

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

**PARLIAMENTARY ELECTIONS
(ELECTION ADVERTISING)
REGULATIONS**

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**PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218, SECTIONS 78, 78A AND 102)**

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(ELECTION ADVERTISING)
REGULATIONS**

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[17th October 2001]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Parliamentary Elections (Election Advertising) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —
“banner” means any election advertising that is a flag, bunting, ensign or standard;

“campaign period”, in relation to an election, means the period —

- (a) beginning with the closure of the place of nomination on nomination day after the election is adjourned under section 34(1)(a) or 34A(1)(a), as the case may be, of the Act to enable a poll to be taken in accordance with the Act; and
- (b) ending with the start of the eve of polling day of that election;

“chat room” or “discussion forum” means a website or similar online facility (including a facility made available by or through a social networking service or web log) through which a number of persons can communicate by text messages and that allows text messages to be visible to all other users or to a designated segment of users;

“display”, in relation to a public place, includes display on the exterior of a vehicle (whether or not mechanically propelled) in a public place;

“election meeting” means an assembly in a public place organised by or on behalf of a candidate or group of candidates nominated for election in an electoral division —

- (a) to promote or procure the electoral success at the election for one or more identifiable political parties, candidates or groups of candidates or to otherwise enhance the standing of any such political parties, candidates or groups of candidates with the electorate in connection with the election (referred to in these Regulations as an election rally); or
- (b) to show support for the candidate at or about the time the results of the election may be declared under section 49(7) or (7E) or 49A(5) of the Act;

“election period”, in relation to an election, means the period beginning on the day the writ is issued for the election under section 24 of the Act and ending with the start of polling day at that election;

“electronic mail address” means a destination (commonly expressed as a string of characters) to which electronic mail

can be sent or delivered, and includes such an address consisting of a user name or mailbox or an Internet domain;

“electronic media application” includes —

- (a) any banner, logo or small icon that is capable of being posted on any social networking service, micro-blog, website or other form of electronic media; or
- (b) any other software or programme used in connection with a computer or other electronic device and which may be used for communicating or transmitting election advertising among users in any format,

such as but not limited to digital banners, RSS feed readers, widgets, mobile applications and other instant messaging software or programmes;

“micro-blog” means a web service that allows a user to post and send a micro-blog post that can be viewed by a selected group of persons or by anyone who uses the web service;

“micro-blog post” means a short text message (ordinarily not exceeding 140 characters) sent through a micro-blog;

“MMS message” means a message (whether or not accompanied by any sound) sent using an MMS service;

“MMS service” means a system that enables the transmission of visual communication, voice communication or electronic mail from a digital mobile telephone —

- (a) to another digital mobile telephone; or
 - (b) to an electronic mail address,
- but does not include a micro-blog post;

“nomination day”, in relation to an election, means the date specified as the day of nomination in the writ issued under section 24 of the Act for that election;

“permit” means a permit issued under Part IV for the display of any poster or banner;

“polling day”, in relation to an election, means the date specified in a notice under section 34(6) or 34A(6) of the Act as the date on which the poll for that election will be taken;

“poster” means any election advertising that —

- (a) is a label, set of colours, drawing, painting, handbill or placard;
- (b) is a replica of a voting paper or of the symbol of any political party; and
- (c) is written, printed, drawn or depicted on any material, and where any election advertising is written, printed, drawn or depicted in sections, such sections, both severally and collectively, shall be deemed to be a poster;

“public place” means —

- (a) any place (open to the air or otherwise) to which members of the public have access as of right or by virtue of express or implied permission, whether or not on payment of a fee, and whether or not access to the place may be restricted at particular times or for particular purposes; or
- (b) a part of a place that the occupier of the place allows members of the public to enter, but only while the place is ordinarily open to members of the public;

“recipient”, in relation to any electronic mail message, advertisement or material, means the person to whom such message, advertisement or material is addressed, and if the person has more than one electronic mail address, the person shall be regarded as a separate recipient with respect to each such address;

“SMS message” means a text message sent using an SMS service;

“SMS service” means a system that enables the transmission of short text messages from a digital mobile telephone to another digital mobile telephone;

“social networking service” means any online website or web service —

- (a) that allows users to create webpages or profiles providing information that can be viewed in whole or in part by other users; and

- (b) that enables or supports multiple-user digital communication, connection, social interaction or related activities;

“web log” means a website or part of a website maintained by one or more persons —

- (a) that allow the person or persons to upload entries that include (but is not limited to) text messages, images or videos; and
- (b) may allow visitors to the website or part thereof to post their comments thereon.

PART II

ELECTION ADVERTISING PARTICULARS

Non-print election advertising particulars

3.—(1) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars of any election advertising in any website shall be shown conspicuously —

- (a) on the first opening page of the website containing any election advertising; and
- (b) on the page first displayed for every sub-directory of the website if the relevant particulars of the election advertising in the sub-directory are not the same as those on the first opening page of that website.

(2) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars shall be shown as follows on every election advertising sent by electronic mail or micro-blog or by or through a social networking service, an SMS service or MMS service, or sent as a web log entry or as a message in a chat room or discussion forum:

- (a) in the case of electronic mail, the relevant particulars shall appear at the beginning of the message in a font that is not smaller than the font of the message text;
- (b) in the case of advertising in a micro-blog post or by or through a social networking service, the relevant particulars shall appear in the sender’s user name and his account profile page, or prominently on the landing page or homepage associated

with the sender's micro-blog account or the sender's social networking service account, as the case may be;

- (c) in the case of advertising in an SMS message or MMS message, the relevant particulars shall appear at the bottom of the screen displaying the message; and
- (d) in the case of a web log entry or a message in a chat room or discussion forum, the relevant particulars shall appear —
 - (i) in the sender's user name and his account profile;
 - (ii) prominently on the landing page or homepage associated with the sender's web log, chat room or discussion forum account; or
 - (iii) if sub-paragraphs (i) and (ii) are inapplicable, at the beginning of the message in a font that is not smaller than the font of the message text.

(2A) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars of every election advertising that is a recorded program of speech, music or other sound made available over the Internet as a digital audio file shall be shown adjacent to or immediately above or below any icon representing or link to the file on the webpage of the website from which the recorded program may be downloaded.

(2B) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars of every election advertising that is a recorded program of images (whether or not accompanied by any sound) made available over the Internet as a digital video file shall be shown adjacent to or immediately above or below any icon representing or link to the file on the webpage of the website from which the recorded program may be downloaded.

(2C) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars of every election advertising published as or using an electronic media application shall be within the election advertising itself, except that where the election advertising is too small to include the relevant particulars in a legible manner (such as but not limited to a micro-bar, a button ad or a graphic or picture link), the relevant particulars shall be shown as follows:

- (a) for an electronic media application that allows the viewer to click on it, the viewer must be taken to a landing or homepage that prominently displays the relevant particulars;

- (b) for an electronic media application that does not allow the viewer to click on it, the relevant particulars must be prominently displayed on a clearly identifiable website that the election advertising was drawn from.

(2D) For the purposes of section 61(1)(c)(ii) of the Act, the relevant particulars of any other election advertising that is not, or is not contained in, a printed document shall be stamped, engraved or otherwise marked prominently, indelibly and legibly on any surface of the election advertising itself.

(3) In this regulation, “relevant particulars”, in relation to any election advertising, means —

- (a) the name and address (not being a post-office box) of the publisher of the election advertising; and
- (b) the name and address (not being a post-office box) of every person for whom or at whose direction the election advertising is published.

(4) Where the publisher of any election advertising or the person for whom or at whose direction any election advertising is published is an unincorporated association or society, it shall be sufficient for the purposes of this regulation to state the name and address of the association or society, as the case may be.

PART III

INTERNET ELECTION ADVERTISING

Division 1 — Candidates and political parties

Positive list of election advertising

4.—(1) For the purposes of section 78A(1)(b) of the Act, a political party or a candidate or his election agent may publish on the Internet during the election period the election advertising specified in paragraph (2) (in text, still or moving picture, sign, symbol or other visual image, or any speech, music, sound or audible message, or any combination of 2 or more of those things) in the following manner only:

- (a) by including the election advertising, or something that contains it, on one or more websites, whether or not it is or

they are maintained by or on behalf of the political party, candidate or group of candidates;

- (b) by providing an electronic cross-reference (commonly known as a hypertext link) on a webpage of any website (whether or not maintained by or on behalf of the political party, candidate or group of candidates) that refers or links to, or otherwise brings the user to, another webpage or online content —
 - (i) that does not contain any election advertising; or
 - (ii) that contains election advertising the publication of which complies with these Regulations or which is not proscribed by the Returning Officer;
- (c) by communicating the election advertising through a chat room or discussion forum, whether or not maintained by or on behalf of the political party, candidate or group of candidates, and if the chat room or discussion forum is one that is maintained by or on behalf of a political party, candidate or group of candidates, the maintenance of which complies with the requirements of regulation 5;
- (d) by making the election advertising available on an online video sharing or hosting website or an online photograph sharing or hosting website;
- (e) by sending the election advertising by electronic mail that complies with the requirements of paragraph (3);
- (f) by sending the election advertising in a micro-blog post or an SMS message or MMS message that complies with the requirements of paragraph (3);
- (g) by a program of speech, music or other sound made available over the Internet as a digital audio file;
- (h) by a program of images (whether or not accompanied by any sound) made available over the Internet as a digital video file;
- (i) by making election advertising available through an electronic media application; or
- (j) by making election advertising available by or through a web log or social networking service, whether or not maintained by or on behalf of the political party, candidate or group of candidates.

(2) For the purposes of section 78A(1)(b) of the Act, a political party or a candidate or his election agent may publish on the Internet during the election period the following election advertising (in text, still or moving picture, sign, symbol or other visual image, or any speech, music, sound or audible message, or any combination of 2 or more of those things), and no others:

- (a) any photograph of any candidate or group of candidates or any drawing or illustration which purports to depict any such candidate or group of candidates or to be a likeness or representation of any candidate or group of candidates;
- (b) any photograph or film of any person or persons lawfully taking part in or conducting any election rally or other election activity, or any drawing or illustration which purports to depict any such person or persons or to be a likeness or representation of any person or persons;
- (c) the manifesto or declaration of policies or ideology of the political party or the candidate or group of candidates;
- (d) any historical or biographical information about the political party or the candidate or group of candidates;
- (e) any newsletter, journal or other periodical publication of the political party;
- (f) any message, article or comment that promotes or opposes any political party or the election of any candidate or group of candidates, including one that takes a position on an issue with which a political party or candidate or group of candidates, as the case may be, is associated;
- (g) the whole or part of the logo, symbol or mark of a political party, or the whole or part of the approved symbol allotted to a candidate or a group of candidates under section 34(1)(b) or 34A(1)(b) of the Act;
- (h) any advertisement or material for the recruitment of members or subscribers of a political party or for acquiring the services of volunteers or canvassers for a candidate or group of candidates;
- (i) any announcement of any election meeting or other meeting, or of any constituency visit, held or to be held by or on behalf of a candidate or group of candidates or the political party.

(3) Any election advertising that —

- (a) is sent by electronic mail shall contain a clearly and conspicuously displayed functioning electronic mail address to which the recipient of the electronic mail message may send a reply to the sender of the message to indicate a desire not to receive further such messages from that sender at the electronic mail address at which the message was received; or
- (b) is in a micro-blog post or an SMS message or MMS message shall contain a clearly and conspicuously displayed —
 - (i) functioning digital mobile phone number; or
 - (ii) functioning electronic mail address,

to which the recipient of the micro-blog post, SMS message or MMS message, as the case may be, may send a reply to the sender of the election advertising to indicate a desire not to receive further election advertising from that sender at the mobile phone number or electronic mail address at which the micro-blog post, SMS message, MMS message, as the case may be, was received.

(3A) If a recipient of any electronic mail message, micro-blog post, SMS message or MMS message containing election advertising referred to in paragraph (1)(e) or (f) makes a request to the sender of such message or post —

- (a) in the case of an electronic mail message — through an electronic mail message sent to a functioning electronic mail address provided under paragraph (3)(a); or
- (b) in the case of a micro-blog post or an SMS message or MMS message — through a functioning digital mobile phone number or a functioning electronic mail address provided under paragraph (3)(b),

not to receive further electronic mail messages, micro-blog posts, SMS messages or MMS messages, as the case may be, containing election advertising from the sender, the sender shall not send or further send or cause to be sent or further sent any such electronic mail message, micro-blog post, SMS message or MMS message containing election advertising during the election period to the recipient's electronic mail address or digital mobile phone number without the prior express consent of the recipient.

(4) For the avoidance of doubt, nothing in this regulation shall permit any of the following to be published by any political party, or any candidate or group of candidates or their election agents, on what is commonly known as the Internet during the election period:

- (a) any election survey within the meaning of section 78C of the Act;
- (b) any appeal to members of the public or any class thereof to give money or other property (whether for consideration or otherwise) which is made in association with a representation that the whole or any part of its proceeds is to be applied for the objects or activities of any political party or for the promotion of any candidate or (as the case may be) group of candidates at an election;
- (c) any facility enabling any member of the public or any class thereof to search for election advertising the publication of which contravenes these Regulations or is proscribed by the Returning Officer; and
- (d) any party political film within the meaning of the Films Act (Cap. 107) or any film the exhibition or distribution of which is contrary to the provisions of that Act.

(5) Every political party, and every candidate or group of candidates and his or their election agents shall use its or their best efforts to ensure that any election advertising they publish or cause to be published is published in conformity with this Part and any other written law.

(6) For the purposes of this regulation —

- (a) “functioning electronic mail address” and “functioning digital mobile phone number”, in relation to any electronic mail message, micro-blog post, SMS message or MMS message containing election advertising, mean an electronic mail address or digital mobile phone number that —
 - (i) remains capable of receiving messages for not less than 14 days after the transmission of such electronic mail message, micro-blog post, SMS message or MMS message, as the case may be; and
 - (ii) has capacity, reasonably calculated in the light of the number of recipients of the electronic mail message, micro-blog post, SMS message or MMS

message, as the case may be, to enable it to receive the full expected quantity of reply messages from such recipients; and

- (b) an electronic mail address or a digital mobile phone number shall not cease to be a functioning electronic mail address or functioning digital mobile phone number by reason only of a temporary inability to receive electronic mail messages, micro-blog posts, SMS messages or MMS messages, as the case may be, due to technical problems, provided steps are taken to correct such technical problems within a reasonable time and without delay.

Chat rooms and discussion forum

5.—(1) Where a facility referred to in regulation 4(1)(c) (referred to in this regulation as a chat room or discussion forum) is to be maintained by or on behalf of a political party or a candidate or group of candidates during the election period, the political party or (as the case may be) the candidate or group of candidates or his or their election agents shall, before the start of the election period, appoint as moderator —

- (a) one or more officers of the political party; or
- (b) in the case of a chat room or discussion forum maintained by or on behalf of a candidate or group of candidates, any one or more persons,

to directly manage the chat room or discussion forum during that period and notify the Returning Officer accordingly.

(2) The moderator of any chat room or discussion forum shall have the following duties:

- (a) he must without delay remove any material contained in the chat room or discussion forum as and when directed by and in accordance with the written directions of the Returning Officer or any person acting under the Returning Officer's authority; and
- (b) he must maintain a record of all text messages, articles and letters sent to any such chat room, in particular the contents thereof, during the election period.

(3) The political party or candidate or group of candidates who or which or on whose behalf a chat room or discussion forum is maintained shall —

- (a) use its or his best efforts to ensure that the chat room or discussion forum is maintained in conformity with this regulation and any other written law;
- (b) keep and furnish to the Returning Officer all information, records, documents, data or other materials concerning or relating to the provision of the chat room or discussion forum as the Returning Officer may, from time to time, require during the election period; and
- (c) remove, or prohibit the inclusion of, the whole or any part of a text message, an article or a letter in any such chat room or discussion forum if the Returning Officer informs the moderator that the text message, article or letter is against public interest, public order or national harmony or offends good taste or decency and directs its removal or prohibition.

*Division 2 — Declaration of election advertising by
candidates during campaign period*

Declaration of election advertising by candidates

6.—(1) Election advertising (in text, still or moving picture, sign, symbol or other visual image, or any speech, music, sound or audible message, or any combination of 2 or more of those things) may be published on the Internet during the campaign period of an election by or on behalf of a candidate —

- (a) by including the election advertising, or something that contains it, on any website (including a web log) that is maintained by or on behalf of the candidate;
- (b) by communicating the election advertising through a chat room or discussion forum that is maintained (in whole or part) by or on behalf of the candidate (if not comprised in a website referred to in sub-paragraph (a));
- (c) by making the election advertising available on an online video sharing or hosting website, or an online photograph sharing or hosting website that is maintained by or on behalf of the candidate;

- (d) by or through a social networking service using a social networking service account (whether an individual or group account) that is maintained by or on the behalf of the candidate;
- (e) by electronic mail, or by sending the election advertising in a micro-blog post or in an SMS message or MMS message, using an electronic mail address, a micro-blog account or a digital mobile phone number, as the case may be, that is maintained by or on the behalf of the candidate; or
- (f) by making the election advertising available through an electronic media application provided or maintained by or on behalf of the candidate,

if, and only if the Returning Officer is given —

- (i) within 12 hours after the start of the campaign period, one or more declarations containing the information specified in paragraph (2) relating to every platform on which the election advertising that has been or is to be so published by or on behalf of the candidate in that time; and
- (ii) thereafter at any time before the election advertising is so published by or on the candidate's behalf on any such platform, a declaration containing the information specified in paragraph (2) relating to the platform on which election advertising that is to be so published.

(2) Any declaration under paragraph (1)(i) or (ii) relating to any platform on which election advertising that has been or is to be, as the case may be, published by a candidate or on his behalf during the campaign period must contain —

- (a) the electronic address of every website (including a web log) that is maintained by or on behalf of the candidate and on which that election advertising has been or is to be so published;
- (b) the electronic address of every chat room or discussion forum that is maintained (in whole or part) by or on behalf of the candidate (if not comprised in a website referred to in sub-paragraph (a)) and on which that election advertising has been or is to be so published;

- (c) the electronic address for every online video sharing or hosting website or every online photograph sharing or hosting website that is maintained by or on behalf of the candidate and on which that election advertising has been or is to be so published;
- (d) the electronic address of every micro-blog account and every page on a social networking service (be it a personal profile page, fan page, group page or events page) that is maintained by or on behalf of the candidate and from which that election advertising has been or is to be so published;
- (e) the particulars of every functioning digital mobile phone number, and every functioning electronic mail address, that is maintained by or on behalf of the candidate and from which the election advertising in an SMS message or MMS message or electronic mail has been or is to be sent by the candidate or on his behalf during the campaign period; or
- (f) the particulars of every electronic media application that is provided or maintained by or on behalf of the candidate (if not comprised in a website referred to in sub-paragraph (a)) and on which the election advertising has been or is to be so published,

as the case may be.

(3) Every declaration under paragraph (1)(i) or (ii) shall —

- (a) be in such form and given in such manner as the Returning Officer may require; and
- (b) be given by the candidate concerned or that candidate's election agent.

(4) When any declaration under paragraph (1)(i) or (ii) has been received by the Returning Officer, he shall without delay ensure that the declaration is open for inspection (without charge) at all reasonable hours of the day.

(5) For the avoidance of doubt, in this regulation —

- (a) “candidate” shall not include a candidate who has been declared elected under section 33(1) of the Act;
- (b) a reference to anything that is or is to be maintained or published by or on behalf of a candidate shall be a reference

to anything that is or is to be maintained or published by the candidate either alone or as one in a group of candidates or other persons; and

- (c) a declaration that is required by paragraph (1)(i) or (ii) or by regulation 7(1)(b)(ii) to be given to the Returning Officer shall be regarded as given only when it is actually received by the Returning Officer.

Division 3 — Enforcement

Returning Officer's directions

7.—(1) The Returning Officer or any person so authorised by him may issue a written direction to any political party, or to any candidate or group of candidates or his or their election agents —

- (a) to remove or prohibit any election advertising that has been published by or on behalf of the political party, candidate or group of candidates, as the case may be, which is published in contravention of any provision in Division 1; or
- (b) to —
 - (i) remove any election advertising that has been published by or on behalf of the candidate in contravention of regulation 6(1); or
 - (ii) give the Returning Officer a declaration containing the information specified in regulation 6(2) relating to the election advertising that has been so published by or on behalf of the candidate in contravention of regulation 6(1).

(2) On receipt of any written directions under paragraph (1) concerning any election advertising, the political party, candidate or group of candidates, or his or their election agents, shall immediately comply with the written directions.

Use of best efforts

8. If any doubt arises as to whether a political party, candidate, group of candidates or election agent has used its or his best efforts to comply with the provisions of this Part, the party, candidate or agent,

as the case may be, shall be treated as having used its or his best efforts if the political party, candidates or group of candidates or election agent, as the case may be, satisfies the Returning Officer that it or he took all reasonable steps in the circumstances.

PART IV

POSTERS AND BANNERS

Display of posters and banners without permit prohibited

9. Subject to these Regulations, no person shall during the campaign period of an election display or cause to be displayed in any public place any poster or banner relating to any candidate or group of candidates in that election unless the person is authorised to do so under a permit issued under this Part.

Permits for display of posters and banners

10.—(1) As soon as possible after nomination proceedings have closed on nomination day, the Returning Officer shall issue to every candidate or group of candidates, or to each candidate's election agent, a permit substantially in the form set out in the Schedule authorising the display of posters and banners in any public place in the electoral division in which the candidate or (as the case may be) group of candidates seeks election.

(2) The Returning Officer may, in issuing a permit, impose such terms and conditions as he may think fit, including conditions as to —

- (a) the public places where posters and banners must not be displayed;
- (aa) the removal, within such period after polling day as is specified in the permit, of every poster and banner authorised to be displayed by the permit;
- (b) the manner in which posters and banners may or must not be displayed; and
- (c) the maximum number of posters and banners authorised to be displayed in the electoral division.

Maximum number of posters and banners to be displayed

11.—(1) The Returning Officer shall, for any election, determine the maximum number of posters and banners which may be displayed during the campaign period of an election in respect of each candidate or group of candidates in the electoral division in which the candidate or (as the case may be) group of candidates seeks election.

(2) In carrying out his duty under paragraph (1), the Returning Officer shall allot equally among the candidates or (as the case may be) groups of candidates seeking election in an electoral division the maximum number of posters and banners which may be displayed in that electoral division.

(3) In determining the maximum number of posters and banners which may be displayed in any electoral division, the Returning Officer may have regard to the area of the electoral division and the number of electors therein.

Official stamp for posters and banners

12.—(1) Subject to paragraph (2), no person shall display or cause to be displayed in any public place during the campaign period of an election any poster or banner unless there is affixed to the poster or banner a stamp issued by the Returning Officer bearing his official mark.

(2) Paragraph (1) shall not apply to the display of —

- (a) any poster or banner on the day and at the site of any election rally held by or on behalf of a candidate or group of candidates; and
- (b) any poster or banner or its contents by any means of —
 - (i) television broadcasting;
 - (ii) electronic transmission on what is commonly known as the Internet;
 - (iii) a film or photograph of the poster or banner or its contents; or
 - (iv) publication in any newspaper, magazine or periodical.

Copy of poster or banner to be lodged with Returning Officer

13. No person shall display or cause to be displayed by any means during the campaign period of an election any poster or banner unless —

- (a) a copy of the poster or a detailed diagram or drawing of the banner has previously been lodged with the Returning Officer by a candidate or group of candidates or the candidate's election agents; and
- (b) the person is in possession of a written authority to conduct election activity issued in accordance with section 83(2) of the Act.

Size of posters and banners

14.—(1) The size of a poster shall not exceed —

- (a) 1,750 millimetres by 1,200 millimetres for display within a group representation constituency; or
- (b) 850 millimetres by 600 millimetres for display in any constituency other than a group representation constituency.

(2) Subject to paragraph (3), no banner shall exceed 9 metres in length and 1.2 metres in breadth.

(3) Paragraph (2) shall not apply to the display of any banner on the day and at the site of any election rally held by a candidate or group of candidates.

Posters and banners not to exceed authorised number

15.—(1) Subject to paragraph (2), no candidate or (as the case may be) group of candidates seeking election in an electoral division, and no election agent of any such candidate, shall display or cause to be displayed at any time during the campaign period of the election in any public place within the electoral division any poster or banner relating to the candidate or (as the case may be) group of candidates that is in excess of the maximum number of posters and banners determined under regulation 11(1) for that candidate or (as the case may be) group of candidates.

- (2) Nothing in paragraph (1) shall prohibit the display of —
- (a) any poster or banner on the day and at the site of any election rally held by a candidate or group of candidates; or
 - (b) any poster or banner at the office or committee room of a candidate or group of candidates or his or their political party, only that the office or room must be the office or committee room of the candidate, group of candidates or political party, as the case may be, and specifies the name of the candidate or candidates in the group or the name of the political party concerned.

Posters and banners not to be displayed on certain objects, structure or things

16.—(1) No person shall, during the campaign period, display or cause to be displayed any poster or banner by pasting, nailing or otherwise affixing it on —

- (a) any lamp post or traffic bollard;
- (b) any postal box, telephone box or any other property belonging to the Public Utilities Board, the Info-communications Development Authority of Singapore, any public electricity licensee, public gas licensee, any public telecommunication licensee or any public postal licensee;
- (c) any area, space or building owned or occupied by the Land Transport Authority of Singapore for or in connection with any rapid transit system;
- (d) any painted wall or painted part of a building adjoining a public road; or
- (e) any tree or structure on or along any public road.

(2) For the avoidance of doubt, nothing in paragraph (1) prohibits the hanging or causing to be hanged any poster or banner on anything specified in that paragraph.

Posters and banners not to be obscured

17. No person shall display or cause to be displayed any poster or banner during the campaign period of an election so as to obscure the view of any poster or banner already displayed.

Ban on displays near polling stations

18.—(1) No person shall display or cause to be displayed during the campaign period of an election any poster or banner within 200 metres, or such shorter distance under paragraph (2), of any polling station.

(2) The Returning Officer may specify a shorter distance for the purposes of paragraph (1) having regard to the area of the electoral division in which any polling station is situated.

Consent of owner

19. Nothing in this Part shall be deemed to authorise the display of any poster or banner on or in any building, premises or property without the express consent of the owner or occupier thereof.

No new display of posters and banners on polling day and eve of polling day

19A.—(1) A person to whom a permit is issued under this Part in respect of an election in an electoral division shall be guilty of an offence if he, on polling day and the eve of polling day at that election —

- (a) displays, or causes to be displayed, in any public place within the electoral division any poster or banner that is, at the end of the campaign period of the election, not already so displayed in compliance with these Regulations and the conditions of the permit;
- (b) alters or otherwise changes, or causes to be altered or otherwise changed, any poster or banner that is, at the end of the campaign period of the election, already lawfully displayed in any public place within that electoral division; or
- (c) alters or otherwise changes, or causes to be altered or otherwise changed, the manner of display of, or the place at which is displayed, any poster or banner that is, at the end of the campaign period of the election, already lawfully displayed in any public place within that electoral division.

(2) In this regulation, any reference to a poster or banner that is lawfully displayed shall be a reference to a poster or banner that is

displayed in compliance with these Regulations and the conditions of a permit issued.

Removal, etc., of posters and banners by Returning Officer

20. The Returning Officer or any person so authorised by him or any police officer in uniform may obliterate, destroy or remove any poster or banner which is displayed in contravention of any of the provisions of this Part or of any term or condition contained in the permit issued under this Part.

No inscriptions on roads, buildings, etc.

21. No person shall write, draw, inscribe or depict any election advertising directly on any road, footpath, building, vehicle, vessel or hoarding.

Other forms of election advertising displays

22.—(1) Subject to paragraph (2), no person shall, during the campaign period of an election display or cause to be displayed any election advertising —

- (a) by means of any television broadcast for reception by the public or any class thereof (whether on payment or otherwise);
- (b) by exhibiting it in, or in a manner so as to be visible from, any place to which the public (or any class thereof) have or are permitted to have access (whether on payment or otherwise);
or

(c) by publishing it in any newspaper, magazine or periodical, unless the person is authorised to do so by and does so in accordance with the written directions of the Returning Officer.

(2) Nothing in paragraph (1) shall prohibit the broadcast or publication of any item of news or current affairs which contains any reference to any election advertising.

Offences

23. For the purposes of section 78 of the Act, any person who —

- (a) alters, removes, destroys, obliterates or defaces, any poster or banner displayed in accordance with any of the provisions of this Part;

- (b) displays or causes to be displayed any poster or banner in respect otherwise than in accordance with any of the provisions of this Part or any term or condition contained in any permit or written direction issued under this Part;
- (c) obstructs the Returning Officer, or any member of his staff or any police officer in uniform, in carrying out his duties under any of the provisions of this Part; or
- (d) obstructs any candidate or his election agent or any person lawfully conducting any election activity from doing any act which he is authorised to do under any of the provisions of this Part,

shall be guilty of an offence.

Presumption

24. If any poster or banner is found to be displayed in contravention of any provision in this Part and the poster or banner —

- (a) relates to any candidate or group of candidates; or
- (b) relates to the political party which a candidate or group of candidates is standing for,

it shall be presumed, until the contrary is proved, that the poster or banner was displayed or caused to be displayed by the candidate or group of candidates, as the case may be.

PART V

MISCELLANEOUS

Other written laws not affected

25. These Regulations are in addition to and are not in derogation of any other written law for the time being in force relating to the display of posters, banners and advertisements whether or not these contain election advertising.

THE SCHEDULE

Regulation 10(1)

FORM 1

PARLIAMENTARY ELECTIONS ACT
(CHAPTER 218)

PARLIAMENTARY ELECTIONS
(ELECTION ADVERTISING)
REGULATIONS

PERMIT TO DISPLAY POSTERS AND BANNERS

Permit No. _____

ELECTORAL DIVISION: _____

*CANDIDATE/GROUP OF CANDIDATES

(Specify names)

TO: *(name of permit holder)*

1. You are hereby authorised to display, during the period starting with the close of nomination proceedings on nomination day and ending before the eve of polling day, posters and banners relating to the said *candidate/group of candidates in public places within the above electoral division in accordance with the Parliamentary Elections (Election Advertising) Regulations (Rg 3) and in accordance with the following conditions:

- (a) you are not to display in excess of *(specify maximum number)*;
- (b) you are not to display any such poster or banner without affixing the stamp bearing the official mark of the Returning Officer conspicuously at the bottom right hand corner of the poster or banner;
- (c) you are to remove every poster and banner that you have pursuant to this permit displayed in public places within the above electoral division within ____ days after polling day; and
- (d) _____.

Conditions (a) and (b) do not apply to the display of such posters and banners during an election rally.

*Delete whichever is inapplicable.

THE SCHEDULE — *continued*

2. If you display or cause to be displayed any such poster or banner otherwise than in accordance with any of the provisions of the Parliamentary Elections (Election Advertising) Regulations (Rg 3), a copy of which is attached or any term or condition contained in this permit or written direction issued under those Regulations, you commit an offence and are liable under section 78 of the Parliamentary Elections Act (Cap. 218) on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months.

Dated this _____ day of _____ 20__.

Returning Officer,
Singapore.

[G.N. Nos. S 524/2001; S 129/2011]
