

## **Elected President has ‘no role to advance own policy agenda’**

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Just a day after former Senior Minister S Jayakumar had publicly clarified that the President was not “a centre of power unto himself”, Law Minister K Shanmugam (picture) issued a detailed statement yesterday to outline the role of the head of state — including the fact that under the Constitution, the President “has no role to advance his own policy agenda” and that he is “not empowered to direct the investment strategies” of Government of Singapore Investment Corporation (GIC) and Temasek Holdings.

Noting that “recent comments in the media suggest some confusion over what the President can and cannot do”, Mr Shanmugam, who is also the Foreign Minister, added that with the Presidential Election imminent, “it is important for Singaporeans to understand what the President is elected and empowered to do” under the Constitution.

The Constitutional position — which Mr Shanmugam had confirmed with the Attorney-General — states that, among others, the President “has custodial powers, not executive powers”.

Said Mr Shanmugam: “In other words, he can veto or block Government actions in specified areas, but he has no role to advance his own policy agenda.”

The President has veto powers over the Government but they are limited to the protection of past reserves, appointment of key personnel, as well as the Internal Security Act detentions, anti-graft investigations and “any restraining order in connection with the maintenance of religious harmony”.

On all other matters, the President “must act in accordance with the advice of the Cabinet”, Mr Shanmugam noted. The President is also “required to consult the Council of Presidential Advisers when exercising his veto powers in connection with reserves and appointments”.

Mr Shanmugam reiterated that the Constitution protects the past reserves of the Government, as well as key statutory boards and Government companies such as the Central Provident Fund Board, Monetary Authority of Singapore, GIC and Temasek.

“The reserves include physical assets like land and buildings as well as financial assets like cash, securities and bonds. The Government of the day can only spend past reserves with the approval of the President,” said Mr Shanmugam.

However, the President does not direct the operations of these entities, he stressed. In particular, he is “not empowered to direct the investment strategies of GIC and Temasek”. Said Mr Shanmugam: “The investment strategies of GIC and Temasek are the responsibility of their respective Boards and managements.”

He added: “The President’s role is to approve Board appointments proposed by the Government. The President also receives the audited annual accounts of GIC and Temasek, and has access to any of the information that is available to their Boards.”

Presidential hopeful Tan Kin Lian had said that, among other proposals, he wants to “use the influence of the president’s office” to promote a conservative investment approach of the Republic’s assets.

When contacted yesterday, the former NTUC Income chief executive referred Today to his earlier statement containing the proposal where he had said he recognised “that there may be limitation in the power of the President on this matter”. He added yesterday that he had “no further comment”.

Constitutional expert Thio Li-Ann felt that the Law Minister’s statement could reflect a “concern that the people are not fully understanding the functions of the President, so the Government wants it to be crystal clear”.

Said Professor Thio: “There is this perception that the President is being talked about as an adversarial check. So I think the Government is trying to manage expectations.”

Institute of Policy Studies senior research fellow Gillian Koh pointed out that with Singapore likely to see a contest this time round, “the voters need to know precisely ... (the) responsibilities and limitations” of the role of the Elected President.

Said Dr Koh: “So that when they actually listen to the candidates, or when making their choice, they will know if the candidates have misunderstood the roles and responsibilities, or if the candidates are overpromising.”