# VOTES AND PROCEEDINGS OF THE THIRTEENTH PARLIAMENT OF SINGAPORE

# **First Session**

# MONDAY, 7 NOVEMBER 2016

No. 26

## 1.30 pm

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#### PRESENT:

Mdm SPEAKER (Mdm HALIMAH YACOB (Marsiling-Yew Tee)).

Mr AMRIN AMIN (Sembawang), Parliamentary Secretary, Ministry of Home Affairs.

Mr ANG HIN KEE (Ang Mo Kio).

Mr ANG WEI NENG (Jurong).

Mr AZMOON AHMAD (Nominated Member).

Mr BAEY YAM KENG (Tampines), Parliamentary Secretary, Ministry of Culture, Community and Youth.

Miss CHERYL CHAN WEI LING (Fengshan).

Mr CHAN CHUN SING (Tanjong Pagar), Minister, Prime Minister's Office and Government Whip.

Mr CHEE HONG TAT (Bishan-Toa Payoh), Minister of State, Ministry of Communications and Information and Ministry of Health.

Mr CHEN SHOW MAO (Aljunied).

Miss CHENG LI HUI (Tampines).

Dr CHIA SHI-LU (Tanjong Pagar).

Ms CHIA YONG YONG (Nominated Member).

Mr CHARLES CHONG (Punggol East), Deputy Speaker.

Mr CHONG KEE HIONG (Bishan-Toa Payoh).

Mr DESMOND CHOO (Tampines).

Mr DARRYL DAVID (Ang Mo Kio).

Mr CHRISTOPHER DE SOUZA (Holland-Bukit Timah).

Assoc Prof FATIMAH LATEEF (Marine Parade).

Mr CEDRIC FOO CHEE KENG (Pioneer).

Ms FOO MEE HAR (West Coast).

Ms GRACE FU HAI YIEN (Yuhua), Minister for Culture, Community and Youth and Leader of the House.

Mr GAN KIM YONG (Chua Chu Kang), Minister for Health.

Mr GAN THIAM POH (Ang Mo Kio).

Mr GOH CHOK TONG (Marine Parade).

Assoc Prof DANIEL GOH PEI SIONG (Non-Constituency Member).

Mr HENG CHEE HOW (Jalan Besar), Senior Minister of State, Prime Minister's Office.

Ms INDRANEE RAJAH (Tanjong Pagar), Senior Minister of State, Ministry of Finance and Ministry of Law.

Dr INTAN AZURA MOKHTAR (Ang Mo Kio).

Mr S ISWARAN (West Coast), Minister for Trade and Industry (Industry).

Dr JANIL PUTHUCHEARY (Pasir Ris-Punggol), Minister of State, Ministry of Communications and Information and Ministry of Education.

Mr KHAW BOON WAN (Sembawang), Coordinating Minister for Infrastructure and Minister for Transport.

Dr AMY KHOR LEAN SUAN (Hong Kah North), Senior Minister of State, Ministry of the Environment and Water Resources and Ministry of Health.

Dr KOH POH KOON (Ang Mo Kio), Minister of State, Ministry of National Development and Ministry of Trade and Industry.

Mr KOK HENG LEUN (Nominated Member).

Ms KUIK SHIAO-YIN (Nominated Member).

Mr KWEK HIAN CHUAN HENRY (Nee Soon).

Dr LAM PIN MIN (Sengkang West), Minister of State, Ministry of Health.

Er Dr LEE BEE WAH (Nee Soon).

Mr DESMOND LEE (Jurong), Senior Minister of State, Ministry of Home Affairs and Ministry of National Development and Deputy Leader of the House.

Mr LEE HSIEN LOONG (Ang Mo Kio), Prime Minister.

Mr LEE YI SHYAN (East Coast).

Mr LIANG ENG HWA (Holland-Bukit Timah).

Mr LIM BIOW CHUAN (Mountbatten), Deputy Speaker.

Mr LIM HNG KIANG (West Coast), Minister for Trade and Industry (Trade).

Mr LIM SWEE SAY (East Coast), Minister for Manpower.

Ms SYLVIA LIM (Aljunied).

Dr LIM WEE KIAK (Sembawang).

Mr LOW THIA KHIANG (Aljunied).

Ms LOW YEN LING (Chua Chu Kang), Parliamentary Secretary, Ministry of Education and Ministry of Trade and Industry.

Asst Prof MAHDEV MOHAN (Nominated Member).

Mr MASAGOS ZULKIFLI B M M (Tampines), Minister for the Environment and Water Resources.

Mr MUHAMAD FAISAL ABDUL MANAP (Aljunied).

Assoc Prof Dr MUHAMMAD FAISHAL IBRAHIM (Nee Soon), Parliamentary Secretary, Ministry of Education and Ministry of Social and Family Development.

Mr MURALI PILLAI (Bukit Batok).

Dr LILY NEO (Jalan Besar).

Dr NG ENG HEN (Bishan-Toa Payoh), Minister for Defence.

Mr LOUIS NG KOK KWANG (Nee Soon).

Mr ONG TENG KOON (Marsiling-Yew Tee).

Mr ONG YE KUNG (Sembawang), Minister for Education (Higher Education and Skills) and Second Minister for Defence.

Ms JOAN PEREIRA (Tanjong Pagar).

Mr LEON PERERA (Non-Constituency Member).

Ms DENISE PHUA LAY PENG (Jalan Besar).

Mr PNG ENG HUAT (Hougang).

Mr PRITAM SINGH (Aljunied).

Ms RAHAYU MAHZAM (Jurong).

Mr SAKTIANDI SUPAAT (Bishan-Toa Payoh).

Mr SEAH KIAN PENG (Marine Parade).

Mr K SHANMUGAM (Nee Soon), Minister for Home Affairs and Minister for Law.

Ms SIM ANN (Holland-Bukit Timah), Senior Minister of State, Ministry of Culture, Community and Youth and Ministry of Trade and Industry and Deputy Government Whip.

Mr SITOH YIH PIN (Potong Pasir).

Ms SUN XUELING (Pasir Ris-Punggol).

Mr TAN CHUAN-JIN (Marine Parade), Minister for Social and Family Development.

Mr DENNIS TAN LIP FONG (Non-Constituency Member).

Assoc Prof RANDOLPH TAN (Nominated Member).

Ms JESSICA TAN SOON NEO (East Coast).

Mr SAM TAN CHIN SIONG (Radin Mas), Minister of State, Prime Minister's Office and Ministry of Manpower and Deputy Government Whip.

Dr TAN WU MENG (Jurong).

Mr PATRICK TAY TECK GUAN (West Coast).

Mr TEO CHEE HEAN (Pasir Ris-Punggol), Deputy Prime Minister and Coordinating Minister for National Security.

Dr TEO HO PIN (Bukit Panjang).

Mrs JOSEPHINE TEO (Bishan-Toa Payoh), Senior Minister of State, Prime Minister's Office, Ministry of Foreign Affairs and Ministry of Transport.

Mr TEO SER LUCK (Pasir Ris-Punggol), Minister of State, Ministry of Manpower.

Ms K THANALETCHIMI (Nominated Member).

Mr THARMAN SHANMUGARATNAM (Jurong), Deputy Prime Minister and Coordinating Minister for Economic and Social Policies.

Ms TIN PEI LING (MacPherson).

Mr EDWIN TONG CHUN FAI (Marine Parade).

Mr VIKRAM NAIR (Sembawang).

Dr VIVIAN BALAKRISHNAN (Holland-Bukit Timah), Minister for Foreign Affairs.

Mr LAWRENCE WONG (Marsiling-Yew Tee), Minister for National Development and Second Minister for Finance.

Assoc Prof Dr YAACOB IBRAHIM (Jalan Besar), Minister for Communications and Information and Minister-in-charge of Muslim Affairs.

Mr ALEX YAM ZIMING (Marsiling-Yew Tee).

Mr YEE CHIA HSING (Chua Chu Kang).

Mr MELVIN YONG YIK CHYE (Tanjong Pagar).

Mr ZAINAL SAPARI (Pasir Ris-Punggol).

Mr ZAQY MOHAMAD (Chua Chu Kang).

### ABSENT:

Mr THOMAS CHUA KEE SENG (Nominated Member).

Mr GANESH RAJARAM (Nominated Member).

Mr HENG SWEE KEAT (Tampines), Minister for Finance.

Dr MOHAMAD MALIKI BIN OSMAN (East Coast), Senior Minister of State, Ministry of Defence and Ministry of Foreign Affairs.

Mr NG CHEE MENG (Pasir Ris-Punggol), Minister for Education (Schools) and Second Minister for Transport.

- 1 Papers presented to Parliament and received by the Clerk of Parliament pursuant to Standing Order No. 31 (Presentation of Papers) and ordered to lie upon the Table:
  - Report of the Presidential Council for Minority Rights on the Central Provident Fund (Amendment No. 2) Bill [Bill No 26/2016] – Presented on 19 October 2016 (Pres. Co. 20 of 2016).
  - Ang Mo Kio Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 173 of 2016).
  - Bishan-Toa Payoh Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 174 of 2016).
  - Chua Chu Kang Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 175 of 2016).
  - East Coast-Fengshan Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 176 of 2016).
  - Holland-Bukit Panjang Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 177 of 2016).
  - Jalan Besar Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 178 of 2016).
  - Jurong-Clementi Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 179 of 2016).
  - Marsiling-Yew Tee Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 180 of 2016).
  - 1.10 Marine Parade Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 181 of 2016).
  - 1.11 Nee Soon Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 182 of 2016).
  - 1.12 Pasir Ris-Punggol Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 183 of 2016).

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1.14 Tampines Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 185 of 2016).
1.15 Tanjong Pagar Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 186 of 2016).

Sembawang Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 184 of 2016).

- 1.16 West Coast Town Council's Audited Financial Statements, Auditors' Reports and Annual Report for FY2015/2016 – Presented on 21 October 2016 (S. 187 of 2016).
- Goods and Services Tax (International Services) (Amendment No. 2) Order 2016 Presented on 25 October 2016 (S. L. 175 of 2016).
- 1.18 Advice of the Council of Presidential Advisers on the Revocation and Appointment of Non Ex-officio Members of the Armed Forces Council (AFC) – Presented on 27 October 2016 (S. 188 of 2016).
- 1.19 Advice of the Council of Presidential Advisers on the Appointment of Nominated Members to the Legal Service Commission (LSC) – Presented on 28 October 2016 (S. 189 of 2016).
- Sale of Food (Prohibition of Chewing Gum) (Amendment) Regulations 2016 Presented on 2 November 2016 (S. L. 176 of 2016).
- 1.21 Women's Charter (Parenting Programme) Rules 2016 Presented on 3 November 2016 (S. L. 177 of 2016).
- 1.22 Central Provident Fund (Public Sector Employees) (Amendment) Regulations 2016 Presented on 3 November 2016 (S. L. 178 of 2016).
- 1.23 Central Provident Fund (Medisave Account Withdrawals) (Amendment No. 2) Regulations 2016 – Presented on 3 November 2016 (S. L. 179 of 2016).
- 1.24 Singapore Public Service Commission Annual Report 2015 Presented on 3 November 2016 (S. 190 of 2016).
- 1.25 Public Order (Amendment) Regulations 2016 Presented on 4 November 2016 (S. L. 180 of 2016).
- 1.26 Public Order (Unrestricted Area) (Amendment) Order 2016 Presented on 4 November 2016 (S. L. 181 of 2016).

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| 2      | Rearrangement of Business – (Leader of the House) – (with the consent of Mdm Speaker and the general assent of Members present) – Motion made, and Question put – Resolved, "That, under Standing Order 10(2), the motion on Paralympic Achievements be taken as the first item of business at this day's sitting.".   |
| 3      | Paralympic Achievements – (Minister for Culture, Community and Youth) – Motion made, and Question put – Resolved, "That this House congratulates the Team Singapore Paralympians on their achievements at the 2016 Rio Paralympic Games.".   |
| 4      | Rearrangement of Business – (Leader of the House) – (with the consent of Mdm Speaker and the general assent of Members present) – Motion made, and Question put – Resolved, "That, under Standing Order 10(2), the Message from the President conveying his views on the Constitutional Amendments be taken at the commencement of the Second Reading of the Constitution of the Republic of Singapore (Amendment) Bill.". |

- 5 Revision of Question Time - (Leader of the House) - (with the consent of Mdm Speaker and the general assent of Members present) - Motion made, and Question put - Resolved, "That, notwithstanding Standing Order No. 22(1), Question Time may continue for up to one and a half hours from its commencement.".
- 23 Questions for Oral Answer were answered during Question Time. 6
- 7 Securities and Futures (Amendment) Bill - "to amend the Securities and Futures Act (Chapter 289 of the 2006 Revised Edition) and to make consequential and related amendments to certain other Acts" - presented by the Minister for Education (Higher Education and Skills), on behalf of the Prime Minister; read the first time; to be read a second time on the next available sitting day and to be printed. [Bill No. 35/2016].
- 8 Retirement and Re-employment (Amendment) Bill - "to amend the Retirement and Reemployment Act (Chapter 274A of the 2012 Revised Edition)" - presented by the Minister of State, Ministry of Manpower; read the first time; to be read a second time on the next available sitting day and to be printed. [Bill No. 36/2016].
- 9 Mediation Bill -- "to promote, encourage and facilitate the resolution of disputes by mediation and for connected purposes, and to make consequential and related amendments to certain other Acts" - presented by the Senior Minister of State, Ministry of Law; read the first time; to be read a second time on the next available sitting day and to be printed. [Bill No. 37/2016].
- 10 Civil Law (Amendment) Bill -- "to amend the Civil Law Act (Chapter 43 of the 1999 Revised Edition) and to make a related amendment to the Legal Profession Act (Chapter 161 of the 2009 Revised Edition)" - presented by the Senior Minister of State, Ministry of Law; read the first time; to be read a second time on the next available sitting day and to be printed. [Bill No. 38/2016].
- 11 The Kwong-Wai-Shiu Free Hospital (Transfer of Undertaking and Dissolution) Bill - "to provide for the transfer of the assets and liabilities of The Kwong-Wai-Shiu Free Hospital to its successor company, and for the consequent dissolution of The Kwong-Wai-Shiu Free Hospital and for all matters connected therewith, and to make a consequential amendment to the Income Tax Act (Chapter 134 of the 2014 Revised Edition)" - presented by the Minister for Health; read the first time; to be read a second time on the next available sitting day and to be printed. [Bill No. 39/2016].

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"I wish to inform Members that I have on 2 November 2016, received a Message from the President addressed to Parliament. Pursuant to Standing Order 16(1), I will now read the message to honourable Members:

Honourable Members, the Constitutional Commission tasked to review specific aspects of the Elected Presidency recently concluded its study. It was a landmark review drawing on 25 years of operating an important and unique institution in Singapore. The objectives of the review are clear – to ensure that the institution of the Elected Presidency stays relevant with time and our local context, and that the Singapore Constitution as a living document is aptly refreshed. The Commission, comprising nine eminent and well-respected leaders in both the private and public sectors, took a consultative and inclusive approach in gathering ideas for its review. Many of these views of Singaporeans were thoughtful and constructive, and the Commission took them on board when it submitted its final report to the Government.

During this sitting, Parliament will be debating the Constitutional Amendments to give effect to those changes accepted by the Government. To date, I have refrained from commenting publicly about the Commission's report or the Government's White Paper. There is no legal necessity for me to present my views on the proposals, nor is it in the Constitutional powers of the President to endorse or oppose any specific recommendations pertaining to the Elected Presidency. These are decisions for the Government to make. But the Government has made it a practice to seek and consider the President's views when amending the Constitutional provisions which affect the President's discretionary powers, and to make known these views to Parliament when moving the Constitutional amendments. In this case, my five years as President have given me a personal perspective on the role of the Elected Presidency and how the Elected President serves the nation and all Singaporeans. I have therefore agreed with the Prime Minister that I should send this message to Parliament to share my views on the proposals that are being debated.

#### The Elected President as a Symbol of National Unity

Prior to 1991, Presidents were appointed by Parliament to perform ceremonial functions, usually associated with the Head of State of a Westminster system of government. The President represents the State in engaging other statesmen overseas. Metaphorically, the President is the flag-bearer of Singapore. Based on how he carries himself or engages his counterparts, other countries will form a view on Singapore's position in the global community. Often, this requires the President to be well read, strategic in views and sensitive to geopolitical developments.

The symbolic role of the President also extends domestically, with the President engaging the different communities and segments of Singaporeans. In my five years in office, it has been my personal mission to rally Singaporeans towards building a caring, cohesive and inclusive society. In Singapore, an important dimension of this role is working with the different ethnic groups that make up our multi-racial composition.

It was not a coincidence that Singapore's first four appointed Presidents – Mr Yusof Ishak, Dr Benjamin Sheares, Mr Devan Nair and Dr Wee Kim Wee – represented, in turn, the Malay, Eurasian, Indian, and Chinese communities respectively. As the President remains a symbol of the nation's unity, it is important that the Office of the Presidency upholds multi-racialism, a core value of Singapore that underpins the social cohesion and harmony we have enjoyed thus far.

Of course, our long-term aspiration should be for minorities to be elected into the Office without the need for any intervention. But we also need to recognise the current realities. After the Elected Presidency was instituted, all, but one of the Elected Presidents have been Chinese, including myself. The role of the President as a titular Head of State representing our multi-racial society is important and we should have a system that not only allows but facilitates persons of all ethnic groups to be President from time to time.

The Government has accepted the Commission's recommendation for a mechanism of reserving a Presidential election for a specific ethnic group if a member of that group has not held the office of the Elected Presidency after five terms. I agree that this is a balanced approach. The mechanism ensures that Singapore is assured of a minority Elected President from time to time, but does not kick in if one is elected in an open election.

#### The Elected President as a Custodian of Two Key Assets of Singapore

Another key role of the Elected President today is his custodial functions over two key assets built up by generations of Singaporeans – our national reserves and the integrity of our public servants. Constitutional amendments in 1991 enable the President to play a custodial role in safeguarding Singapore's reserves and the appointment of key public officers. Through elections, the President is vested with the democratic legitimacy to disagree, if need be, with the Government on these matters.

Because of this important custodial role, a decision was also made by the Government in 1991 to include competency requirements for Presidential candidates. The aim was to ensure that only persons with the necessary attributes be considered for the Office of Elected President. Having made that decision, the requirements should be updated and fine-tuned over time.

In recommending the enhancement of eligibility criteria for Presidential candidates, the Commission has cited many pieces of data, including the growth of Singapore's GDP and size of official foreign reserves since 1991. Indeed, from my own experience, the scope and complexity of the Presidential oversight on Singapore's key assets have increased significantly, even in the span of five years of my term. My finance background was useful in helping me understand the technicalities of the Government's proposals, but the decisions often also require good policy acumen and a sound judgement on what is right for Singapore. I am therefore of the view that the Government's acceptance of the Commission's recommendations is in the right direction.

#### Preventing Unconstructive Gridlocks

I have spoken at length about the custodial role of the Elected Presidency. While the custodial role is important, we need to distinguish between the President acting as a custodian and the President acting in opposition to the Government. The two are not the same. The Elected Presidency cannot be a second centre of power. He must act in accordance with the roles prescribed in the Constitution, and not hold back the Elected Government of the day from performing its executive role.

The Council of Presidential Advisers was therefore set up to provide expert advice to the President and to moderate the President's custodial powers. While it is clear that the President has the right to accept or reject the Council's recommendations, a mechanism to allow for parliamentary override ensures that the President does not make arbitrary decisions. In practice, up till today, the Presidents and the Council have worked well together. There has not been any need to subject any decision to the parliamentary override mechanism, because decisions have been well considered for the long-term good of Singapore. And in line with its stature and the principle of collective responsibility, the Council of Presidential Advisers as a non-elected body, has remained above any political fray. We should maintain that.

Nevertheless, while the President should not be unbridled in the exercise of his Constitutional duties, it is not practical to remove all possible scenarios of gridlock and yet expect the Elected President to remain an effective custodian. We cannot hamstring the Elected Presidency just to guard against a worst case scenario of a populist or power-hungry President. We must rely upon the wisdom of our electorate to elect a President who is able to work with the Government of the day for the proper and effective governance of Singapore.

As President, my working relationship with the Government has been harmonious. The Government keeps me informed of all its major decisions. On a regular basis, the Prime Minister and I meet over lunch and on other occasions, for him to brief me on his preoccupations and intentions, and to exchange views on the strategic direction in which Singapore is heading. Our relationship is built on mutual trust and respect. This, to me, is key to the effective functioning of our system.

#### Institution of Elected Presidency Must Serve the Longer Term Good of Singapore

Honourable Members, the Rio Olympics and Paralympics have just concluded. Team Singapore did extremely well, with Joseph Schooling winning Singapore's first Olympics gold medal, Yip Pin Xiu bagging two gold medals at the Paralympics and Theresa Goh being duly rewarded with a bronze medal after decades of hard work. Let me therefore use a sporting analogy to conclude.

The President has previously been described in this House as a goalkeeper. Indeed, if he fails to do the job well, no matter how good our strikers are, more goals will be scored against us and Team Singapore will be set back. We need a capable goalkeeper who works with the other players. Only then will Team Singapore continue to do well in the global league, against competitors who may be bigger, stronger and more intimidating.

Constitutional changes should never be undertaken lightly. For half a century, our Constitution has served us well, with periodic adjustments to bring it up to date and keep Singapore on course. The institution of the Elected Presidency was one such adjustment. I encourage all Members of this House to consider the current proposed changes to it with an eye on the next half century and beyond. Thank you.'."

- 13 Time Limit for Speeches (Leader of the House) (with the consent of Mdm Speaker and the general assent of Members present) Motion made, and Question put Resolved, "That the proceedings on the Constitution of the Republic of Singapore (Amendment) Bill be exempted from the provisions of Standing Order No. 48(8) to remove the time limit in respect of Deputy Prime Minister Teo Chee Hean's speech.".
- 14 Constitution of the Republic of Singapore (Amendment) Bill (Deputy Prime Minister and Coordinating Minister for National Security) – Motion made and Question proposed, "That the Bill be now read a second time."; Debate arising.
- 15 Extension of Sitting Pursuant to Standing Order No. 2(5)(d), Mdm Speaker extended the sitting beyond the moment of interruption for a period of up to 30 minutes.
- 16 Constitution of the Republic of Singapore (Amendment) Bill (Deputy Prime Minister and Coordinating Minister for National Security) Debate resumed on Question, "That the Bill be now read a second time.".
- 17 Adjournment of Debate (Leader of the House) Motion made, and Question put Resolved, "That the debate be now adjourned.".

Debate to be resumed Tomorrow.

18 Adjournment – (Leader of the House) – Motion made, and Question proposed "That Parliament do now adjourn"; Debate arising.

And the Question having been proposed at 7.08 pm and the Debate having continued for half an hour, Mdm Speaker adjourned Parliament without Question put, pursuant to the Standing Order.

Adjourned at 7.38 pm

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HALIMAH YACOB, Speaker

### MEMORANDUM

Mdm Speaker will take the Chair again at 12 noon on Tuesday, 8 November 2016.