

Framework Governing the Elected President's Custodial Powers

Areas discussed:

1. Uniform obligation for President to consult CPA (see **Chart 1**)
2. Uniform Parliamentary overruling framework (see **Chart 2**)
3. Time limits for exercise of President's veto (see **Chart 3**)
4. Disclosure of President's / CPA's reasons (see **Chart 2**)
5. Strengthening the CPA (see **Chart 4**)
6. Other consequential amendments

Chart 1: Uniform obligation for President to consult CPA

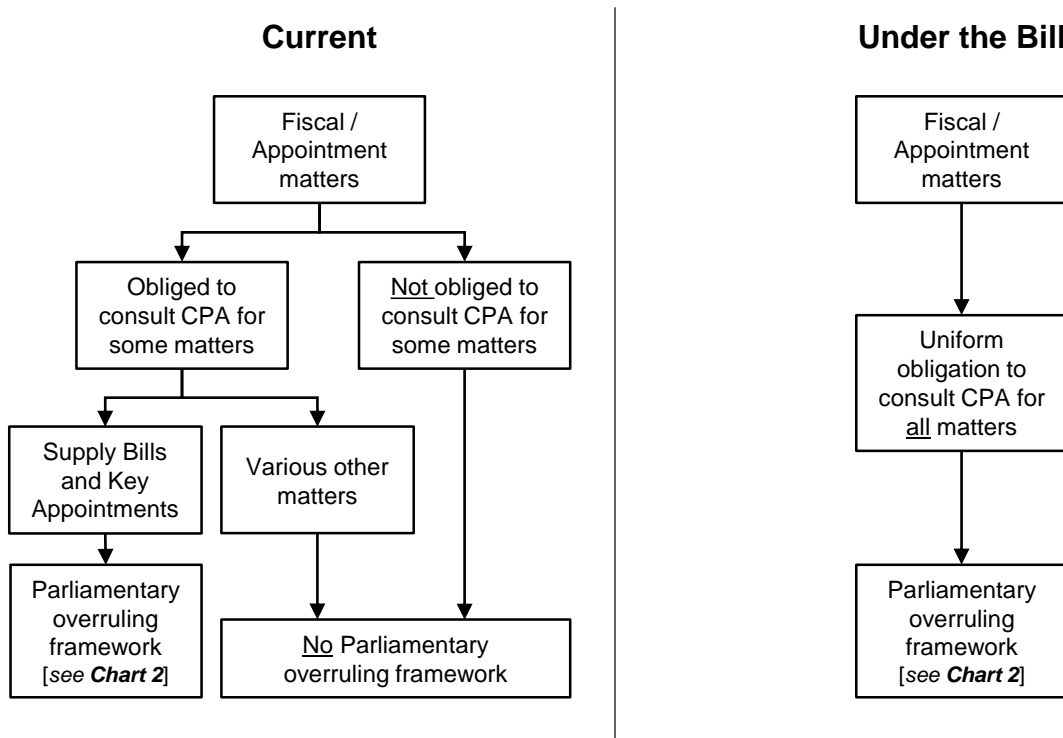
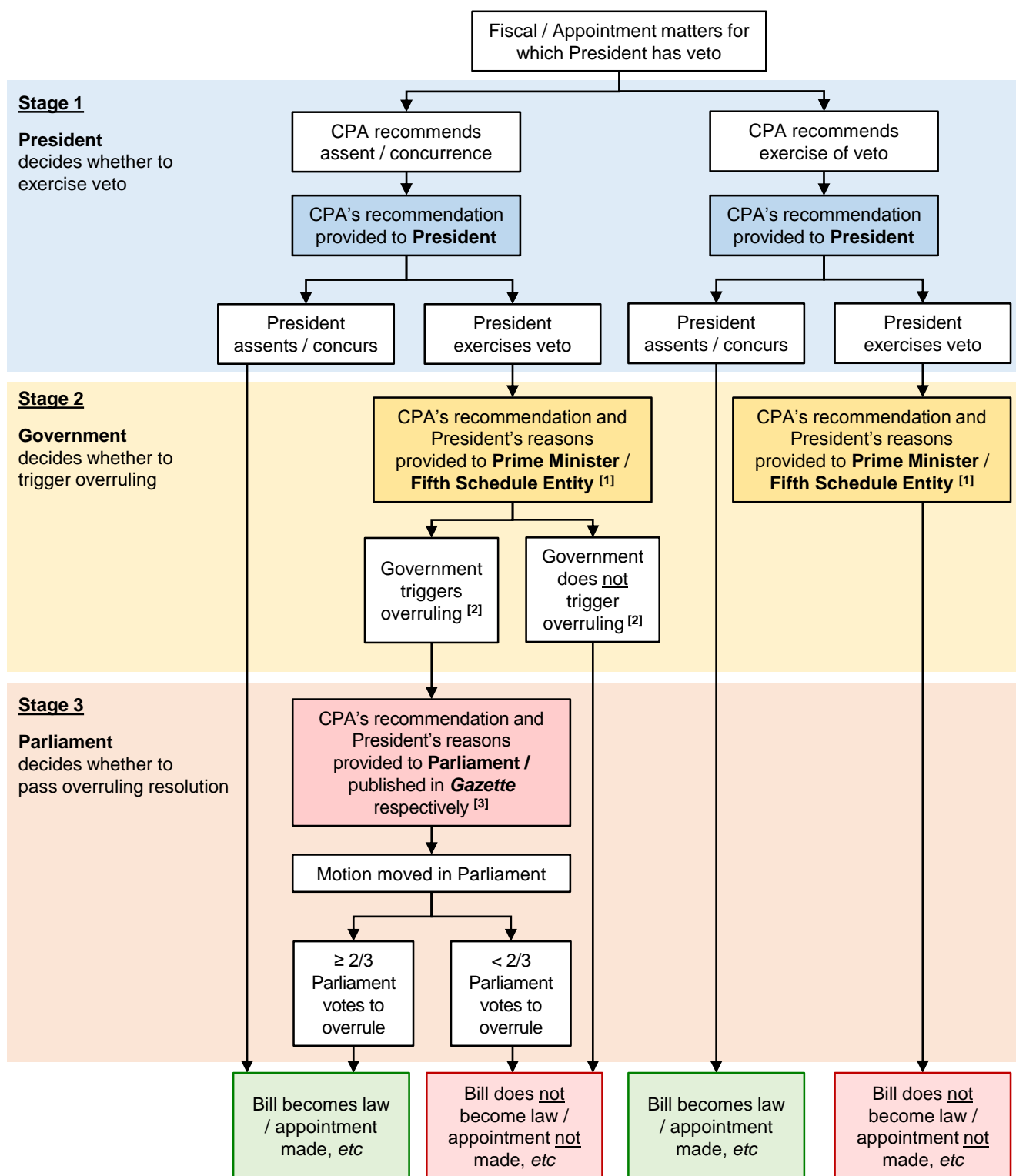


Chart 2: Uniform Parliamentary overruling framework and disclosure of President's / CPA's reasons



Notes

1. CPA's recommendation and President's reasons provided to Fifth Schedule entity only where the entity's budget or proposed transaction is involved.
2. An amendment will be proposed with regard to overruling a Presidential veto of a Fifth Schedule entity's budget or proposed transaction. Such a veto can be overruled only where the relevant entity has requested for an overruling resolution to be moved and the Government decides to trigger the overruling mechanism.
3. For Supply Bills, Supplementary Supply Bills and Final Supply Bills, CPA's recommendation and President's reasons are provided to Parliament and published in Gazette, respectively, at Stage 2 instead of Stage 3.

Chart 3: Time limits for exercise of President's veto

Current	Under the Bill
President has 30-day time limit for: <ul style="list-style-type: none"> Assenting to Supply Bill, Supplementary Supply Bill and Final Supply Bill Assenting to Bill under Art 22H Assenting to Bill under Art 5A (<i>not in operation</i>) 	Extend time limit to President's veto powers (save for situation specified in new Art 21A(6)) President has 30-day time limit for: <ul style="list-style-type: none"> Areas currently subject to 30-day time limit Powers under Arts 22G, 22I and 151(4) Entrenchment-related matters (<i>assenting Bill under new Art 5C, concurring with introduction of Bill under new Arts 5A and 5B</i>) 6-week time limit for all other matters
No time limit for CPA to give recommendation to President	CPA has the following time limits to give recommendation to President after President refers case to CPA: <ul style="list-style-type: none"> President 30-day limit → CPA 15-day limit President 6-week limit → CPA 3-week limit
No reduction or extension of President's time limit	President's time limit: <ul style="list-style-type: none"> President and Cabinet may extend by agreement If PM certifies urgency, can reduce to ≥ 15 days after the date of the certificate CPA's time limit: <ul style="list-style-type: none"> President may extend, within his own time limit Subject to variation, if PM certifies urgency
If veto not exercised within time limit, President is deemed to assent to Bill	If veto not exercised within time limit, President is deemed to assent/concur, <i>etc</i> , as the case may be If CPA recommendation not given within time limit, CPA is deemed to recommend assent/concurrence, <i>etc</i> , as the case may be

Chart 4: Strengthening the CPA

Chart 4A: Composition of the CPA

	Current	Under the Bill
CPA Members	Total: <u>6 members</u> <ul style="list-style-type: none"> 2 appointed by President in his discretion 2 appointed on PM's advice 1 appointed on CJ's advice 1 appointed on PSC Chairman's advice 	Total: <u>8 members</u> <ul style="list-style-type: none"> <u>3</u> appointed by President in his discretion <u>3</u> appointed on PM's advice 1 appointed on CJ's advice 1 appointed on PSC Chairman's advice
CPA Chairman	Appointed by President (Additional casting vote if votes are split equally)	Appointed by President (Additional casting vote if votes are split equally)

Chart 4B: Staggering of the CPA members' terms

	First Division	Second Division	Third Division
CPA Members	<ul style="list-style-type: none"> 1 appointed by President in his discretion 1 appointed on PM's advice 1 appointed on CJ's advice 	<ul style="list-style-type: none"> 1 appointed by President in his discretion 1 appointed on PM's advice 1 appointed on PSC Chairman's advice 	<ul style="list-style-type: none"> 1 appointed by President in his discretion 1 appointed on PM's advice
Term Expiry	1 June 2020 (and every 6 th year after that)	1 June 2022 (and every 6 th year after that)	1 June 2024 (and every 6 th year after that)