

# **Singapore Totalisator Board (Amendment) Bill**

**Bill No. 7/2008.**

*Read the first time on 26th May 2008.*

A BILL

*intituled*

An Act to amend the Singapore Totalisator Board Act (Chapter 305A of the 1999 Revised Edition) and to make consequential amendments to the Betting Act (Chapter 21 of the 1985 Revised Edition) and the Common Gaming Houses Act (Chapter 49 of the 1985 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

### Short title and commencement

1. This Act may be cited as the Singapore Totalisator Board (Amendment) Act 2008 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### 5 Amendment of section 2

2. Section 2 of the Singapore Totalisator Board Act (referred to in this Act as the principal Act) is amended —

(a) by deleting the definition of “approved scheme” and substituting the following definition:

10 “ “advertisement” includes —

(a) any notice, circular, pamphlet, brochure, programme, price-list, label, wrapper or other document; and

15 (b) any announcement, notification or intimation to the public or any section thereof or to any person or persons made —

(i) orally or in writing;

20 (ii) by means of any poster, placard, notice or other document affixed, posted up or displayed on any wall, billboard or hoarding or on any other object or thing;

(iii) by means of producing or transmitting sound or light and whether for aural or visual reception or both;

25 (iv) by means of any writing on any vehicle or any object or thing; or

(v) in any other manner whatsoever;”;

(b) by deleting the definitions of “totalisator agency” and “totalisator investment” and substituting the following definitions:

30 “ “totalisator agency” means any totalisator agency appointed by the Board, and includes any premises in which totalisator investments may be received;

“totalisator investment” means any money, currency note or cheque, or such other form of payment as may be approved by the Minister, received for investment on the totalisator;”; and

- 5 (c) by deleting the full-stop at the end of the definition of “turf club” and substituting a semi-colon, and by inserting immediately thereafter the following definition:

10 ““writing” includes painting, inscription, printing, lithography, typewriting, photography and other modes of representing or reproducing words or figures in visible form.”.

#### **Amendment of section 4**

3. Section 4(1) of the principal Act is amended —

- 15 (a) by deleting paragraph (a) and substituting the following paragraph:

“(a) to establish, operate or conduct any totalisator, lottery, betting or gaming activity;”;

- (b) by deleting paragraph (c) and substituting the following paragraph:

20 “(c) to establish or operate any totalisator agency;”;

- (c) by deleting the word “and” at the end of paragraph (d); and

- (d) by deleting the full-stop at the end of paragraph (e) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:

25 “(f) to issue or approve and, from time to time, modify rules in relation to —

(i) the operation or conduct of any totalisator, lottery, betting or gaming activity established by the Board; or

30 (ii) the operation of any totalisator agency or any agent appointed by the Board.”.

### **Amendment of section 5**

4. Section 5(1) of the principal Act is amended —

(a) by deleting the word “and” at the end of paragraph (a); and

(b) by deleting the full-stop at the end of paragraph (b) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:

“(c) to suspend or revoke any totalisator, lottery, betting or gaming activity established by any totalisator agency or any agent appointed by the Board.”.

### **Repeal and re-enactment of section 7**

5. Section 7 of the principal Act is repealed and the following section substituted therefor:

#### **“Appointment of officers, etc.**

7.—(1) Subject to subsection (2), the Board may, from time to time, on such terms and conditions as it may determine —

(a) appoint and employ such officers, employees, consultants or agents; and

(b) appoint such totalisator agencies,

as may be necessary for the effective performance of its functions.

(2) The Board shall obtain the approval of the Minister for the appointment of —

(a) any agent to operate or conduct any totalisator, lottery, betting or gaming activity; or

(b) any totalisator agency.”.

### **Repeal of section 11**

6. Section 11 of the principal Act is repealed.

### **Amendment of section 12**

7. Section 12 of the principal Act is amended —

(a) by deleting the words “Except as may be provided under any approved scheme, it shall be the duty of the Board and a turf club

operating a totalisator on behalf of the Board under an approved scheme” in subsection (1) and substituting the words “It shall be the duty of the Board and any totalisator agency operating a totalisator”; and

- 5 (b) by deleting the words “rules of racing applied by any approved scheme” in subsection (3) and substituting the words “rules issued, approved or modified under section 4(1)(f)”.

### **Amendment of section 13**

- 10 **8.** Section 13 of the principal Act is amended by deleting the words “turf club in such proportion and in such manner as may be approved by the Minister under an approved scheme” and substituting the words “totalisator agency in such proportion and in such manner as may be approved by the Minister”.

### **Amendment of section 14**

- 15 **9.** Section 14 of the principal Act is amended —

- (a) by deleting the words “with the approval of the Minister,” in subsection (3); and
- (b) by deleting subsections (6) and (7) and substituting the following subsections:

20 “(6) An officer of the turf club may remove from the race course or such premises any person who contravenes any by-law made under this section and who fails or refuses to leave the race course or such premises after being requested by such officer to do so.

25 (7) Every by-law or amendment of or addition to or revocation of or substitution for any by-law made under this section shall, within 30 days of its coming into operation —

- 30 (a) be published on the Internet website of the Singapore Turf Club (the publication cost of which shall be borne by the turf club which made, amended, added to, revoked or substituted the by-laws); and
- (b) be displayed prominently within the premises of the turf club.

(8) No by-law made under this section shall be inconsistent with any law for the time being in force in Singapore and any such by-law which is so inconsistent shall, to the extent of the inconsistency, be void.”.

5 **Repeal and re-enactment of section 15**

**10.** Section 15 of the principal Act is repealed and the following section substituted therefor:

**“Authority of totalisator operations and investments in accordance with provisions of Act**

10 **15.** Notwithstanding the provisions of any other law to the contrary, it shall be lawful for any person of or above the age of 18 years —

(a) to lodge totalisator investments and receive dividends in respect of such investments in accordance with such rules as may be issued, approved or modified under section 4(1)(f);  
15 or

(b) to buy a ticket or chance or take part in any totalisator, lottery, betting or gaming activity operated in accordance with such rules as may be issued, approved or modified under section 4(1)(f).”.

20 **Repeal of sections 16 and 17**

**11.** Sections 16 and 17 of the principal Act are repealed.

**Amendment of section 18**

25 **12.** Section 18 of the principal Act is amended by deleting the words “Subject to the provisions of any approved scheme and any regulations made under section 21, any member, officer, agent or employee of the Board or of any turf club” and substituting the words “Subject to the rules issued, approved or modified under section 4(1)(f) and any regulations made under section 21, any member, officer, agent or employee of the Board or any totalisator agency”.

30 **Amendment of section 19**

**13.** Section 19 of the principal Act is amended by deleting the words “17 or”.

### **New sections 20A and 20B**

**14.** The principal Act is amended by inserting, immediately after section 20, the following sections:

#### **“Composition of offences**

5       **20A.**—(1) Any public officer authorised by the Minister may compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding —

10           (a) one half of the amount of the maximum fine that is prescribed for the offence; or

          (b) \$5,000,

whichever is the lower.

(2) On payment of such sum of money, no further proceedings shall be taken against that person in respect of the offence.

15       (3) All sums collected under this section shall be paid into the Consolidated Fund.

#### **General exemption**

20       **20B.** The Minister may, by order published in the *Gazette* and subject to such conditions as he may impose, exempt any person or class of persons from all or any of the provisions of this Act.”.

### **Amendment of section 21**

**15.** The principal Act is amended by renumbering section 21 as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

25       “(2) In particular and without prejudice to the generality of the powers conferred by subsection (1), regulations may be made to —

(a) regulate any advertisement in relation to any totalisator, lottery, betting or gaming activity of —

(i) the Board;

30           (ii) any totalisator agency; or

(iii) any agent appointed by the Board;

- (b) prescribe the offences which may be compounded; and
- (c) provide that any person who contravenes the regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000.”.

### **Amendment of First Schedule**

**16.** Paragraph 13 of the First Schedule to the principal Act is amended —

- (a) by deleting the words “3 members” in sub-paragraph (2) and substituting the words “a majority of the members of the Board”; and
- (b) by deleting the words “not less than 3 members” in sub-paragraph (6) and substituting the words “a majority of the members”.

### **Amendment of Second Schedule**

**17.** Paragraph 11 of the Second Schedule to the principal Act is amended by inserting, immediately after “\$1,000”, the words “and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction”.

### **Consequential amendments to other written laws**

**18.** The provisions of the Acts specified in the first column of the Schedule are amended in the manner set out in the second column thereof.

### **Transitional and savings provisions**

**19.—(1)** Any scheme approved by the Minister under section 11 of the principal Act before the date of commencement of this Act shall continue to be valid until the end of a period of 12 months from that date or it is revoked by the Minister, whichever first occurs.

(2) This Act shall not affect the continued operation or force of any decision of the Board made before the date of its commencement.



## THE SCHEDULE

Section 18

### CONSEQUENTIAL AMENDMENTS TO OTHER WRITTEN LAWS

<i>First column</i>	<i>Second column</i>
<p>(1) Betting Act (Chapter 21, 1985 Ed.)</p> <p>Section 3</p>	<p>Insert, immediately after subsection (1), the following subsection:</p> <p>“(1A) Subsection (1)(e) shall not apply to —</p> <ul style="list-style-type: none"> <li>(a) the Singapore Totalisator Board;</li> <li>(b) any totalisator agency appointed by the Singapore Totalisator Board; and</li> <li>(c) any agent appointed by the Singapore Totalisator Board to operate or conduct any totalisator, lottery, betting or gaming activity.”. </li></ul>
<p>(2) Common Gaming Houses Act (Chapter 49, 1985 Ed.)</p> <p>Section 4</p>	<p>Insert, immediately after subsection (1), the following subsection:</p> <p>“(1A) Subsection (1)(d) shall not apply to —</p> <ul style="list-style-type: none"> <li>(a) the Singapore Totalisator Board;</li> <li>(b) any totalisator agency appointed by the Singapore Totalisator Board; and</li> <li>(c) any agent appointed by the Singapore Totalisator Board to operate or conduct any totalisator, lottery, betting or gaming activity.”. </li></ul>

## EXPLANATORY STATEMENT

This Bill seeks to amend the Singapore Totalisator Board Act (Cap. 305A) primarily for the following purposes:

- (a) to abolish the requirement that the Minister’s prior approval must be obtained before totalisator schemes can be established, varied or brought into operation and to allow totalisator schemes to be a matter of negotiation and agreement between the Singapore Totalisator Board (the Board) and the totalisator agency;
- (b) to expand the functions of the Board to include —
  - (i) the establishment, operation and conduct of totalisators, lotteries, betting and gaming activities;
  - (ii) the establishment and operation of totalisator agencies; and
  - (iii) the issuance of rules in relation to the operation and conduct of any totalisator, lottery, betting or gaming activity established by the Board, or the operation of any totalisator agency and any agent appointed by the Board for that purpose;
- (c) to remove certain exemption provisions so that totalisator agencies will instead be exempted by exemption orders issued by the Ministry of Home Affairs under the relevant Acts;
- (d) to empower the Minister to regulate advertisements in relation to any totalisator, lottery, betting or gaming activity of the Board, its agents and the totalisator agencies; and
- (e) to empower the Minister to prescribe compoundable offences and to authorise any public officer to compound these offences.

The Bill also makes consequential amendments to the Betting Act (Cap. 21) and the Common Gaming Houses Act (Cap. 49).

Clause 1 relates to the short title and commencement.

Clause 2 amends section 2 to delete the definition of “approved scheme” and to amend the definitions of “totalisator agency” and “totalisator investment”. The clause also inserts 2 new definitions of “advertisement” and “writing” consequential to the amendment to section 21 (by clause 15).

Clause 3 amends section 4(1) consequential to the abolition of the current scheme. The clause also expands the functions of the Board to allow it to establish, operate and conduct totalisators, lotteries, betting and gaming activities. It also provides for the establishment and operation of totalisator agencies and empowers the Board to issue, approve or modify rules in connection with the operation or conduct of certain totalisators, lotteries, betting or gaming activities.

Clause 4 amends section 5(1) to empower the Board to suspend or revoke any totalisator, lottery, betting or gaming activity established by any totalisator agency or any agent appointed by the Board.

Clause 5 repeals and re-enacts section 7 to expand the scope of the section to allow the Board to appoint certain persons and agencies for the effective performance of its functions.

Clause 6 repeals section 11 to abolish the current scheme which requires the Minister's approval before any totalisator scheme can be established, varied or brought into operation.

Clauses 7 and 8 amend sections 12 and 13, respectively, consequential to the abolition of the current scheme.

Clause 9 makes technical changes to section 14 and empowers the Singapore Turf Club to make by-laws and to provide that such by-laws will be void if they are inconsistent with the law currently in force in Singapore. The clause also provides that the by-laws must be published on the Internet website of the Singapore Turf Club and displayed prominently within the premises of the turf club within 30 days of the date of the coming into operation of the by-laws.

Clause 10 repeals section 15 and re-enacts it without reference to the current scheme abolished by clause 6. The agents appointed by the Board to operate or conduct any totalisator, lottery, betting or gaming activity and the totalisator agencies will be exempted from the Betting Act (Cap. 21) and the Common Gaming Houses Act (Cap. 49) or any other similar Acts by way of exemption orders issued under the relevant Acts.

Clause 11 repeals sections 16 and 17. Advertisements relating to totalisator agencies, which are the subject of controls in section 16, will be regulated by regulations made by the Minister under section 21 (as amended by clause 15). Section 17 is no longer required as the relevant parties will be exempted by way of exemption orders issued under the relevant Acts.

Clause 12 amends section 18 in view of the abolition of the current scheme.

Clause 13 makes a technical amendment to section 19 consequential to the repeal of section 17 (by clause 11).

Clause 14 inserts 2 new sections. The new section 20A empowers any public officer authorised by the Minister to compound prescribed offences. The new section 20B empowers the Minister to exempt any person or class of persons from all or any of the provisions of the Act.

Clause 15 amends section 21 to empower the Minister to make regulations —

- (a) to regulate advertisements in relation to any totalisator, lottery, betting or gaming activity of the Board, its agents and the totalisator agencies;
- (b) to prescribe the offences which may be compounded; and
- (c) to provide for the penalties which can be imposed on a person for contravening any regulation made under the section.

Clause 16 amends paragraph 13(2) and (6) of the First Schedule to provide that a majority of the members of the Board will constitute a quorum at every meeting and that the Board will convene a meeting if a majority of the members of the Board request in writing for the Chairman to do so.

Clause 17 amends paragraph 11 of the Second Schedule to introduce a further fine for a continuing offence of an amount not exceeding \$100 for every day or part thereof that the offence continues after conviction.

Clause 18 makes consequential amendments to the Betting Act (Cap. 21) and the Common Gaming Houses Act (Cap. 49) to exempt certain persons from the provisions in relation to advertisements of gaming activities. The amendment is connected with new section 21(2) (inserted by clause 15).

Clause 19 provides for transitional and savings provisions.

### EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.

---