

## **CHAPTER 14**

### **PROHIBITION AGAINST CANVASSING ACTIVITIES OUTSIDE POLLING STATION**

#### **PART I : GENERAL**

14.1 This chapter deals with the ban on canvassing activities **outside** the polling station on the polling day.

14.2 A “No Canvassing Zone Scheme” is employed for the purpose of prohibiting canvassing activities outside the polling station on the polling day in order to maintain free and safe passage for electors, and to ensure that they are not unduly harassed on their way to the polling station.

#### **PART II : DECLARATION OF A NO CANVASSING ZONE AND NO STAYING ZONE**

14.3 The RO must determine an area outside the polling station to be a NCZ. In so doing, he will take into account the characteristics and special conditions of the polling station. He must also determine an area within the NCZ outside the entrance and exit of the polling station as a NSZ. These two zones are to be determined with reference to a map or plan [s 23(1) of the EP (CEE) Reg]. *[Amended in January 2007]*

14.4 The RO must, at least 7 days before polling day, give notice of the declaration of the NCZ and NSZ to the candidates [s 23(2) of the EP (CEE) Reg].

14.5 The notice will be given in writing, either in person or by post or by facsimile transmission, to the candidates or to the election agents.

14.6 Where the circumstances so warrant, the RO, or the PRO may vary the NCZ or NSZ. Notice of the variation must be given as soon as practicable after the variation in the same manner as a notice referred to in para. 14.5 above [s 23(4)(a) of the EP (CEE) Reg]. *[Amended in January 2007]*

14.7 A notice of the determination or the variation, together with indication of the boundaries of the NCZ or the NSZ, need to be displayed, on polling day, at or near the polling station, in order to make the determination or variation effective [s 23(4)(b) of the EP (CEE) Reg].

14.8 The RO may authorise his ARO or the PRO to exercise the power to vary the determination and to perform the associated duties on polling day.

### **PART III : CONDUCT IN NO CANVASSING ZONE AND NO STAYING ZONE**

14.9 The PRO will keep order at the NCZ and NSZ.

14.10 On the polling date, no person shall:

- (a) engage in canvassing for votes (including suggesting not to vote for any candidate, or not to vote in support of the only validly nominated candidate, as appropriate) in a NCZ. A list of common canvassing activities which are forbidden in a NCZ is at **Appendix E**;
- (b) use a sound amplifying system or device for any purpose in the NCZ without lawful authority;

- (c) conduct any activity for canvassing for votes (including suggesting not to vote for any candidate, not to vote in support of the only validly nominated candidate, as appropriate), so that the sound generated by the activity can be heard in the NCZ;
- (d) without reasonable excuse, display in the NCZ any propaganda material relating to any candidate or the election; or
- (e) stay or loiter in the NSZ without the express permission of the PRO.

[S 24(2) and (3) of the EP (CEE) Reg] *[Amended in January 2007]*

14.11 In a NCZ or a NSZ on the polling date, no person shall:

- (a) fail to comply with a lawful direction given by the RO or the PRO;
- (b) cause an obstruction to any person who is in the zone and on his way to vote; or
- (c) otherwise misconduct himself.

[S 24(4) of the EP (CEE) Reg]

14.12 No canvassing activities will be allowed within a NCZ except for static displays of election advertisements that are authorised by the RO or the PRO. Where there are premises situated within the NCZ, the RO should issue a notice in advance to all the candidates asking them to remove all of their election advertisements, if any, posted up at the premises within the NCZ which can be seen by the electors on their way to the polling station on the

polling day. If the candidates fail to remove the election advertisements as requested by the RO, the RO may, after making a reasonable effort to contact the persons and giving them a reasonable opportunity to give explanations, issue a warning to candidates to remove the offending election advertisements immediately. If the candidates fail to do so, the EAC may issue a censure or reprimand.

14.13 A person shall not obtain or attempt to obtain (in any manner) information as to which candidate an elector is about to vote for or has voted for at a contested election, or whether an elector is about to vote or has voted in support of the candidate at an uncontested election, in a NCZ or in a NSZ without the express permission of the PRO who should have regard to exit pollsters who have complied with the requirements set out in Chapter 15: Exit Poll. *[Amended in January 2007]*

14.14 If a person contravenes paras. 14.10 and 14.11 above, the RO or the PRO may:

- (a) require the person to produce his identity card for inspection; and
- (b) order the person to leave the NCZ or NSZ immediately.

[S 24(5) of the EP (CEE) Reg]

If the person fails to leave when ordered to do so, he may be removed by a police officer, an officer of the CSD or any law enforcement agency, or by a person authorised in writing by the RO or the PRO. The person so removed may not re-enter the NCZ or NSZ again on the polling date without the express permission of the RO or the PRO [s 24(5) – (8) of the EP (CEE) Reg]. *[Amended January 2010]*

14.15 For the avoidance of doubt, the RO or the PRO shall not exercise their powers to order or remove an elector from the NCZ or NSZ as to prevent an elector from voting [s 24(9) of the EP (CEE) Reg].

#### **PART IV : PENALTY**

14.16 A person who contravenes paras. 14.10, 14.11 and 14.14 above commits an offence under s 82(1) of the EP (CEE) Reg and shall be liable on conviction to a fine at level 2 (up to \$5,000) and to imprisonment for up to 3 months.