Hurdles presidential aspirant has to cross

By Lynn Lee

IT IS by no means certain, but Mr Andrew Kuan’s work experience suggests he may have the financial background to qualify for a certificate to be a presidential candidate, two constitutional law specialists said yesterday.

Even if he does, he will still have to satisfy the three-member Presidential Elections Committee (PEC) that he is also a man of integrity, good character or reputation.

The panel decides who qualifies to run in the election.

Dr Kevin Tan pointed out that it is a two-stage process, with the panel looking at qualifications, work experience and personal attributes.

“So even if Mr Kuan meets the first set of criteria, he still has one further hurdle to cross,” he said.

“But if they decide to reject his application, the onus is on them to explain why.”

Anyone who wants to run for president must get a certificate of eligibility from the committee, which is headed by Public Service Commission chairman Andrew Chew.

Besides being of good character and standing, the person must also have experience in a large organisation or as a top civil servant.

Among the posts listed as qualifying a candidate are chief executive officer or chairman of some larger statutory boards, or CEO or chairman of a company with a paid-up capital of at least $100 million.

JTC Corporation is one of the statutory boards mentioned where the CEO or chairman would qualify. But Mr Kuan is a former group chief financial officer of JTC.

A chief financial officer handles the purse strings of a company and the job includes budgeting, controlling expenditure and managing risk.

The PEC will have to decide if the post of CFO of JTC is “similar or comparable” in seniority and responsibility to the posts specifically spelt out in the Constitution.

Mr Kuan himself has argued that the post of CFO of an organisation like JTC, with $11 billion in assets, should be considered “comparable” to the positions cited.

Associate Professor Thio Liann, who teaches at the National University of Singapore's law faculty, said: “The Constitution lists a series of public offices. If you are one of them, prima facie (Latin for at first view), you qualify.

“But there is also a degree of discretion for the PEC. The offices given are more illustrative than definitive.”