and the integrity of the public service. Under this system, the Prime Minister and the Cabinet will hold on to one key, and the President will hold on to the other. This marked the beginning of the significant changes made to the role of the President.

On 30 November 1991, the Constitution was amended to make the office of the President an elected one, with discretionary powers relating to the safeguarding of past national reserves and the appointment of key personnel in the public sector and certain Government companies.

Before the EP scheme was introduced, the main safeguard against the Cabinet misusing its powers was the possibility of challenging such actions in Parliament. This is a traditional view of checks and balances, where one branch of the government — in this case, the judiciary — acts as a check on another branch — the executive. (You can read more about this in Chapter 4.) The scheme gave the President discretionary power to check certain actions taken by the Cabinet. Since the President and the Cabinet are both part of the executive branch of government, the EP scheme introduced an “intra-branch” check on the Cabinet which did not exist before. The President was made directly electable by the people to give him or her the moral authority to disagree with the Government where necessary.

To ensure that the President is able to exercise discretion independently and is not unduly influenced by the Cabinet or the Parliament, the Constitution requires that the President not hold any other constitutional office, including being a MP. The President also cannot be a member of any political party.

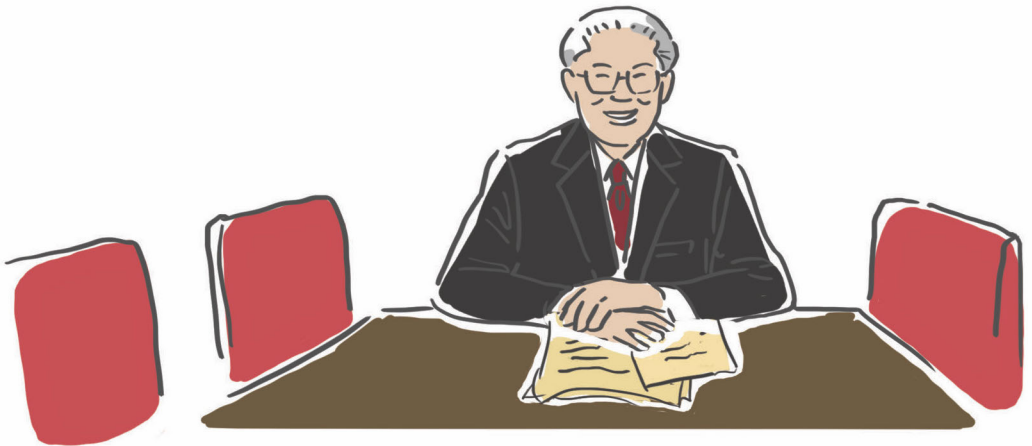
At the time when the EP scheme came into force, the incumbent President was Wee Kim Wee. The Constitution stated that he would exercise all the discretionary powers of an Elected President, even though he was not elected by the people. The first presidential election was held on 28 August 1993 and led to Wee’s successor, Ong Teng Cheong, becoming Singapore’s first Elected President. He took office on 1 September that year.

A significant change to the Constitution which took effect on 1 April 2017 was the introduction of a reserved election procedure. A reserved election is an election specifically reserved for candidates from an ethnic community that has not had a member from its community as President for the five most recent terms of office. Prime Minister Lee Hsien Loong announced that the 2017 Presidential Election would be reserved for Malay candidates. This development further emphasizes the President’s role to protect and represent all the communities in Singapore.



Influence of the President

Even though the President is not involved in the day-to-day governance of the country, which is the Cabinet's responsibility, he or she exercises some influence in policymaking. The President receives Cabinet papers and meets the Prime Minister regularly to discuss a wide range of issues and to give input on policy matters. Since the President has the mandate of the people, the views he or she expresses are given serious consideration by the Government. In this way, the President is able to help shape decisions made by the Government such that they will be in the interests of Singaporeans.



The President's advisers and aides

The President has various groups of advisers and aides to aid in the execution of his or her duties. These include the Council of Presidential Advisers (CPA), the Presidential Council for Minority Rights (PCMR), the Presidential Council for Religious Harmony (PCRH), and aides-de-camp (ADCs).

Council of Presidential Advisers



The CPA was established by the Constitution to advise the President in the exercise of his or her discretionary powers. In relation to all matters relating to use of the nation's past reserves and key public officials, it is mandatory for the President to consult the CPA. In other areas, the Constitution either provides that the President must consult the CPA, or need not consult it but may do so if he or she thinks fit. All proceedings of the CPA are confidential and private.

The CPA consists of eight members. Three members of the

CPA are nominated by the President, while another three members are nominated by the Prime Minister. The Chief Justice and the Chairman of the Public Service Commission nominate one member each. Each member's appointment lasts for six years.

The Chairman of the CPA performs the functions of the office of the President while the President is away. If he is unavailable, this duty then falls next on the Speaker of Parliament.

Presidential Council for Minority Rights

The PCMR is a non-elected government body that was first established in 1970 as the Presidential Council. In 1973, it was renamed to its present name to better reflect its function.

The main role of the Council is to scrutinise each bill passed by the Parliament to ensure that it is not discriminatory to any racial or religious community. The Council reports its findings to the Parliament which may either take steps to remove the discriminatory aspects of the bill, or to require the President to assent to the bill despite the Council's opinion. The latter option requires the support of no less than two-thirds of all MPs (except NMPs).

Among other things, the Council also investigates matters or complaints pertaining to any religious or racial community referred to it by the Parliament or the Government. Thus, some of its responsibilities are closely related to those of the PCRH which was separately established in 1990.

Why the PCMR was established

In the wake of the tumultuous period shortly after Singapore's independence in 1965, the President of Singapore, Yusof Ishak, appointed a Constitutional Commission chaired by Chief Justice Wee Chong Jin to consider how Singapore's need for a harmonious multiracial society based on equality among races might be safeguarded through the protection of the rights of religious and racial minorities in the newly independent nation.

The Constitutional Commission issued its report in August 1966. Among its recommendations was the creation of an advisory body, then called the "Council of State", which would examine all upcoming legislation and give feedback to the Government of any possible adverse effects that they might have on any racial or religious community. In 1969, the Government gave effect to the proposition by establishing a "Presidential Council". This Council was later renamed the Presidential Council for Minority Rights.

Composition of the Council

The Council is made up of no more than 21 members at a time (one Chairman, up to 10 permanent members, and up to 10 non-permanent members). The Chairman is appointed for a term of three years. The permanent members are appointed for life, while the non-permanent members are appointed on renewable three-year terms. Among other requirements, all members must be citizens and residents of Singapore who are at least 35 years old. All appointments to the PCMR are made by the President on the advice of the Cabinet. Members of the Council are permitted to be affiliated to political parties.

10 permanent members

10 non-permanent members



Presidential Council for Religious Harmony

The PCRH was established on 31 March 1992 by the Maintenance of Religious Harmony Act (MRHA). The Council has two main functions.

Firstly, it deliberates on, reports and advises the Minister for Home Affairs or Parliament on issues pertaining to the maintenance of religious harmony in Singapore that are referred to it by the Minister or by Parliament.

Secondly, it recommends to both the Minister and the President whether restraining orders made against an individual who incites inter-religious discord should be issued, confirmed, changed or cancelled.

A restraining order prevents an individual who is in a position of authority in a religious group or institution, or a member of such an entity, from addressing any congregation, and from being involved in the publication of any religious entity, for up to two years unless the Minister's permission is obtained. An individual who is not directly involved with any religious entity can also have a restraining order made against him or her to prevent the individual from making statements concerning or affecting relations between the Government and any religious entity.



The need for the Maintenance of Religious Harmony Act

The MRHA was introduced to prevent politically driven, subversive and provocative acts committed under the pretext of propagating or practising any religious beliefs. In 1989, the Government had presented to Parliament a white paper on the maintenance of religious harmony which found that religious groups in Singapore were becoming more assertive. This increased the risk of friction between such groups.

Composition of the PCRH

The PCRH consists of the Chairman, and between six and fifteen other members who are all appointed by the President on the advice of the PCMR. Members of the Council serve a three-year term, and are eligible to be reappointed. The members are representatives of all major religions in Singapore and notable Singaporeans who have meritoriously contributed to the public service and community relations in the society.

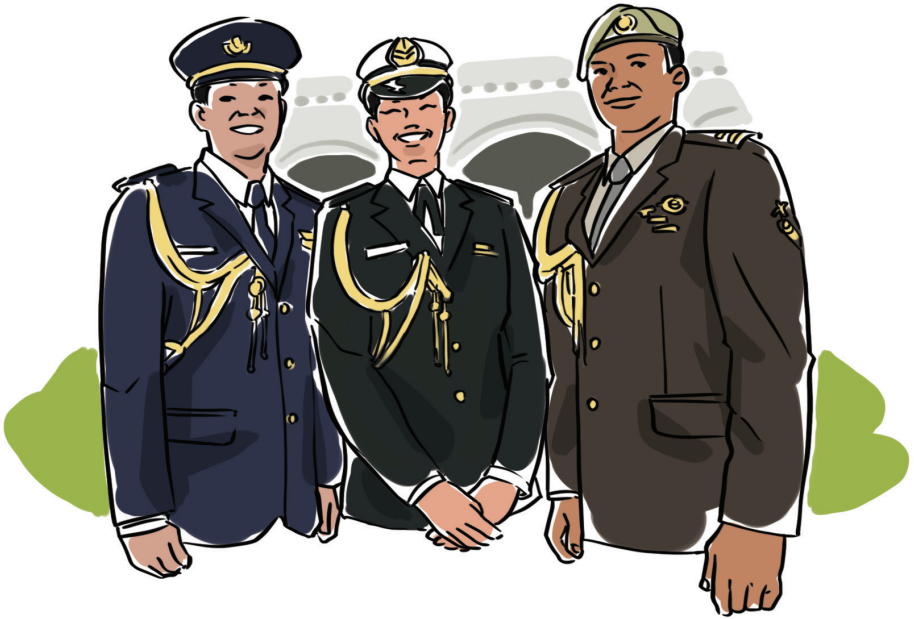
Aides-de-camp

The French term *aide-de-camp* has a military origin, and means ‘camp or field assistant’. In the 19th century, an ADC was a military field assistant to a monarch, chief of state, or an army general. Their function was mainly to communicate orders, delegate responsibilities, and supervise military operations on their commander’s behalf.

In the present-day, the ADC has taken on a more civilian duty. While ADCs are still military officers, their function has evolved to serving mainly as personal assistants or confidential secretaries to their commanders, who are usually the presidents of countries, heads of state, army generals or admirals, or other high-ranking persons.

Responsibilities of ADCs

At present, the President has three full-time ADCs. He is additionally served by honorary ADCs. The full-time ADCs are responsible for all the President’s events, from planning, general administration, co-or-



dination, execution and follow-ups, to accompanying the President at all his or her official duties. These events may include attending state

functions, ceremonies, or occasions of a charitable or social nature. The ADCs are also responsible for the President's social and security needs.

Aiguilletes

Throughout the world, modern-day ADCs are universally identified by aiguilletes, which are thick, plaited cords worn across their right shoulder. In Singapore, only high-ranking officers wear aiguilletes. ADCs from the Singapore Armed Forces and the Singapore Civil Defence Force wear gold aiguilletes, while those from the Singapore Police Force wear silver ones.



The President's Role and the Three Branches of Government

The Separation of powers

One of Singapore's basic constitutional doctrines is that there should be separation of powers in the system of the government. This means that to ensure a system of checks and balances, the powers of the state should be divided among three separate branches of the Government — the Executive, the Legislature and the Judiciary. This concept was first expounded by the renowned French political philosopher, Baron de Montesquieu (1689–1755) .

This chapter elaborates on how the powers of the President identified in Chapter 2 relate to the three branches of Government. Under the separation of powers doctrine, the President checks the exercise of power by the Executive, the Legislature and the Judiciary, and each of these branches of Government also check the President's exercise of discretionary power.

The President and the Executive



Although the President is part of the executive branch of government together with the Cabinet, he or she is not involved in the day to day running of the nation. That is the Cabinet's responsibility. While the Constitution states that certain functions — such as pardoning criminals — are to be carried out by the President, the President is required to act “in accordance with the advice of the Cabinet”. Although this phrase suggests that the President may choose not to take the advice, it is well established that he or she is constitutionally required to follow the advice.

On the other hand, the President also has discretionary powers that enable him or her to act as a check and balance against the Cabinet to ensure that it exercises its

powers properly. These powers are called “discretionary” because the President may exercise them at his or her own discretion and need not follow the Cabinet's advice. Thus, as we have seen, the President has discretionary power not to consent to the use of past financial reserves by the Cabinet, to disagree with appointments and dismissals of key public officers, to confirm or cancel a restraining order made under the MRHA, and to give consent to the Director of the Corrupt Practices Investigation Bureau to carry out any investigations into the conduct of any person.

In turn, the Cabinet may be able to overrule the President's veto in some situations if it has enough control of the Parliament. This is explained in the next section.

The President and the Legislature



The President and the Parliament make up the Legislature. As the guardian of the nation's past financial reserves, the President has the duty to safeguard these funds from being recklessly spent by the Government. Thus, the President has the power, in consultation with the CPA, to veto bills that require the spending of past reserves.

The use of the President's veto to prevent the use of past reserves and to control appointments to and dismissals from key public service positions may be overruled by Parliament if the President exercised the veto against the CPA's advice,

and at least two-thirds of all MPs (excluding NMPs) support the overruling. Moreover, if a similar number of MPs agree, the Parliament may amend the Constitution to modify the President's discretionary powers.

The Cabinet is able to ensure that the Parliament will pass such resolutions if the political party in power controls two-thirds or more of the seats in Parliament held by elected MPs. Singapore's party in government, the People's Action Party, has had such control of Parliament since it came to power in 1959.

The President and the Judiciary



As noted earlier, the Constitution allows the President to refuse to appoint judges of the Supreme Court that he or she feels to be unsuitable for the role. The President also has the power to remove judges on the ground of misbehaviour or inability to carry out the functions of the office. This process must be initiated by the Prime Minister, or the Chief Justice in consultation with the Prime Minister, making a representation to the President on the matter. The President will then appoint a tribunal of five currently serving or retired Supreme Court Judges, or judges of equivalent status from other Commonwealth countries, who must look into the

matter and recommend to the President whether the judge should be removed from office.

In the 1988 case of *Chng Suan Tze v Minister for Home Affairs*, the Court of Appeal, Singapore's highest court, stated that all power has legal limits and that the rule of law demands that the courts should be able to examine the exercise of discretionary power. In theory, this means that decisions made by the President that are unlawful may be challenged before the courts. However, the position is unclear as, up till now, no such cases have been brought to court.

Comparisons with systems in other jurisdictions

Many countries also have heads of state called “presidents”. However, their powers and roles are often quite different.

The United States of America

The President of the United States is indirectly elected by the people through the Electoral College for a four-year term, and can only serve for a maximum of two terms. The election is indirect, because voters do not cast their ballots for the President directly. Instead, they vote for people called “electors” who have agreed to vote on their behalf for a certain political party’s presidential candidate. It is these electors, together forming the Electoral College, who then vote for the President.



	Singapore	United States of America
Similarities	<p>Both Presidents are required to be popularly elected through an electoral process.</p>	
Differences	<p>The executive authority of the state is vested in both the Singapore President and the Cabinet. However, it is the Cabinet, led by the Prime Minister who is the head of the Government, which is responsible for the day to day running of the nation.</p> <p>The Singapore President's role is largely ceremonial in nature, though he or she does possess important discretionary powers.</p> <p>It is the Cabinet rather than the President which controls the military.</p>	<p>The US President is both the head of state and the head of the government. The President has the power of the Executive branch of government vested in him or her, and is fully responsible for governing the nation.</p> <p>The President appoints the members of the Cabinet and the heads of federal agencies. He or she is also responsible for implementing and enforcing laws written by the Congress, which is the legislature of the US federal government. The President is the Commander-in-Chief of the US armed forces.</p>

France

The President of France is the executive head of state. He or she is directly elected by citizens to a term of five years. The presidential system was established in 1848 after the monarchy was abolished. The duties of the President have changed significantly over time; today, the President plays significant roles in the areas of national security and foreign policy. He or she also appoints the Prime Minister of France.



	Singapore	France
Similarities	<p>Both Presidents are required to be popularly elected.</p> <p>Both Presidents appoint the Prime Minister, who is the “head of the government”.</p>	
Differences	<p>The Singapore President does not perform executive duties in relation to Singapore’s foreign policy nor national defence.</p>	<p>The French President is mainly in charge of France’s foreign policy.</p> <p>The President is also the Commander-in-Chief of the French armed forces.</p>

The United Kingdom

The monarch is the head of state in the United Kingdom, and has various official, diplomatic and representational duties. Unlike the heads of state of France and the USA, the UK monarch does not perform any executive functions; his or her role

is purely ceremonial. Additionally, the monarch is the Supreme Governor of the Church of England, which is Britain's state religion, and appoints its archbishops and bishops on the advice of the Prime Minister.

	Singapore	United Kingdom
Similarities	<p>Both the Singapore President and the UK monarch are the heads of state in their respective countries, and are required to be politically neutral.</p> <p>Both have the power to proclaim a state of emergency. The Singapore President has that power if he or she is satisfied that the security or economic life of the nation is threatened. The UK monarch has the power to declare a state of national emergency upon being satisfied that grave civil disorder has occurred.</p>	
Differences	<p>The Singapore President has limited powers to manage state's money by adopting the role of the guardian of Singapore's national reserves.</p> <p>The President is popularly elected through an electoral process.</p> <p>The President holds certain executive functions, such as to block attempts to draw down past reserves or oversight over the Corrupt Practices Investigation Bureau.</p>	<p>The UK monarch holds a specific role in both the Church of England and the Church of Scotland as the Defender of the Faith.</p> <p>The monarch is not popularly elected. Who is to be monarch is determined by Acts enacted by Parliament.</p> <p>The monarch does not have a political or executive role.</p>

The Presidential Election Process

Eligibility of candidates

To be eligible to be a candidate in a presidential election, a person must meet the following main requirements:

- He or she must be a Singapore citizen who is at least 45 years old.
- He or she must be a person of integrity, good character and reputation.
- He or she must not be a member of any political party on Nomination Day.
- He or she must satisfy the “public sector requirement” or the “private sector requirement”:

The *public sector requirement* is that the person must have served for at least three years as:

- Minister, Chief Justice, Speaker of Parliament, Attorney-General, Chairman of the Public Service Commission, Auditor-General, Accountant-General or Permanent Secretary; or
- Chief executive of the Central Provident Fund Board, Housing and Development Board, Jurong Town Corporation, Monetary Authority of Singapore, GIC Private Limited, or Temasek Holdings (Private) Limited.

Alternatively, the public sector requirement is satisfied if the person has held some other public sector office for at least three years, and the Presidential Elections Committee (PEC) is satisfied that the person has experience and ability comparable to the experience and ability of a person who satisfies the above, and is able to effectively carry out the President’s functions and duties.

The *private sector requirement* is that the person must have served for at least three years as the chief executive of a company with shareholders’ equity of at least \$500 million. Among other requirements, the company must have, on average, made profit after tax while the person served as its executive officer.

The private sector requirement is also satisfied if the PEC is of the view that the person has served in a private sector organisation for at least three years, and that his or her experience and ability is comparable to the experience and ability of a chief executive of a typical company with the characteristics mentioned above, and is able to effectively carry out the President’s functions and duties.

The private sector requirement was enhanced in 2016 after the Government broadly accepted recommendations made by the nine-member Constitutional Commission. The chair of the Constitutional Commission is Chief Justice Sundaresh Menon, who was appointed in 2016 to consider changes to the Elected President scheme.

The Commission recommended that people wishing to qualify through the private sector route should have held the most senior executive position in a company with at least \$500 million in shareholders' equity. This was thought to be a better reflection of the company's current value — and thus its chief executive's performance — compared to the previous requirement that the company have at least a paid-up capital of \$100 million which reflected its historical worth.

The Government also pointed out that this update reflects the growth of the nation's financial reserves over the past 25 years. The \$500 million figure will be reviewed periodically.

Presidential Elections Committee

The PEC ensures that people seeking to run for the Presidency meet the qualifications set out in the Constitution, and assesses their integrity, character and reputation.

The Committee consists of the following persons:

- The Chairman of the Public Service Commission.
- The Chairman of the Accounting and Corporate Regulatory Authority.
- A member of the Presidential Council for Minority Rights.
- A member or former member of the Council of Presidential Advisers.
- A person who is qualified to be or has been a Judge of the Supreme Court, appointed by the Chief Justice.
- A person who, in the opinion of the Prime Minister, has expertise and experience acquired in the private sector that is relevant to the functions of the Committee, appointed by the Prime Minister.



I am the Chairman of the Public Service Commission

I am the Chairman of the Accounting and Corporate Regulatory Authority.

I am a member of the Presidential Council for Minority Rights.

I am a person who is qualified to be or has been a Judge of the Supreme Court, appointed by the Chief Justice.

I am a person who, in the opinion of the Prime Minister, has expertise and experience acquired in the private sector that is relevant to the functions of the Committee, appointed by the Prime Minister.

I am a member or former member of the Council of Presidential Advisers.

Reserved Elections

Another major change proposed by the Constitutional Commission and accepted by the Government was the introduction of *reserved elections*. A presidential election will be reserved for a particular ethnic community — that is, the Chinese, Malay, or Indian or other communities — if that community has not been represented in the Presidency for five consecutive terms. Candidates running in a reserved election have to meet the same eligibility criteria as in open elections. The rationale for the change is to ensure that people from different ethnic communities are elected as President from time to time.

The 2017 presidential election will be a reserved election, as Parliament introduced legal changes indicating that the presidential terms to be counted for determining reserved elections would start from the term of President Wee Kim Wee, who was in office when the Elected President scheme came into effect in

1991. Since five terms have elapsed since there was a President from the Malay community (the terms of Wee Kim Wee, Ong Teng Cheong, S R Nathan (two terms), and Tony Tan Keng Yam), the 2017 election will be reserved for candidates from that community.

The issue of whether the counting of the presidential terms should have started from the term of Wee Kim Wee or Ong Teng Cheong gave rise to some controversy, and its constitutionality has been challenged in the courts. When the Elected President scheme was introduced, Wee, who was the incumbent President at the time, was conferred the powers of an Elected President. However, Wee himself did not take part in a presidential election. The first President to do so was Ong.

In August 2017, the Court of Appeal ruled that the Constitution allowed Parliament to start the counting of the presidential terms from the term of Wee Kim Wee.



The lead-up to an election

1 When is the presidential election conducted?

A presidential election must be held:

- not more than three months before the expiration date of the term of office of the incumbent President; or
- where the office of President has become vacant before the expiration date of the incumbent President's term of office, within six months of the office becoming vacant.

The election process begins when the Prime Minister issues a writ to the Returning Officer stating the date and place of nomination, which is the procedure by which people are officially confirmed to be candidates in the election. The Returning Officer is a government official who conducts the presidential election and announces its result.



The Returning Officer then issues a notice at least four days before Nomination Day stating the date, time, and place of nomination.

2 What happens on Nomination Day?

On Nomination Day, each person wishing to be a candidate in the presidential election must present to the Returning Officer his or her nomination paper. In these papers, the people must declare that they are qualified to be elected as President, that they are not members of any political parties, and that they understand the President's constitutional role.

In addition, each candidate must give to the Returning Officer the following documents:

- A *political donation certificate*. The law prohibits presidential candidates from receiving donations from individuals and companies that are foreign. Moreover, the identities of donors who donate larger sums of money must be disclosed. A candidate must declare to the Registrar of Political Donations that the donations he or she has received are in accordance with the law. If everything is in order the Registrar will issue

the candidate a political donation certificate.

- A *certificate of eligibility*. The PEC issues a certificate of eligibility to each candidate whom it has found to be qualified to run for President.
- A *community certificate*. Candidates must obtain a community certificate from the Community Committee to certify that the candidate belongs to a particular community in Singapore, that is, Chinese, Malay, Indian or other communities. Members of the Community Committee are representatives of the ethnic communities in Singapore appointed by the Prime Minister upon nominations made by the PCMR.

Between the date when the writ of election is issued and noon on Nomination Day, people wishing to be candidates must also pay to the Returning Officer a sum of money popularly called the *election deposit*. At the 2017 presidential election,



the deposit was \$43,500. The deposit is returned to any person who is not nominated or withdraws as a candidate on Nomination Day, or is elected as President. However, people who contest an election as candidates will only get a refund of the deposit if they poll at least one-eighth of the total number of votes cast. The deposit is intended to deter people who have little hope of being elected

from taking part in the election.

After noon on Nomination Day, if only one candidate is successfully nominated, then Returning Officer declares him or her elected.

If there is more than one candidate nominated, the Returning Officer adjourns the elections to Polling Day.

3 How do candidates campaign?

The candidates can only start campaigning after the notice of contested election is issued by Returning Officer. This continues until the day before Polling Day, which is informally called “Cooling-off Day”.

Only certain types of campaigning activities are allowed. These include:

- house visits;
- distributing pamphlets;
- putting up posters and banners;
- publishing election advertising on the Internet; and
- holding election meetings or rallies

In Singapore, candidates are generally not permitted to publish election advertising on TV or in magazines and newspapers. There is also a limit

to the amount of money that candidates can spend — either \$600,000, or 30¢ for each elector on the electoral registers, whichever is greater. This limit, often called the “electoral expense limit”, seeks to level the playing field by preventing wealthier candidates from gaining an unfair advantage over other candidates by spending more money.



4 What happens on Cooling-off Day and Polling Day?

There can be no campaigning on the day before Polling Day (“Cooling-off Day”) or Polling Day itself. The reason for this is to allow voters to reflect rationally on the issues that were raised and the promises that were made by each candidate.

By law, Polling Day is a public holiday. Voting in Singapore is compulsory. Voters receive poll cards mailed to them which tell them which polling station to go to in order to vote.

Polling usually takes place between 8:00 am and 8:00 pm. Although candidates are not allowed to do any campaigning, they can visit polling stations throughout the day.

If the Returning Officer is of the opinion that the polling is likely to be obstructed due to a threat which has arisen or is likely to arise, he or she can postpone Polling Day to another day. To date, this has not happened.



5 How are votes counted?

Local voting

When the polls close, the ballot boxes containing ballot papers cast by voters are sealed and sent to counting centres.

While the votes are being counted there, candidates or their counting agents may inspect the counting process.

A candidate may ask for a recount

when the difference between the number of votes given to the winning candidate and the number of votes given to any other candidate is 2% or less of the total votes casted (excluding rejected votes).

The Returning Officer will declare that the local votes are conclusive of the results if, based on the margins, the successful candidate will not change even after the overseas votes are included in the count.

Overseas voting

Singapore citizens abroad who have registered as overseas electors can cast their votes at the overseas polling stations allocated to them.

Polling overseas may begin before polling starts in Singapore, but must close by the time polling ends in Singapore. When the overseas poll closes, the ballot boxes are brought back to Singapore for counting, and the boxes must usually reach Returning Officer within 10 days after

the close of the polls in Singapore on Polling Day. If the Returning Officer feels that the boxes are unlikely to reach his or her custody within the 10 days, he or she may allow a seven-day extension.



6 After the new President is elected

Following the election of the President, he or she will be officially sworn in before the Chief Justice or another Supreme Court judge. The ceremony has great significance as it marks the candidate's assumption of the highest office of the land. The newly elected President promises to “faithfully discharge my duties as such to the best of my ability without fear or favour, affection or ill-will, and without regard to any previous affiliation with any political party, and that I will bear true faith

and allegiance to the Republic, and that I will preserve, protect and defend the Constitution of the Republic of Singapore”.



7 Election Expenses Return

After an election, all candidates are required to file and submit a return of election expenses to the Returning Officer within 31 days after the election results are published in the *Government Gazette*.

The rationale behind this practice is to hold the candidates accountable what they have spent during the election, and in particular to ensure they have not exceeded the electoral expense limit which is an illegal practice.

Any candidate who has spent more than the limit may be liable for a fine of up to \$2,000 and disqualification for three years from being on the

register of electors, voting at any election, and being elected as President or an MP.

Moreover, a complaint may be made to an election judge, who can set aside the candidate's election if it is found that the illegal practice was either committed by the candidate or by someone else with his or her knowledge and consent. However, the election will not be declared void under some circumstances, for example, if exceeding the electoral expense limit arose from inadvertence or accidental miscalculations, and the candidate had acted in good faith.



The Istana

The Istana is the official residence and office of the President of Singapore. It occupies over 40 hectares of land along Orchard Road, and comprises of four buildings: the Main Building, Sri Temasek, the Villa, and the Military Guardroom.

The Istana's Main Building is similar in architecture to many 18th-century neo-Palladian style buildings designed by British military engineers in India. It has a tropical layout like a Malay house, surrounded by verandas, louvered windows and panelled doors. The building consists of a three-storey tall central tower block, with a two-storey wing on either side.

In 1867, the colonial government bought the land on which the Istana now stands, which was a nutmeg plantation, for the construction of the Government House for the use of the Governor of Singapore. The building was built by Indian convict workers, who were paid 20¢ per

day. Overall, the Istana cost 185,000 Spanish dollars to build, which is equivalent to as much as \$30 million Singapore dollars today!

After Singapore was granted self-governance in 1959, the Government House continued to serve as the official residence of the Yang di-Pertuan Negara, the head of state. It was renamed the Istana Negara Singapura, which means the "Palace of the State of Singapore" in Malay. Thereafter, in 1965, it became the official residence of the President of Singapore as the head of state. Its name was then shortened to "the Istana".

Apart from being the official residence of the President, the Istana hosts foreign dignitaries from all around the world. When Queen Elizabeth II of the United Kingdom visited Singapore in 1972, 1989 and 2006, Her Majesty was treated with warm hospitality at the Istana. ASEAN assemblies have been held

in the Istana too, such as the 41st ASEAN Ministerial Meeting in July 2008. Hence, the Istana holds great importance in sustaining Singapore's bilateral and multilateral relations.

The Istana has domestic significance as well. Local contributions are celebrated there, through award ceremonies such as the President's Awards which recognises excellence achieved in various fields such as volunteerism, social entrepre-

neurship, culture and arts. Also, it is open for visits on public holidays. These special openings create a personal bond between the President and the public. Instead of being viewed as a far off, secluded building of prestige and panache, people are welcomed to visit the Istana to develop a deeper understanding of the building's significance, and to view it as a shared national achievement that everyone should be proud of.



Presidential Guards

The Presidential Guards are sentries stationed at the main entrance of the Istana. They are assigned from the Singapore Armed Forces Military Police Command, and are dressed in the No. 1 ceremonial uniform.

The role of the Presidential Guard is ceremonial, and serves as a reminder of the period between 1959 and 1968 when the Istana was guarded around the clock by combat troops from Singapore's only infantry battalion then: the 1st Battalion of the Singapore Infantry Regiment. Today, the security of the Istana is handled by auxiliary police.

A platoon of 20 guards performs duties in the Istana for one month before another unit takes over. The take-over by a new unit is signified by the Changing of Guards Ceremony. The format of the Ceremony is

based on the Changing of Guards Ceremony at Buckingham Palace in the UK.

The Ceremony is held on the first Sunday evening of each month (except in July and August). It begins at 5:45 pm when the Silent Precision Drill Squad leads a contingent of new guards in a march down from Koek Road (beside OG Orchard Point) towards the Istana, with accompanying music provided by the SAF Central Band.

When the new guards meet the outgoing guards at the Istana, a series of drills is conducted. These include the handing and taking over of the sentry posts, and an inspection by the guard commanders. These are symbolic tasks to ensure that the new guards know their orders, and are ready to take over the duty.



Annex:

Past Presidents of Singapore

Yusof Bin Ishak (12 August 1910 – 23 November 1970)
Served from 22 December 1965 to 23 November 1970

Yusof Ishak was the eldest of nine children and came from Malaya to Singapore with his father in 1923. He was an avid boxer and won the 1933 Singapore national lightweight boxing championships.

Mr Yusof Ishak was a prominent member of the community: he rose to Acting Editor of the *Warta Malaya*, founded the well-known *Utusan Melayu* newspaper, and served as President of the Press Club of Malaya. When Singapore became a self-governing state within the British Empire in 1959, he became the Yang di-Pertuan Negara, replacing the British Governor of Singapore. He was appointed President when Singapore declared independence in 1965. During the early years of his presidency, he handled the delicate task of promoting multiracialism following racial riots in the 1960s. Today, his legacy lives on: he is on Singapore dollar notes issued from 1999 onwards, and the Masjid Yusof Ishak mosque, Yusof Ishak Secondary School, and the ISEAS-Yusof Ishak Institute are named after him.



Prof Benjamin Henry Sheares
(12 August 1907 – 12 May 1981)
Served from 2 January 1971 to 12 May 1981

Benjamin Sheares was born in Singapore, and was of English, Spanish and Chinese descent. He was named Singapore’s “father of modern obstetrics and gynaecology” for pioneering the Lower Caesarean-section during the Japanese Occupation (currently the most common C-section method, with lower mortality and morbidity rates), and the Sheares procedure, which corrects vaginal birth defects in infants.

At the time of his appointment in 1971, Mr Sheares was one of the most respected Singaporeans locally and abroad. As President, he refused higher salaries, and spent two days a week at Kandang Kerbau Hospital (now KK Women’s and Children’s Hospital) teaching and consulting patients. Today, he is remembered through the Benjamin Sheares Bridge, Sheares Avenue, the Sheares Hall student hostel at NUS, and the Benjamin Sheares College at the Duke-NUS Graduate Medical School.



Chengara Veetil Devan Nair
(5 August 1923 – 6 December 2005)
Served from 24 October 1981 to 28 March 1985

Devan Nair held many public service appointments before becoming President. He was General Secretary of the Singapore Teachers' Union in 1953, one of the conveners of the People's Action Party in 1954, Political Secretary for the Minister for Education in 1959, President of the International Confederation of Free Trade Unions — Asian Regional Organization in 1976, and MP for the Malaysian Parliament and Singapore Parliament in 1964.

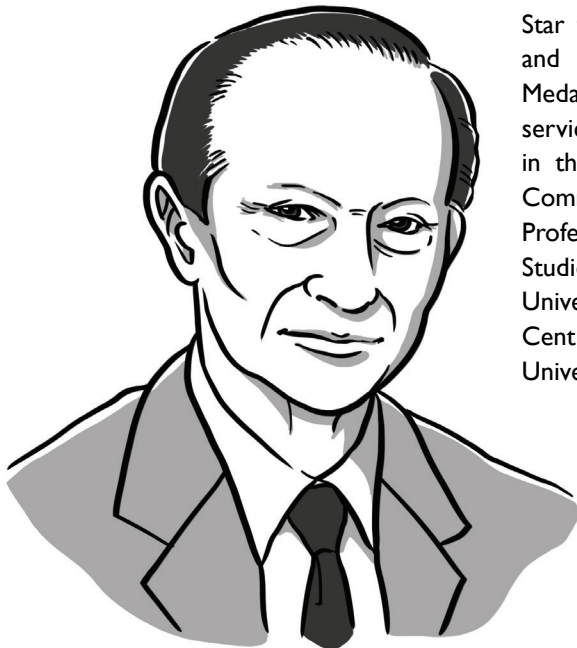
Mr Devan Nair was awarded the Public Service Star in 1963, in recognition of his achievements and leadership in the labour movement. He was also the author of four publications on Singapore history.



Wee Kim Wee (4 November 1915 – 2 May 2005)
Served from 2 September 1985 to 1 September 1993

Wee Kim Wee was the 1937 National Junior Singles Badminton Champion, and President of the Singapore Badminton Association and Badminton Association of Malaya! He was also the first Singaporean journalist to enter Jakarta during the *Konfrontasi* (Confrontation) period to interview Lieutenant-General Suharto. He rose to Chief Correspondent for the United Press Association for Singapore, Malaya, Borneo and Brunei, Editorial Manager for *The Straits Times*, and High Commissioner to Malaysia as well as Ambassador to Japan and the Republic of Korea.

Mr Wee was well regarded as a “People’s President”, and was a highly popular President during his tenure. Apart from the official functions, he also quietly visited welfare homes and charitable organisations, and supported their activities and functions.

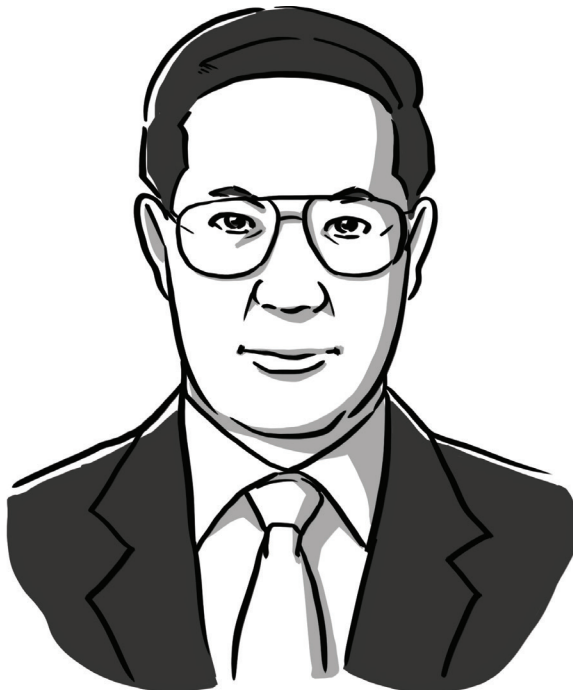


He was awarded the Public Service Star for his public work in 1963, and the Meritorious Service Medal in 1979 for his diplomatic services. Today, his legacy lives on in the Wee Kim Wee School of Communication, the Wee Kim Wee Professorship in Communication Studies at Nanyang Technological University, and the Wee Kim Wee Centre at Singapore Management University.

Ong Teng Cheong (22 January 1936 – 8 February 2002)
Served from 1 September 1993 to 31 August 1999

Ong Teng Cheong was an architect in his early years. He studied Architecture and Civic Design at the University of Adelaide and University of Liverpool, and later worked in the Planning Department. He was involved in the conceptualisation of Changi Airport, including its iconic control tower; in designing the Esplanade – Theatres on the Bay; and in helping to develop the Mass Rapid Transit (MRT) system. He entered politics as a member of the People's Action Party in 1972, and served as Deputy Prime Minister from 1985 to 1993. As Acting Minister for Culture, he launched the Singapore Cultural Foundation and Cultural Medallion Awards.

As President, he initiated the President's Star Charity, a major charitable fundraising performance which has been continued by his successors in office. The Ong Teng Cheong Labour Leadership Institute at the National Trades Union Congress, and the Ong Teng Cheong Professorship in Music at the NUS, are named after him.



Sellapan Ramanathan

(S R Nathan; 3 July 1924 – 22 August 2016)

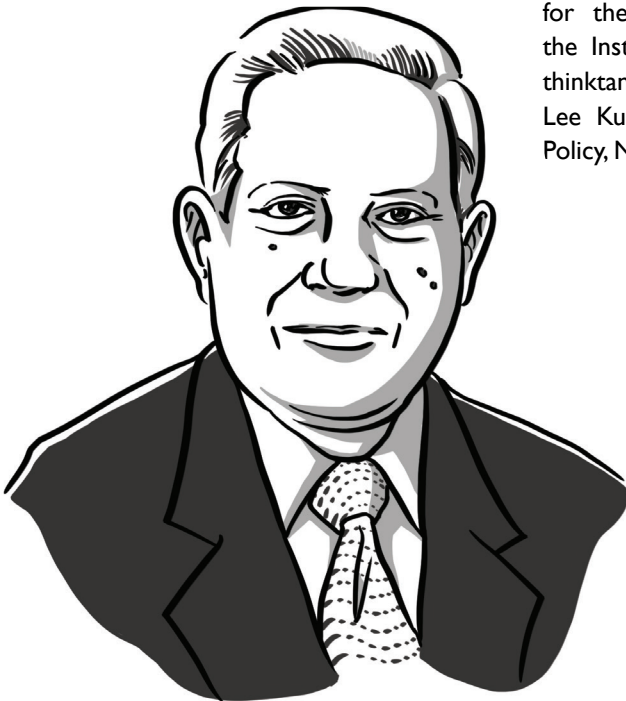
Served from 1 September 1999 to 31 August 2011

In the post-World War II period, S R Nathan worked as a medical social worker. He rose to Director in the Labour Research Unit of the Labour Movement, First Permanent Secretary of the Ministry for Foreign Affairs, High Commissioner to Malaysia, and Ambassador to the United States of America.

As Director of the Security and Intelligence, he dealt with the hijacking of the Laju Ferry in 1974, negotiating over eight days with four hijackers. He was conferred the Public Service Star in 1964, the Public Administration Medal (Silver) in 1967, Meritorious Service Medal in 1974, and Order of Temasek (First Class) in 2013, the nation's highest award.

Mr Nathan founded the President's Challenge, an annual campaign raising funds for charity, and also created the President's Social Service Awards. Today,

there is the S R Nathan Fellowship for the Study of Singapore at the Institute of Policy Studies, a thinktank under the aegis of the Lee Kuan Yew School of Public Policy, NUS.



Tony Tan Keng Yam (born 7 February 1940 – Present)

Served from 1 September 2011 to 31 August 2017

Tony Tan was head prefect of St Patrick's and dubbed the "brightest schoolboy in Singapore" by *The Straits Times* in 1957. He took on roles as Lecturer of Mathematics and Physics at the National University of Singapore, General Manager of the Oversea-Chinese Banking Corporation (OCBC), and Chairman of Singapore Bus Service (SBS). He entered Parliament in 1979, and subsequently served as Minister for Health, Minister for Finance, Minister for Trade and Industry, Minister for Education, and Minister for Defence.

At the Ministry of Education, he initiated reviews of Singapore's education system, introducing policies such as requiring all students to have at least ten years of basic schooling before tertiary or vocational education, and scrapping the policy giving graduate mothers priority for their children's school admissions. He oversaw the establishment of Nanyang Technological University and Singapore Management University.



Glossary

ADC	Aide-de-camp, a personal assistant or confidential secretary to the President.
Bill	A draft statute.
Cabinet	A collective term for the Prime Minister and other Government ministers.
Certificate of eligibility	A document issued by the PEC as proof that a person is eligible to be a candidate in a presidential election.
Community certificate	A document which certifies that a person seeking to contest a presidential election belongs to a particular ethnic community.
Community Committee	The committee in charge of issuing the community certificates.
Constitution	The Constitution of the Republic of Singapore, which is the supreme law of Singapore. Ordinary laws that are inconsistent with the Constitution are void.
CPA	The Council of Presidential Advisers, which advises the President on the exercise of his or her discretionary powers.
CPIB	The Corrupt Practices Investigation Bureau, a government agency that investigates and prosecutes corruption in the private and public sectors.
Discretionary power	Power that can be exercised personally, without the holder of the power having to follow the instructions of some other person or entity.
Government Gazette	An official journal issued regularly in which laws, legal notices and other government matters are published.

- ISA** The Internal Security Act, a statute that grants the Government power to, among other things, detain people without trial if it is believed that they pose a threat to national security, to prevent subversion, and to suppress organized violence against persons and property.
- Istana** The official residence and office of the President of Singapore.
- MHRA** The Maintenance of Religious Harmony Act, which aims to maintain religious harmony through the prevention of politically driven, subversive and provocative acts.
- MP** Member of Parliament.
- Nomination paper** A document that a person wishing to be a candidate in a presidential election must submit to the Returning Officer on Nomination Day. In such papers, people must declare they are qualified to be elected as President, that they are not members of any political parties, and that they understand the President's constitutional role.
- PCMR** The Presidential Council for Minority Rights, a body that assesses whether bills passed by Parliament discriminate against people based on race or religion.
- PCRH** The Presidential Council for Religious Harmony, a body that facilitates the objectives of the MHRA.
- PDA** The Political Donations Act, a statute which forbids certain people and organisations from receiving foreign donations, and which requires information about people who make large donations to such people and organisations to be disclosed.
- PEC** The Presidential Elections Committee, a body which determines whether people are sufficiently qualified to take part in a presidential election.

- Political donation certificate** A document issued by the Registrar of Political Donations certifying that the requirements in the PDA have been complied with.
- Poll card** A card which is sent by post to a voter to tell him or her which polling station to visit to vote.
- Returning Officer** A government official who conducts and announces the result of an election.
- Tribunal** Any person or institution with authority to judge, adjudicate on, or determine claims or disputes.
- Writ** A formal written order.
- Writ of election** A written order issued to the Returning Officer by the Prime Minister stating the date of Nomination Day of an upcoming presidential election and the place where nominations will be received by the Returning Officer.

As the 2017 Presidential Election draws near, there calls upon us a duty, or perhaps an initiative, to be aware of the current issues and background of this decisive national process. Apart from providing a concise explanation of the Presidential system and the expected role of the elected President, this primer also proffers a macro observation of the comparison between Singapore's Presidency and that of other countries. With an understanding of these circumstances, and the general electoral process, we will be well-positioned to engage in reflection and participation beneficial to ourselves and the wider community.

A Guide to the Singapore Presidency is the third installment to a series of primers initiated by SMU Apolitical society, to promote a general awareness of Singapore's political infrastructure among the public. This primer follows *A Guide to General Elections in Singapore* and *A Guide to the Singapore Constitution*, that were launched in August 2015 and September 2016 respectively.

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