

# Casino Control (Amendment) Bill

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**Bill No. 28/2012.**

*Read the first time on 15th October 2012.*

A BILL

*intituled*

An Act to amend the Casino Control Act (Chapter 33A of the 2007 Revised Edition) and to make consequential amendments to the Income Tax Act (Chapter 134 of the 2008 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 Casino Control (Amendment) Act 2012 and shall come into operation on such date as the Minister charged with the responsibility for casino regulation may, by notification in the *Gazette*, appoint.

## Amendment of section 2

2. Section 2(1) of the Casino Control Act (referred to in this Act as the principal Act) is amended —

(a) by deleting the words “in any order published” in the definition of “casino”;

(b) by inserting, immediately after the definition of “casino licence”, the following definition:

““casino marketing arrangement” means an arrangement whereby a person organises, promotes or facilitates the playing of any game in a casino by one or more patrons, for which the first-mentioned person receives from the casino operator or from the person for the time being in charge of the casino —

(a) a commission based on the turnover of play in the casino attributable to the patron or patrons or otherwise derived from the play of the patron or patrons;

(b) a share of the casino operator’s gross gaming revenue from the patron or patrons; or

(c) such other form of payment or rebate, monetary or otherwise, as may be prescribed;”;

(c) by inserting, immediately after the definition of “Chief Executive”, the following definition:

““chip purchase voucher” means a voucher issued by a casino operator to a patron named in the

voucher entitling the patron to be issued with chips of an equivalent value to that specified in the voucher;”;

- (d) by inserting, immediately after the definition of “chips”, the following definition: 5

“ “Comptroller” means the Comptroller of Income Tax appointed under section 3(1) of the Income Tax Act (Cap. 134) and includes, for all purposes of this Act except the exercise of the powers conferred on the Comptroller by sections 146A(2) and 152, a Deputy Comptroller or an Assistant Comptroller appointed under section 3(1) of the Income Tax Act;”;

- (e) by inserting, immediately after the definition of “designated site”, the following definition: 15

“ “Development Agreement” means an agreement in writing by a statutory body to lease a designated site to a person (referred to hereinafter as the lessee) for the development of an integrated resort thereon by the lessee on the terms and conditions stated in the agreement, and includes any supplemental agreement or other document amplifying or modifying those terms and conditions;”;

- (f) by inserting, immediately after the definition of “electronic monitoring system”, the following definition: 20

“ “electronic table game” means a gaming machine used for the purpose of playing a game traditionally played at tables, and includes any electronic device through which bets may be placed on a game played at a table;”;

- (g) by inserting, immediately after the words “a family exclusion order” in paragraph (b) of the definition of “excluded person”, the words “, provisional family exclusion order”; 25

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(h) by deleting the word “or” at the end of paragraph (b) of the definition of “excluded person”;

(i) by inserting, at the end of paragraph (c) of the definition of “excluded person”, the word “or”, and by inserting immediately thereafter the following paragraph:

“(d) section 165D for the remainder of any month by reason of his having made the maximum number of visits to any casino for the month as specified by a visit limit imposed on him;”;

(j) by inserting, immediately after the definition of “inspector”, the following definitions:

““integrated resort” means a development comprising hotel, retail, dining, entertainment, recreation and other facilities, and of which a casino may be a part;

“international market agent” means a person, other than an employee of a casino operator, who performs any of the functions specified in section 110A(2) in relation to one or more casino marketing arrangements;

“international market agent licence” means a licence issued by the Authority to an international market agent under section 110B;

“international market agent representative” means an individual who is employed by an international market agent to organise, promote or conduct a casino marketing arrangement on behalf of the international market agent;

“international market agent representative licence” means a licence issued by the Authority to an international market agent representative under section 110B;”;

(k) by deleting the definitions of “junket”, “junket player” and “junket promoter”;

(l) by inserting, immediately after the definition of “linked jackpot equipment”, the following definition:

“ “match play coupon” means a coupon issued by a casino operator to a patron which, when presented by the patron together with chips in any wager, augments the patron’s wager according to a ratio, percentage or value specified in the coupon;”;

(m) by inserting, immediately after the words “except in” in the definition of “Minister”, the words “section 45A and”;

(n) by inserting, immediately after the words “in the designated site” in the definition of “owner”, the words “or, if no one has been registered in the land-register, the person who has entered into a Development Agreement to lease the designated site”;

(o) by deleting the definition of “premium player” and substituting the following definition:

“ “premium player” means a patron of a casino who opens a deposit account with the casino operator with a credit balance of not less than \$100,000, where —

(a) the deposit is in such form as may be prescribed;

(b) the period during which the credit balance in the deposit account is below \$100,000 does not exceed such period as may be prescribed; and

(c) the deposit account fulfils such other conditions as may be prescribed;”;

(p) by inserting, immediately after the word “person” in the definition of “special employee”, the words “, whether or not an employee of a casino operator,”.

### Amendment of section 3

#### 3. Section 3 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsections:

5                   “(1) For the purposes of this Act (other than Division 2  
of Part IV), a person is an “associate” of a casino  
operator or an applicant for a casino licence if the person,  
in the opinion of the Authority, is able or will be able to  
10                   exercise a significant influence over or with respect to  
the management or operation of the casino business of  
the casino operator or applicant.

(1A) In determining whether a person is able or will be  
able to exercise the significant influence referred to in  
subsection (1), the Authority may consider all or any of  
15                   the following:

- (a) whether the person holds or will hold any  
relevant financial interest in the casino  
business of the casino operator or applicant;
- 20                   (b) whether the person is or will be entitled to  
exercise any relevant power (whether in right of  
the person or on behalf of any other person) in  
the casino business of the casino operator or  
applicant;
- 25                   (c) whether the person holds or will hold any  
relevant position (whether in right of the  
person or on behalf of any other person) in the  
casino business of the casino operator or  
applicant;
- 30                   (d) the degree of direct or indirect influence that the  
person has in the management or operation of  
the casino business of the casino operator or  
applicant;
- (e) any other matter that the Authority considers  
relevant.”;

- (b) by deleting the word “or” at the end of paragraph (a) of the definition of “relevant financial interest” in subsection (2);
- (c) by inserting, at the end of paragraph (b) of the definition of “relevant financial interest” in subsection (2), the word “or”, and by inserting immediately thereafter the following paragraph: 5

“(c) any contribution to the capital of the business, whether by a loan or otherwise;”; and

- (d) by deleting the words “, manager or secretary” in the definition of “relevant position” in subsection (2) and substituting the words “or manager”. 10

#### **Amendment of section 7**

4. Section 7(2) of the principal Act is amended by deleting the word “Schedule” and substituting the words “First Schedule”. 15

#### **Amendment of section 8**

5. Section 8 of the principal Act is amended by inserting, immediately after the words “operation of a casino is” in paragraph (a), the words “carried out by persons who are suitable,”.

#### **Amendment of section 15**

6. Section 15(1) of the principal Act is amended — 20
- (a) by deleting the words “or records” wherever they appear in paragraph (a) and substituting in each case the words “, record or other thing”;
- (b) by deleting the words “or records” in paragraph (b) and substituting the words “, record or other thing”; 25
- (c) by deleting the words “those records” in paragraph (b) and substituting the words “such record”;
- (d) by deleting the words “commission of an offence, seize any machinery, equipment or records” in paragraph (c) and substituting the words “contravention of any provision of 30

this Act, seize any machinery, equipment, record or other thing”;

(*e*) by deleting the words “junket promoter’s licence,” in paragraph (*e*)(i) and substituting the words “international market agent licence, international market agent representative licence”;

(*f*) by deleting the words “or equipment” where they first appear in paragraph (*f*) and substituting the words “, equipment or other thing”; and

(*g*) by deleting the words “the machinery or equipment” in paragraph (*f*) and substituting the word “it”.

#### **Amendment of section 16**

7. Section 16(2) of the principal Act is amended —

(*a*) by deleting the word “; and” at the end of paragraph (*a*) and substituting a full-stop; and

(*b*) by deleting paragraph (*b*).

#### **Amendment of section 44**

8. Section 44(2) of the principal Act is amended by deleting the words “or for the renewal of a casino licence”.

#### **Amendment of section 45**

9. Section 45 of the principal Act is amended —

(*a*) by deleting the word “and” at the end of paragraph (*h*) of subsection (2), and by inserting immediately thereafter the following paragraph:

“(ha) the applicant is a suitable person to develop, maintain and promote the integrated resort (of which the casino is a part) as a compelling tourist destination which meets prevailing market demand and industry standards and contributes to the tourism industry in Singapore; and”;



(b) by inserting, immediately after subsection (2), the following subsection:

“(3) The Authority shall, in determining the matter set out in subsection (2)(*ha*), have regard to the opinion of the evaluation panel under section 45A.”.

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### **New section 45A**

**10.** The principal Act is amended by inserting, immediately after section 45, the following section:

#### **“Evaluation panel to form opinion on integrated resort**

**45A.—**(1) The Minister may appoint 3 or more persons to form an evaluation panel to evaluate the following, in relation to any integrated resort:

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- (a) the visitor appeal of the integrated resort;
- (b) the comparability of the integrated resort or any part thereof to similar attractions or facilities internationally or to the prevailing industry standards in respect of each such attraction or facility;
- (c) the degree to which the integrated resort or any attraction or facility therein meets the prevailing market demand in respect of the integrated resort, attraction or facility; and
- (d) the contribution of the integrated resort to the tourism industry in Singapore.

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(2) Each member of the evaluation panel shall be appointed on such conditions and for such term as the Minister may determine.

(3) The Minister may appoint a secretary and such other officers as may be required to enable the evaluation panel to carry out its functions under this section.

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(4) In formulating its opinion on the matters in subsection (1) in relation to any integrated resort, the evaluation panel shall call for and consider the views of the applicant for the casino licence and any party to the Development Agreement concerning that integrated resort and may also do all or any of the following:

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(a) request the applicant for the casino licence to furnish one or more of the following:

5 (i) revenue and other financial information on the integrated resort, including such itemised information about each attraction in the integrated resort;

(ii) the reinvestment plans or maintenance plans for any part of the integrated resort;

10 (iii) any survey carried out about a performance indicator for any aspect of the integrated resort;

(iv) such other documents or information relating to the integrated resort as the evaluation panel may consider necessary;

(b) enter any part of the integrated resort and inspect it;

15 (c) call for and consider the views of persons with the necessary experience or expertise;

(d) assess the quality of the integrated resort, or any part thereof, against such performance indicators and standards, and using such methodology, as may be prescribed.

20 (5) The evaluation panel shall, upon the conclusion of its evaluation —

(a) give the Authority its opinion on the matters in subsection (1); and

25 (b) state, in its opinion, when the next evaluation should be carried out.

(6) Nothing in this section shall prejudice the enforcement of any right or claim by or against any party to a Development Agreement arising out of an opinion of the evaluation panel under subsection (5).

30 (7) The Minister may make regulations generally for the carrying out of or giving effect to the purposes of this section,

and may prescribe anything required or permitted to be prescribed under this section.

(8) In this section, “Minister” means the Minister charged with the responsibility for tourism development and promotion.”.

#### **Amendment of section 47**

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**11.** Section 47(1) of the principal Act is amended by deleting the word “authorities” in paragraph (d) and substituting the word “authorisations”.

#### **Amendment of section 49**

**12.** Section 49 of the principal Act is amended by deleting subsection (5).

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#### **New sections 49A and 49B**

**13.** The principal Act is amended by inserting, immediately after section 49, the following sections:

##### **“Casino licence fee**

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**49A.—**(1) A casino operator shall pay to the Authority a casino licence fee of such amount, at such times and in such manner as may be prescribed.

(2) Any increase in the casino licence fee during the term of a casino licence shall be paid in respect of the remainder of the term for which the casino licence is valid, at the rate prescribed.

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(3) Notwithstanding section 52, the casino licence shall lapse if any part of the casino licence fee payable is not paid within the time prescribed for the payment thereof.

##### **Renewal of casino licence**

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**49B.—**(1) An application for the renewal of a casino licence shall be —

(a) made to the Authority in the form specified by the Authority not later than 6 months before the date of expiry of the casino licence;

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(b) accompanied by the prescribed application for renewal fee; and

(c) accompanied by such documents and information as may be required by the Authority as regards that licence.

5 (2) If an application to renew a casino licence is submitted to the Authority less than 6 months before the date of expiry of the casino licence, the application must, in addition to the renewal fee, be accompanied by the prescribed late application fee.

10 (3) Sections 44 to 49 shall apply, with the necessary modifications and subject to this section, to an application and an applicant for the renewal of a casino licence as they do to an application and an applicant for the grant of a casino licence.”.

#### **Amendment of section 50**

15 **14.** Section 50 of the principal Act is amended by inserting, immediately after subsection (5), the following subsection:

“(6) In this section, “amendment” includes the variation or revocation of any condition or the addition of a new condition.”.

#### **Amendment of section 54**

**15.** Section 54 of the principal Act is amended —

20 (a) by deleting paragraph (d) of the definition of “disciplinary action” in subsection (1) and substituting the following paragraph:

“(d) the imposition of a financial penalty for each ground of disciplinary action —

25 (i) in respect of a serious breach, of a sum not exceeding 10% of the annual gross gaming revenue (as defined in section 146(6)) of the casino operator for the financial year immediately preceding the date the financial penalty is imposed, as ascertained from the

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casino operator's latest audited accounts; or

- (ii) in respect of any other ground of disciplinary action, of a sum not exceeding \$1 million;";

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(b) by inserting, immediately after the words "was granted" in paragraph (a) of the definition of "grounds for disciplinary action" in subsection (1), the words "or renewed";

(c) by deleting the words "attributable to the casino operator" in paragraph (c) of the definition of "grounds for disciplinary action" in subsection (1);

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(d) by deleting the words "attributable to the casino operator, considered to be" in paragraph (d) of the definition of "grounds for disciplinary action" in subsection (1) and substituting the words ", in the opinion of the Authority";

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(e) by deleting the full-stop at the end of paragraph (e) of the definition of "grounds for disciplinary action" in subsection (1) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

“(f) the casino operator has failed to provide information that it is required by this Act to provide or has provided information knowing it to be false or misleading or reckless as to whether it is so;”;

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(f) by inserting, immediately after the definition of "grounds for disciplinary action" in subsection (1), the following definition:

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““serious breach”, in relation to a casino operator, means a contravention of a provision of this Act or a condition of the casino licence by the casino operator, a person in charge of the casino, an agent of the casino operator or a casino employee which, in the opinion of the Authority —

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- 5 (a) severely affects the integrity of the casino operations or the integrity of gaming in the casino or severely undermines a measure intended to safeguard individuals or society against harm from casino gambling;
- 10 (b) has caused or could cause significant gain of property to a person not legally entitled to it or significant loss of property to a person legally entitled to it;
- (c) has occurred as a result of wilful intent or reckless disregard for regulatory compliance;
- 15 (d) has arisen from or in connection with a systemic failure or multiple failures in the management or operation of the casino; or
- (e) is injurious to the public interest or public order.”;
- 20 (g) by inserting, immediately after the words “14 days” in subsection (2), the words “, or such longer period as the Authority may allow on application by the casino operator,”;
- (h) by deleting the words “by the notice in” in subsection (3) and substituting the word “under”;
- 25 (i) by deleting the words “\$1 million” in subsections (7) and (8) and substituting in each case the words “the appropriate sum in paragraph (d) of the definition of “disciplinary action” in subsection (1)”;
- (j) by inserting, immediately after subsection (9), the following subsection:
- 30 “(10) Any error in, revision to or adjustment of a casino operator’s gross gaming revenue ascertained from its latest audited accounts shall not affect the validity of any financial penalty imposed by the Authority under this section.”.

**Amendment of section 57**

**16.** Section 57 of the principal Act is amended —

- (a) by deleting the words “operations in the casino” in subsection (1) and substituting the words “casino operations, whether within the casino premises or elsewhere,”; and 5
- (b) by inserting, immediately after the words “casino operations” in subsection (3), the words “, whether within the casino premises or elsewhere”.

**Amendment of section 58**

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**17.** Section 58(2) of the principal Act is amended by deleting the full-stop at the end of paragraph (d) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

- “(e) any person, body or association having a business association with the casino operator or with an associate of the casino operator.”. 15

**Amendment of section 63**

**18.** Section 63 of the principal Act is amended —

- (a) by deleting the words “the matters referred to in subsection (4)” in subsection (3) and substituting the words “the relevant matters referred to in section 45(2)”; and 20
- (b) by deleting subsection (4).

**Amendment of section 64**

**19.** Section 64 of the principal Act is amended —

- (a) by inserting, immediately after the definition of “related corporation” in subsection (2), the following definition: 25
  - ““relevant date”, in relation to a corporation, means the date on which a casino licence granted to that corporation first commences, whether before, on or after the date of commencement of sections 20 30

and 21 of the Casino Control (Amendment) Act 2012;” and

(b) by deleting the words “casino operator” in subsection (3)(i) and substituting the word “corporation”.

5 **Amendment of section 65**

**20.** Section 65 of the principal Act is amended —

(a) by deleting the words “appointed day” in subsection (1) and substituting the words “relevant date in relation to a corporation”;

10 (b) by deleting the words “a casino operator” in subsection (1)(a) and (b) and substituting in each case the words “that corporation”;

(c) by deleting the words “appointed day, is a substantial shareholder of a casino operator” in subsection (2)(a) and substituting the words “relevant date in relation to a corporation, is a substantial shareholder of that corporation”;

(d) by deleting the words “appointed day” in subsection (2)(a) and substituting the words “relevant date”;

20 (e) by deleting the words “appointed day” wherever they appear in subsection (2)(b) and substituting in each case the words “relevant date”; and

(f) by deleting the words “casino operator” in the section heading and substituting the words “corporation with casino licence”.

**Amendment of section 66**

25 **21.** Section 66 of the principal Act is amended —

(a) by deleting the words “appointed day,” in subsections (1) and (2) and substituting in each case the words “relevant date in relation to a corporation,”;

30 (b) by deleting the words “a casino operator” in subsections (1) and (2) and substituting in each case the words “that corporation”;



- (c) by deleting the words “appointed day or such longer period” in subsection (2) and substituting the words “relevant date or such longer period”;
- (d) by deleting the words “casino operator” in paragraphs (a) and (b) of the definition of “12% controller” and in paragraphs (a) and (b) of the definition of “20% controller” in subsection (3) and substituting in each case the word “corporation”;
- (e) by deleting the definition of “indirect controller” in subsection (3) and substituting the following definition:
- “ “indirect controller” means any person, whether acting alone or together with any other person, and whether with or without holding shares or controlling voting power in a corporation, who is, in the opinion of the Minister, a person —
- (a) in accordance with whose directions, instructions or wishes the directors of the corporation are accustomed or under an obligation, whether formal or informal, to act; or
- (b) who is in a position to determine the policy of the corporation,
- but does not include any person in accordance with whose directions, instructions or wishes the directors of the corporation are accustomed to act by reason only that they act on advice given by him in his professional capacity.”;
- (f) by deleting the words “casino operator” wherever they appear in subsection (4) and substituting in each case the word “corporation”; and
- (g) by deleting the words “casino operator” in the section heading and substituting the words “corporation with casino licence”.

### **Amendment of section 67**

**22.** Section 67 of the principal Act is amended by deleting the words “casino operator” in subsections (1)(b), (2)(a) and (b) and (3) and substituting in each case the word “corporation”.

### 5 **Amendment of section 72**

**23.** Section 72 of the principal Act is amended —

(a) by deleting the full-stop at the end of the definition of “controlled contract” in subsection (1) and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

““notifiable contract” means a contract of a class or type prescribed as a notifiable contract for the purposes of this Division but does not include a controlled contract;

“supply of goods or services” includes the supply of intangible goods, assets and intellectual property rights.”;

(b) by deleting the words “in relation to contracts if the Authority is satisfied that the system of internal controls and administrative and accounting procedures approved by the Authority under section 138 in relation to the casino operator adequately provide for compliance with this Division” in subsection (3); and

(c) by deleting the section heading and substituting the following section heading:

**“Application and interpretation of this Division”.**

### **Amendment of section 73**

**24.** Section 73 of the principal Act is amended —

(a) by deleting paragraphs (a) and (b) of subsection (1) and substituting the following paragraphs:

“(a) the casino operator has given notice in writing to the Authority of the details of the proposed

contract or variation at least 28 days (or such shorter period as the Authority may allow in any particular case) before entering into or becoming a party to it, and the Authority has notified the casino operator that it has no objections to the proposed contract or variation; or

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(b) the casino operator reports the entering into or variation of the contract in such other form and manner as the Authority has required by prior notice in writing given to the casino operator in lieu of the obligation in paragraph (a).”; and

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(b) by deleting the words “the expiration of the period specified in the notice” in subsection (2) and substituting the words “the Authority notifies the casino operator that it has no objections to the proposed contract or variation”.

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### **Repeal and re-enactment of section 74**

**25.** Section 74 of the principal Act is repealed and the following section substituted therefor:

#### **“Notifiable contracts**

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**74.—**(1) A casino operator which enters into or becomes a party to, or to the variation of, a contract that is a notifiable contract in relation to that casino operator shall —

(a) within 14 days after entering into the notifiable contract or the variation, as the case may be, give notice in writing to the Authority of that fact and brief particulars of the contract or variation, in such form and manner as may be prescribed; or

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(b) report the entering into or variation of the contract in such other form and manner as the Authority has required by prior notice in writing given to the casino operator in lieu of the obligation in paragraph (a).

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(2) Any casino operator which contravenes subsection (1) shall be liable to disciplinary action.”.

**Amendment of section 75**

26. Section 75 of the principal Act is amended by deleting the words “prescribed contract under section 74” and substituting the words “notifiable contract”.

5 **Amendment of section 76**

27. Section 76 of the principal Act is amended —

(a) by inserting, immediately after the words “controlled contract” in subsection (1), the words “or a notifiable contract”;

10 (b) by inserting, immediately after the words “14 days” in subsection (1), the words “, or such longer period as the Authority may allow on application by any party to the contract,”;

15 (c) by inserting, immediately after subsection (1), the following subsection:

20 “(1A) The Authority may, in the event of any immediate threat to the credibility, integrity and stability of casino operations, by a notice in writing served on each party, direct that further performance of any controlled contract or notifiable contract (whether entered into before, on or after the date of commencement of section 27 of the Casino Control (Amendment) Act 2012) shall be suspended from the date the notice is served until a determination is made by the Authority as to whether the contract should be terminated.”;

25 (d) by inserting, immediately after subsection (4), the following subsection:

30 “(5) No compensation shall be payable by the Authority in respect of any contract which is suspended under subsection (1A), whether or not such contract is terminated under this section.”; and

- (e) by inserting, immediately after the words “controlled contract” in the section heading, the words “or notifiable contract”.

**Amendment of section 77**

- 28.** Section 77 of the principal Act is amended — 5
- (a) by deleting the words “controlled contract is” and substituting the words “contract is suspended,”;
- (b) by deleting the word “termination” wherever it appears in paragraphs (a), (b) and (c) and substituting in each case the words “suspension or termination”; and 10
- (c) by deleting the words “termination of controlled contract” in the section heading and substituting the words “suspension or termination of contract”.

**Amendment of section 78**

- 29.** Section 78 of the principal Act is amended — 15
- (a) by inserting, immediately after the words “a contract” in subsection (1), the word “suspended,”;
- (b) by inserting, immediately after the words “part of the contract” in subsection (1), the words “during the period of suspension or upon the termination of the contract, as the case may be”; and 20
- (c) by inserting, immediately after the words “No effect to be given to” in the section heading, the words “suspended or”.

**Deletion and substitution of heading to Part V**

- 30.** Part V of the principal Act is amended by deleting the Part heading and substituting the following Part heading: 25

“SPECIAL EMPLOYEES”.

### **Amendment of section 84**

**31.** Section 84(1) of the principal Act is amended by deleting the word “authorities” in paragraph (*d*) and substituting the word “authorisations”.

### 5 **Amendment of section 93**

**32.** Section 93(1) of the principal Act is amended —

- (*a*) by inserting, immediately after the word “contravened” in paragraph (*c*) of the definition of “grounds for disciplinary action”, the words “a provision of this Act or”;
- 10 (*b*) by inserting, immediately after the word “misleading” in paragraph (*d*) of the definition of “grounds for disciplinary action”, the words “or reckless as to whether it is so”; and
- (*c*) by deleting the words “not a suitable person to be the holder of the special employee licence” in paragraph (*f*) of the definition of “grounds for disciplinary action” and substituting the words “, in the opinion of the Authority, no longer a suitable person to hold a special employee licence, having regard to the matters in section 85(1)”.  
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### **New section 93A**

20 **33.** The principal Act is amended by inserting, immediately after section 93, the following section:

#### **“Suspension of licence pending disciplinary action**

**93A.**—(1) In any case where —

- 25 (*a*) it appears to be necessary to the Authority to prevent any threat to the security of the public or of casino operations;
- (*b*) the Authority has been informed that a licensee is under investigation for, or has been charged with —
  - (i) an offence under this Act;
  - 30 (ii) an offence arising out of or in connection with the employment of the licensee under this Act; or

- (iii) an offence involving dishonesty or moral turpitude, whether in Singapore or elsewhere; or
- (c) disciplinary proceedings under section 93 have been or will be commenced against a licensee,

the Authority may suspend the licensee concerned, pending the conclusion of any inquiry or disciplinary proceedings against the licensee under section 93, if the Authority thinks it necessary in the public interest that the licensee should immediately cease his functions in relation to any casino. 5

(2) Any licensee who is aggrieved by any suspension under subsection (1) may, within 10 days after he is suspended, make representations in writing to the Authority and the Authority may, upon such representations, confirm, shorten or cancel the suspension. 10

(3) The suspension under subsection (1) shall take effect notwithstanding that any representation under subsection (2) is made.”. 15

#### **Amendment of section 94**

**34.** Section 94(2) of the principal Act is amended by deleting the word “The” and substituting the words “Without prejudice to section 93A(2), the”. 20

#### **Amendment of section 97**

**35.** Section 97 of the principal Act is amended —

(a) by inserting, immediately after the words “7 days” in subsection (1)(a) and (c), the words “(or such other period as the Authority may, on the application of the casino operator, allow in any particular case)”; and 25

(b) by deleting subsections (3) and (4).

#### **New section 97A**

**36.** The principal Act is amended by inserting, immediately after section 97, the following section: 30

**“Special employees to provide information, etc., to Authority**

**97A.**—(1) The Authority may, by notice in writing, require a licensee to do all or any of the following:

- 5           (a) provide, in accordance with directions in the notice, such information relevant to the holding of the special employee licence as is specified in the notice;
- 10           (b) produce, in accordance with directions in the notice, such records relevant to the holding of the special employee licence as are specified in the notice and to permit examination of the records and the making of copies of the records;
- 15           (c) furnish to the Authority such authorisations and consents as the Authority directs for the purpose of enabling the Authority to obtain information (including financial and other confidential information) concerning the licensee from other persons.

20           (2) Any licensee who fails to comply with a notice under subsection (1) shall be liable to disciplinary action under section 93.”.

**Repeal and re-enactment of section 99**

**37.** Section 99 of the principal Act is repealed and the following section substituted therefor:

**“Casino layout to comply with prescribed requirements**

25           **99.**—(1) A casino operator shall, in relation to its casino —

- (a) ensure that the casino layout of the casino complies with such requirements as the Authority may prescribe; and
- (b) notify the Authority before making any changes to the casino layout.

30           (2) Any casino operator which contravenes subsection (1) shall be liable to disciplinary action.”.



**Amendment of section 100**

**38.** Section 100 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsection:

“(1) The Authority may —

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(a) by a notice in writing issued to a casino operator, approve the games that may be played in the casino of the casino operator, the mode of play and the rules for those games; and

(b) publish the list of games, mode of play and rules for those games approved for the time being for each casino on the official website of the Authority.”;

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(b) by deleting paragraph (a) of subsection (3) and substituting the following paragraph:

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“(a) the game has been approved by the Authority under subsection (1);”;

(c) by deleting the words “such an order” in subsection (3)(b) and substituting the words “the Authority”;

(d) by deleting paragraph (a) of subsection (4) and substituting the following paragraph:

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“(a) the game has been approved by the Authority under subsection (1); and”;

(e) by deleting the words “such an order” in subsection (4)(b) and substituting the words “the Authority”; and

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(f) by deleting subsection (8) and substituting the following subsection:

“(8) This section shall not apply to any game played on a gaming machine, unless it is an electronic table game of a type specified by the Authority in writing to the casino operator.”.

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### **Amendment of section 101**

**39.** Section 101 of the principal Act is amended by deleting subsection (3) and substituting the following subsection:

“(3) Any casino operator which fails to comply with any direction for the time being in force under this section shall be liable to disciplinary action.”.

### **Amendment of section 102**

**40.** Section 102 of the principal Act is amended by deleting subsections (3) and (5).

### **Repeal and re-enactment of section 103 and new section 103A**

**41.** Section 103 of the principal Act is repealed and the following sections substituted therefor:

#### **“Gaming machines in casinos**

**103.—(1)** A casino operator shall not use, or allow to be used, any gaming machine in its casino unless —

- (a) the gaming machine has been obtained from an approved manufacturer or approved supplier approved by the Authority under section 103A;
- (b) the gaming machine is approved, or one of a class of gaming machines approved by the Authority, and complies with such technical standards and other requirements as may be prescribed;
- (c) where the gaming machines are required to be tested and certified, the testing has been carried out by an approved test service provider approved by the Authority under section 103A; and
- (d) the number of gaming machines available for gaming in the casino does not exceed such number as the Authority may determine.

(2) Any casino operator which contravenes subsection (1) shall be liable to disciplinary action.

**Approved manufacturers and approved suppliers of gaming machines and approved test service providers for gaming equipment**

**103A.**—(1) Any person who intends to —

- (a) manufacture or supply any gaming machine for use in any casino; or 5
- (b) supply any testing services in relation to any gaming equipment,

may apply, in accordance with subsection (2), to the Authority to be an approved manufacturer, approved supplier or approved test service provider, as the case may be. 10

(2) An application to be —

- (a) an approved manufacturer of gaming machines;
- (b) an approved supplier of gaming machines; or
- (c) an approved test service provider for gaming equipment, 15

shall be made to the Authority in the form and manner prescribed, and accompanied by such fees and documents or other information as may be prescribed.

(3) The Authority may, if it is satisfied that the applicant is suitable after carrying out such investigations as may be necessary, approve the applicant as an approved manufacturer, approved supplier or approved test service provider, subject to the payment of such fee as may be prescribed and such other conditions as the Authority may impose. 20

(4) The Authority shall maintain an Approved List of approved manufacturers, approved suppliers and approved test service providers, which it may publish on its official website from time to time.”. 25

**Amendment of section 104**

**42.** Section 104 of the principal Act is amended — 30

- (a) by deleting subsection (1) and substituting the following subsections:

“(1) A casino operator may conduct gaming on a simulated basis only if all of the following conditions are satisfied:

5           (a) the simulated gaming is for the purpose of training casino employees, testing gaming equipment or gaming procedures or demonstrating the conduct and playing of games;

10           (b) the casino operator has notified the Authority in writing at least 7 days before the commencement of the simulated gaming;

          (c) no cash or chips are used in the course of the simulated gaming;

15           (d) no winnings in money or money’s worth are kept by any person as a result of any game played in the course of the simulated gaming.

20           (1A) In a case where any of the conditions in subsection (1) cannot be satisfied at any simulated gaming to be conducted by a casino operator, the casino operator shall not conduct that simulated gaming unless —

          (a) it has obtained the prior written approval of the Authority; and

25           (b) the simulated gaming is conducted in accordance with such conditions as the Authority may impose in its approval.”;

(b) by inserting, immediately after the words “subsection (1)” in subsection (2), the words “or (1A)”; and

30           (c) by deleting the words “subsection (1)” in subsection (3) and substituting the words “subsection (1A)”.

### **Amendment of section 106**

**43.** Section 106 of the principal Act is amended —

- (a) by deleting the words “odds of winning each wager” in subsection (1)(b)(i) and substituting the words “payout odds of each winning wager”;
- (b) by deleting the word “; and” at the end of subsection (2)(a) and substituting a full-stop; and
- (c) by deleting paragraph (b) of subsection (2).

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### **Amendment of section 108**

**44.** Section 108 of the principal Act is amended —

- (a) by deleting the words “licensed junket promoter” in subsection (1) and substituting the words “licensed international market agent, agent or employee of a licensed international market agent”;
- (b) by inserting, at the end of subsection (1)(c), the word “or”;
- (c) by deleting the word “; or” at the end of subsection (1)(d) and substituting a full-stop;
- (d) by deleting paragraph (e) of subsection (1);
- (e) by deleting the word “comprising —” in subsection (2) and substituting the words “comprising any one or more of the following:”;
- (f) by deleting the word “or” at the end of subsection (2)(b);
- (g) by deleting the full-stop at the end of paragraph (c) of subsection (2) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:
  - “(d) chips.”;
- (h) by inserting, immediately after the word “cheques” wherever it appears in subsection (3), the word “, chips”;
- (i) by deleting subsections (7) and (8) and substituting the following subsections:

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“(7) Notwithstanding anything in this section, a casino operator may provide chips on credit to a person —

(a) who is neither a citizen of Singapore nor a permanent resident of Singapore (as defined in section 116(9));

(b) who is a premium player; or

(c) who is a licensed international market agent for the performance of his functions as an international market agent.

(7A) Notwithstanding anything in this section, a licensed international market agent may provide chips on credit to a person who is neither a citizen of Singapore nor a permanent resident of Singapore (as defined in section 116(9)).

(7B) Where credit is provided under subsection (7) or (7A), the casino operator or licensed international market agent providing the credit shall do so in accordance with the prescribed requirements relating to credit.

(8) Any —

(a) casino operator which contravenes subsection (1), (6) or (7B);

(b) licensed special employee or licensed international market agent representative who contravenes subsection (1); or

(c) licensed international market agent which or who contravenes subsection (1) or (7B),

shall be liable to disciplinary action.

(8A) Every casino operator shall be liable for every act, omission, neglect or default of any agent of the casino operator or casino employee under this section, as fully and effectually as if the act, omission, neglect or default were done or committed by the casino operator.

(8B) Every licensed international market agent shall be liable for every act, omission, neglect or default of any agent or employee of the licensed international market agent under this section, as fully and effectually as if the act, omission, neglect or default were done or committed by the licensed international market agent. 5

(8C) Nothing in subsection (8A) or (8B) shall affect any liability of the agent of the casino operator, casino employee or agent or employee of the licensed international market agent by the operation of any other law.”; 10

(j) by deleting the words “subsection (7)(a) or (b)” in subsection (9)(a) and substituting the words “subsection (7) or (7A)””; and

(k) by deleting the words “an authorised bank” in subsection (10)(a) and substituting the words “any bank”. 15

**Repeal and re-enactment of section 110 and new sections 110A, 110B and 110C**

**45.** Section 110 of the principal Act is repealed and the following sections substituted therefor: 20

**“Prohibited casino marketing arrangements**

**110.—**(1) No person shall organise or conduct a casino marketing arrangement which involves the participation of any citizen of Singapore or permanent resident of Singapore (as defined in section 116(9)). 25

(2) Any person who receives a commission or other payment from a casino operator or the person for the time being in charge of a casino, which commission or payment is solely or partly based on the turnover of play in the casino of any other person, or otherwise derived from the play of any other person, shall be presumed, until the contrary is proved, to be organising or conducting a casino marketing arrangement. 30

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall on conviction be punished —

(a) in the case of an individual —

(i) for a first offence, with a fine of not less than \$30,000 and not more than \$300,000 and with imprisonment for a term not exceeding 4 years; and

(ii) for a second or subsequent offence, with a fine of not less than \$30,000 and not more than \$300,000 and with imprisonment for a term not exceeding 7 years; or

(b) in any other case, with a fine of not less than \$50,000 and not more than \$500,000.

(4) Any casino operator, licensed special employee, licensed international market agent or licensed international market agent representative which or who allows the organisation or conduct of, or is a party to, a casino marketing arrangement in contravention of subsection (1) shall be liable to disciplinary action.

**Persons required to be licensed as international market agent or international market agent representative**

**110A.**—(1) Subject to subsection (3), no person shall perform any of the functions of an international market agent unless that person holds a valid licence granted by the Authority to be an international market agent or an international market agent representative.

(2) The functions of an international market agent are any of the following:

(a) organising or conducting a casino marketing arrangement (other than a casino marketing arrangement prohibited under section 110(1));

(b) giving chips on credit to any patron participating in a casino marketing arrangement;

(c) such other function related to a casino marketing arrangement as may be specified in the regulations made under section 110B.



(3) Regulations made under section 110B may specify any persons or class of persons who are not required to be licensed as an international market agent or an international market agent representative.

(4) If, in the opinion of the Authority —

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(a) any person, by reason of his remuneration or function in relation to any casino marketing arrangement, is performing a function of an international market agent or an international market agent representative; or

(b) the commission or other payment received by any person forms part of a series of such commission or other payments that may reasonably be considered to have been arranged for the purpose of avoiding the requirement to be licensed as an international market agent or an international market agent representative,

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the Authority may, by a notice in writing given to the person, require that person to apply for the appropriate licence within the period specified in the notice.

(5) Any person who contravenes subsection (1) shall be guilty of an offence and shall on conviction be punished —

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(a) in the case of an individual —

(i) for a first offence, with a fine of not less than \$30,000 and not more than \$300,000 and with imprisonment for a term not exceeding 4 years; and

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(ii) for a second or subsequent offence, with a fine of not less than \$30,000 and not more than \$300,000 and with imprisonment for a term not exceeding 7 years; or

(b) in any other case, with a fine of not less than \$50,000 and not more than \$500,000.

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(6) Any casino operator which allows the organisation or conduct of, or is a party to, any casino marketing arrangement

with an unlicensed international market agent shall be liable to disciplinary action.

(7) The Authority may give a direction to a casino operator to cease any further business association with —

5           (a) an unlicensed international market agent; or

          (b) a person who failed to comply with a notice requiring him to apply for a licence under subsection (4),

from such date as may be specified in the direction, and any casino operator which fails to comply with such direction shall be liable to disciplinary action.

### **Supervision and control of international market agents and international market agent representatives**

15       **110B.**—(1) An application to be licensed as an international market agent or an international market agent representative shall be made in the form and manner prescribed and shall be accompanied by —

          (a) such fee as may be prescribed; and

          (b) such documents and information as may be prescribed.

20       (2) The Authority may grant an international market agent licence or international market agent representative licence if, and only if, it is satisfied that the criteria specified in the regulations made under this section are met.

25       (3) The Authority may give a written direction to a casino operator or a licensed international market agent, or to both, that relates to the organisation or conduct of a casino marketing arrangement, including a direction as to the maximum commission or other payment which may be paid by any casino operator to a licensed international market agent for organising or conducting the casino marketing arrangement.

30       (4) Any casino operator or licensed international market agent which or who fails to comply with any direction under subsection (3) shall be liable to disciplinary action.

(5) The Authority may, with the approval of the Minister, make regulations for or with respect to —

- (a) regulating or prohibiting the organisation and conduct of casino marketing arrangements;
- (b) the licensing of international market agents and international market agent representatives; 5
- (c) the obligations of licensed international market agents in relation to patrons participating in a casino marketing arrangement; and
- (d) the obligations of casino operators in relation to international market agents and patrons participating in a casino marketing arrangement. 10

(6) Without prejudice to the generality of subsection (5), the regulations may —

- (a) impose restrictions on who may be eligible to organise or conduct a casino marketing arrangement; 15
- (b) prescribe the procedure for the application for any licence;
- (c) prescribe the fees to be charged;
- (d) require the international market agent or the casino operator concerned to give the Authority advance notice of a casino marketing arrangement and to furnish to the Authority detailed information concerning the conduct of and the arrangements for any casino marketing arrangement; 20 25
- (e) require any contract or other agreement that relates to the organisation or conduct of a casino marketing arrangement to be in a form, and to contain provisions, approved by the Authority;
- (f) require the international market agent or the casino operator concerned to give specified information concerning a casino marketing arrangement to patrons participating in the casino marketing arrangement; 30

- 5 (g) require the international market agent or the casino operator concerned to give the Authority advance notice of, and such specified information as the Authority may require about, any casino marketing arrangement, including the patrons participating in the casino marketing arrangement;
- (h) require the international market agent to establish and implement a system of internal controls in accordance with prescribed requirements;
- 10 (i) prescribe anti-money-laundering requirements;
- (j) regulate the conduct of licensed international market agents and licensed international market agent representatives and provide for disciplinary action against them, including a financial penalty not exceeding —
- 15 (i) \$400,000 against any licensed international market agent; and
- (ii) \$10,000 against any licensed international market agent representative; and
- 20 (k) provide that any contravention of any provision of the regulations shall be an offence punishable with a fine not exceeding \$100,000 or with imprisonment for a term not exceeding 12 months or with both.

25 **Authority may suspend or cancel international market agent licence or international market agent representative licence in public interest**

30 **110C.**—(1) Notwithstanding any provision of this Act or the regulations made under section 110B, in any case where it appears to be necessary to the Authority to prevent any threat to the security of the public or of casino operations, the Authority may —

- (a) suspend the licensed international market agent or licensed international market agent representative concerned, pending the conclusion of any

investigation or disciplinary proceedings against that licensed international market agent or licensed international market agent representative; or

- (b) if the Authority thinks it necessary in the public interest that the licensed international market agent or licensed international market agent representative concerned should immediately cease to perform any function in relation to any casino marketing arrangement, cancel the licence of that international market agent or international market agent representative.

(2) Any —

- (a) international market agent who is aggrieved by any suspension or cancellation of his or its international market agent licence under subsection (1); or
- (b) international market agent representative who is aggrieved by any suspension or cancellation of his international market agent representative licence under subsection (1) or by virtue of subsection (4),

may, within 10 days after the licence is suspended or cancelled, make representations in writing to the Authority and the Authority, after considering such representations, may confirm, vary or reverse its decision.

(3) The suspension or cancellation under subsection (1) and, where applicable, subsection (4) shall take effect notwithstanding that any representation under subsection (2) is pending, until the expiry of the period of suspension or the reversal of the decision of the Authority, if any.

(4) If the licence of any international market agent is suspended or cancelled under this section, the licence of every international market agent representative employed by that international market agent shall also be suspended for the same period or cancelled, as the case may be.”.

### **Amendment of section 111**

**46.** Section 111 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsections:

5           “(1) Where a casino operator and a patron of the casino are unable to resolve to the satisfaction of the patron any dispute as to alleged winnings, alleged losses or the manner in which a game is conducted, the casino operator shall —

10                 (a) immediately notify an inspector of the dispute; and

               (b) inform the patron of his right to request that an inspector conduct an investigation into the dispute.

15           (1A) A patron who wishes to request an inspector to conduct an investigation into the dispute shall, not later than 7 days after the date he is informed under subsection (1) of his right, make the request to an inspector in such form as the Authority may specify.

20           (1B) An inspector may refuse to consider any patron’s request under subsection (1A) for investigation that is incomplete or is made after the period delimited for such requests under subsection (1A), unless the inspector is satisfied that there were good reasons for the delay or incompleteness.”; and

25           (b) by deleting the words “is notified of a dispute under subsection (1)” in subsection (2) and substituting the words “receives a request for investigation into a dispute under subsection (1A)”.

### **Amendment of section 113**

30           **47.** Section 113(1) of the principal Act is amended by deleting the words “a casino operator shall pay a patron’s claim” and substituting the words “the person ordered to make payment to the other party shall do so”.

### **Amendment of section 115**

**48.** Section 115 of the principal Act is amended by deleting the words “sections 118 and 119” and substituting the words “this Act”.

### **Amendment of section 116**

**49.** Section 116 of the principal Act is amended —

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(a) by deleting the word “This” in subsection (5) and substituting the words “Subject to the condition in subsection (5A), this”;

(b) by deleting the words “employee of the casino” in subsection (5)(a) and substituting the words “casino employee”;

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(c) by deleting the word “or” at the end of subsection (5)(b);

(d) by inserting, immediately after paragraph (b) of subsection (5), the following paragraphs:

“(ba) any member, secretary or officer of the evaluation panel appointed under section 45A acting in the discharge of his duties;

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“(bb) any member, secretary or officer of the Council acting in the discharge of his duties; and”;

(e) by inserting, immediately after subsection (5), the following subsection:

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“(5A) Any person who enters and remains on any casino premises without paying an entry levy by virtue of subsection (5) does so on the condition that he shall not participate in any game whilst he is on the casino premises, and if he contravenes such condition, he shall be guilty of an offence and shall be liable on conviction to be punished as if the offence charged were an offence under subsection (6).”;

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(f) by inserting, immediately after subsection (6), the following subsections:

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“(6A) Subject to subsection (5), any citizen or permanent resident of Singapore who attempts to enter

any casino premises without paying the entry levy specified in subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

5 (6B) If any citizen or permanent resident of Singapore, other than an individual under subsection (5), upon the expiry of the period in respect of which he has paid an entry levy specified in subsection (1)(a) or (b) —

10 (a) remains on the casino premises for any further period thereafter (referred to in this section as the over-stay period); and

(b) fails to pay the entry levy required under subsection (1) in respect of the over-stay period before he leaves the casino premises,

15 he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000, and shall also be liable for the amount of the entry levy specified in subsection (1)(a) in respect of the over-stay period.”.

### **Amendment of section 117**

20 **50.** Section 117 of the principal Act is amended —

(a) by inserting, immediately after the words “casino operator” in subsection (3), the words “or from any person liable to pay the entry levy”;

25 (b) by deleting the words “within 6 months of the date of the non-payment, or short payment, or erroneous refund, as the case may be,” in subsection (6); and

(c) by deleting subsections (7) and (8) and substituting the following subsections:

30 “(7) For the purposes of this section and section 116, every casino operator shall be liable for every act, omission, neglect or default of any agent of the casino operator or casino employee, as fully and effectually as if the act, omission, neglect or default were done or committed by the casino operator.



(8) Nothing in subsection (7) shall affect any liability of the agent of the casino operator or casino employee by the operation of any other law.”.

**Amendment of section 121**

**51.** Section 121(1) of the principal Act is amended by inserting, immediately after the words “casino premises”, the words “in such circumstances as the order may specify”.

**Amendment of section 122**

**52.** Section 122(1) of the principal Act is amended by inserting, immediately after the words “casino premises”, the words “in such circumstances as the order may specify”.

**Amendment of section 123**

**53.** Section 123(1) of the principal Act is amended by inserting, immediately after the words “until it”, the words “lapses or”.

**Amendment of section 125**

**54.** Section 125 of the principal Act is amended by deleting subsection (2) and substituting the following subsection:

“(2) Any person who is —

(a) subject to an exclusion order made under section 121, 122 or 165(1), or excluded under section 165A(2); or

(b) excluded under section 165D by reason of his having made the maximum number of visits to any casino for the month as specified by a visit limit made against him under section 165(1),

and who contravenes subsection (1) shall be guilty of an offence.”.

**Amendment of section 126**

**55.** Section 126 of the principal Act is amended —

(a) by deleting the words “It is a condition of a casino licence that a” in subsection (1) and substituting the word “A”; and

(b) by deleting subsection (2) and substituting the following subsections:

“(2) A casino operator shall close every deposit account of a person with the casino operator —

5 (a) to whom the casino operator has given an exclusion order under section 120;

(b) upon being notified under section 121(3) or 122(2) that the person has been given an exclusion order under section 121 or 122, as the case may be; or

10 (c) upon being given an order under section 163(2)(d) in respect of the person.

(3) A casino operator which fails to comply with subsection (1) or (2) shall be liable to disciplinary action.”.

### **Amendment of section 128**

**56.** Section 128 of the principal Act is amended —

(a) by deleting paragraph (a) of subsection (1) and substituting the following paragraphs:

20 “(a) subject to an exclusion order under section 120, 121 or 122;

(aa) subject to a family exclusion order, provisional family exclusion order or exclusion order under Part X or excluded under section 165A; or”;

25 (b) by inserting, immediately after the words “determined by” in subsection (5), the words “an inspector or”; and

(c) by inserting, immediately after subsection (5), the following subsections:

30 “(6) Where an inspector or authorised person investigating the amount of winnings under subsection (5) reasonably believes that the winnings of a person to whom this section applies are in that person’s

clothing or personal effects, the inspector or authorised person may —

(a) search the clothing, baggage or other personal effects of that person, and seize any money or chips found on that person or in his clothing, baggage or personal effects, as the case may be; and

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(b) apply any money or chips so found towards the payment of the amount of winnings determined under subsection (5) to be forfeited, and the surplus, if any, to be returned to that person.

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(7) Nothing in subsection (6) shall authorise any inspector or authorised person to remove, or require a person to remove, any of the person's clothing, and a search of a person's clothing being worn by the person may only be done by an inspector or authorised person of the same sex as the person."

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### **Amendment of section 129**

57. Section 129(1) of the principal Act is amended by deleting the full-stop at the end of paragraph (c) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:

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“(d) illegal betting or gaming activities;

(e) activities related to the organisation or conduct of casino marketing arrangements by persons who are neither licensed international market agents nor licensed international market agent representatives.”

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### **Amendment of section 132**

58. Section 132(2) of the principal Act is amended by inserting, immediately after the word “offence”, the words “and shall be liable on conviction to a fine not exceeding \$1,000”.

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### **Amendment of section 135**

**59.** Section 135 of the principal Act is amended —

(a) by inserting, immediately after the word “offence” in subsection (2), the words “and shall be liable on conviction to a fine not exceeding \$1,000”; and

(b) by deleting subsection (3).

### **Amendment of section 136**

**60.** Section 136 of the principal Act is amended by deleting the words “is guilty of an offence if the evidence is false in a material particular in relation to the minor” and substituting the words “, being evidence which is false in relation to the minor, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000”.

### **Amendment of section 138**

**61.** Section 138 of the principal Act is amended —

(a) by deleting subsections (1), (2) and (3) and substituting the following subsections:

“(1) A casino operator shall establish and implement a system of internal controls for the casino operations which satisfies the prescribed internal controls requirements.

(2) The Authority may require a casino operator to submit any part of the casino operator’s system of internal controls for approval by the Authority.

(3) Any approved internal controls shall remain in force until amended or substituted with the approval of the Authority.”;

(b) by inserting, immediately after the word “system” in subsection (4), the words “of internal controls or part thereof”; and

(c) by deleting the words “and procedures” in the section heading.

### **Repeal of section 139**

**62.** Section 139 of the principal Act is repealed.

### **Amendment of section 140**

**63.** Section 140 of the principal Act is amended —

(a) by deleting the word “A” in subsection (1) and substituting the words “Subject to subsection (1A), a”; 5

(b) by inserting, immediately after subsection (1), the following subsection:

“(1A) The Authority may, on the application of a casino operator, allow specific banking transactions to be carried out at another bank, subject to such conditions as the Authority may impose.”; and 10

(c) by inserting, immediately after the words “subsection (1)” in subsection (5), the words “or any of the conditions imposed under subsection (1A)”. 15

### **Amendment of section 142**

**64.** Section 142(1) of the principal Act is amended —

(a) by deleting the words “profit and loss accounts” in paragraph (b) and substituting the words “a profit and loss statement or statement of comprehensive income (or its equivalent)”; and 20

(b) by deleting the word “balance-sheet” in paragraph (c) and substituting the words “statement of its financial position (or its equivalent)”.

### **Amendment of section 143**

**65.** Section 143(1) of the principal Act is amended —

(a) by inserting, immediately after the words “to which they relate” in paragraph (b), the words “, or such shorter period as the Authority may, on the application of the casino operator in any particular case, allow”; and 30

(b) by deleting the words “authorised person” in paragraph (c) and substituting the word “inspector”.

### **Amendment of section 144**

**66.** Section 144(4) of the principal Act is amended —

5 (a) by deleting the words “the profit and loss account and balance-sheet of the casino operator” and substituting the words “the financial statements referred to in section 142(1)(b) and (c)”; and

10 (b) by deleting the words “profit and loss account, balance-sheet” and substituting the words “financial statements”.

### **New section 144A**

**67.** The principal Act is amended by inserting, immediately after section 144, the following section:

#### **“Special audit**

15 **144A.**—(1) The Authority may, at any time by a notice in writing —

(a) require a casino operator to appoint a special auditor to review or investigate the casino operator’s affairs and report his findings to the Authority; and

20 (b) specify the terms of reference for the special audit referred to in paragraph (a) and the time within which it must be completed.

25 (2) A casino operator to whom a notice under subsection (1) is directed shall engage, at its own expense, a public accountant approved by the Authority to be the special auditor to conduct the special audit in accordance with the terms of reference and within the time specified in the notice.

30 (3) The special auditor engaged under subsection (2) shall submit his report, all relevant supporting documents and such other information or report as the Authority may require in relation to the special audit, to the Authority not later than

60 days after the conclusion of the special audit or within such other period as the Authority may specify in any particular case.

(4) Any casino operator which fails to comply with subsection (2) shall be liable to disciplinary action.

(5) In this section, “public accountant” means a person who is registered or deemed to be registered under the Accountants Act (Cap. 2) as a public accountant.”.

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### **Amendment of section 146**

**68.** Section 146 of the principal Act is amended —

(a) by deleting the word “and” at the end of subsection (4)(*cb*);

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(b) by inserting, immediately after paragraph (*cb*) of subsection (4), the following paragraph:

“(c) prescribing the obligations of a casino operator for the purposes of classifying or verifying the gross gaming revenue from premium players; and”;

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(c) by deleting the definition of “Comptroller” in subsection (6); and

(d) by deleting paragraph (*a*) of the definition of “net win” in subsection (6) and substituting the following paragraph:

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“(a) in respect of any game or type of game where the casino operator is a party to a wager, the difference between the amount of bets received by the casino operator on the game and the amount paid out by the casino operator as winnings on the game, derived by such method or formula as may be prescribed in respect of that game or type of game; and”.

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### **Amendment of section 146A**

**69.** The principal Act is amended by renumbering section 146A as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

- 5           “(2) The Comptroller may, in writing, authorise any officer of the Inland Revenue Authority of Singapore to perform or assist in the performance of any duty imposed on, or to exercise any power conferred upon, the Comptroller under this Part.”.

### **Amendment of section 146C**

10       **70.** Section 146C of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsection:

- 15                       “(1) If any casino operator has made an error in a return of its gross gaming revenue for any accounting period, the casino operator may apply to the Comptroller within a period of 5 years from the date the return was made, by notice in writing, to review and revise any assessment of casino tax made in respect of that period for which the return was made.”;

20       (b) by deleting the words “notice for revision of a return under subsection (1) or a notice of objection under subsection (2) by” in subsection (4) and substituting the words “notice under subsection (1) or (2) from”;

25       (c) by deleting the words “notice for revision of a return under subsection (1) or a notice of objection to an assessment under subsection (2)” in subsection (5) and substituting the words “notice under subsection (1) or (2)”; and

(d) by deleting the words “return or” wherever they appear in subsection (5)(a) and (b).

### **Amendment of section 146D**

**71.** Section 146D(1) of the principal Act is amended by deleting the words “a return or assessment” and substituting the words “an assessment”.



### **Amendment of section 149**

72. Section 149(2) of the principal Act is amended by deleting the words “6 years” and substituting the words “5 years”.

### **Amendment of section 151**

73. Section 151 of the principal Act is amended by deleting subsection (3). 5

### **New section 151A**

74. The principal Act is amended by inserting, immediately after section 151, the following section:

#### **“Official secrecy for tax-related information” 10**

**151A.**—(1) Every person having any official duty or being employed in the administration of this Part shall regard and deal with all documents, information, returns and assessments relating to the casino tax payable by any casino operator, as secret and confidential, and may be required by the Comptroller to make or subscribe a declaration to that effect in the form determined by the Comptroller. 15

(2) Every person, being authorised or employed in carrying out the provisions of this Part and having possession or control over any document, information, return or assessment relating to casino tax under this Part, who at any time otherwise than for the purposes of this Part or with the express authority of the President — 20

(a) communicates or attempts to communicate such information or anything contained in such documents, returns or assessments to any person; or 25

(b) suffers or permits any person to have access to any such information or to anything contained in such documents, returns or assessments,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 2 years or to both. 30

5 (3) No person who is authorised or employed in carrying out the provisions of this Part shall be required to produce in any court any document, return or assessment, or to divulge or communicate to any court any matter or thing coming under his notice in the performance of his duties under this Part, except as may be necessary —

(a) for the purpose of carrying into effect the provisions of this Part; or

10 (b) in order to institute a prosecution, or in the course of a prosecution, for any offence committed in relation to casino tax under this Part.

15 (4) Notwithstanding anything in this section, the Comptroller shall permit the Minister for Finance, the Auditor-General or any officer duly authorised in that behalf by the Minister for Finance or the Auditor-General to have such access to any records or documents as may be necessary for the performance of his official duties.

20 (5) Notwithstanding anything in this section, the Comptroller may transmit or communicate to any of the following persons, or permit access to, any document, information, return or assessment referred to in subsection (1) which may be required by any of them in the performance of their official duties:

(a) the Comptroller of Property Tax appointed under the Property Tax Act (Cap. 254);

25 (b) the Comptroller of Goods and Services Tax appointed under the Goods and Services Tax Act (Cap. 117A);

(c) the Chief Assessor appointed under the Property Tax Act;

30 (d) the Commissioner of Stamp Duties appointed under the Stamp Duties Act (Cap. 312).

(6) Notwithstanding anything in this section, the Comptroller may, for the purpose of enabling the Chief Statistician to perform his duties under the Statistics Act (Cap. 317), furnish and permit the Chief Statistician access to any information and records as

may be required under this Part or by regulations made under section 146(4).

(7) Notwithstanding anything in this section, the Comptroller may lay a complaint of professional misconduct against any person in his professional dealings with the Comptroller to the appropriate authority empowered to take disciplinary action against the person and may, in connection with the complaint, furnish any relevant documents or information.

(8) Notwithstanding anything in this section or section 6 of the Income Tax Act (Cap. 134), the Comptroller or any officer of the Inland Revenue Authority of Singapore may —

(a) furnish to any officer of the Authority any information obtained by the Comptroller in the performance of his duties under this Part, where such information may be required by the officer of the Authority in the performance of his duties; and

(b) upon the request of the Authority, permit any officer of the Authority to have access to, including taking copies of, such records or documents relating to casino tax in the possession of the Comptroller as the Comptroller may allow,

where the Comptroller is satisfied that such information or access is necessary for the performance of the duties of the officer of the Authority.

(9) Notwithstanding subsections (1) and (2) and without prejudice to subsections (4) to (8), the Comptroller may disclose information relating to the casino tax payable by a casino operator to any of the following with the express consent of the casino operator to whom the information relates:

(a) any public officer or officer of a statutory board for the performance of his official duties in administering or facilitating the administration of any written law or public scheme;

(b) any other person who is engaged by the Government or a statutory board to facilitate the administration of such

written law or public scheme, if the Comptroller has obtained a written undertaking from the other person that he shall be bound by the same obligations as to secrecy imposed by subsections (1), (2) and (3) with the necessary modifications.

(10) Notwithstanding anything in this section, the Comptroller may furnish to the Government or any statutory board, for any statistical or research purpose, any information relating to any person in a manner that does not identify, and is not reasonably capable of being used to identify, that person.”

### **New Division heading**

75. Part X of the principal Act is amended by inserting, immediately after the Part heading, the following Division heading:

*“Division 1 — Interpretation”.*

### **Amendment of section 153**

76. Section 153 of the principal Act is amended —

- (a) by inserting, immediately after the words “family exclusion order” in the definition of “application”, the words “or an application for a visit limit by a family member, as the case may be”;
- (b) by inserting, immediately after the words “section 165” in the definition of “exclusion order”, the words “, and includes an exclusion order made in the respondent’s absence under section 165C”;
- (c) by inserting, immediately after the words “section 162” in the definition of “family exclusion order”, the words “, and includes a family exclusion order made in the respondent’s absence under section 165C”;
- (d) by inserting, immediately after the definition of “family member”, the following definition:

““list of excluded persons” means the list of excluded persons established and maintained under

section 168, as varied or updated from time to time;”;

- (e) by inserting, immediately after the definition of “panel”, the following definition:

““provisional family exclusion order” means a provisional family exclusion order made under section 164;”;

- (f) by inserting, immediately after the words “family exclusion order” in the definition of “respondent”, the words “, visit limit”;

- (g) by deleting the full-stop at the end of the definition of “respondent” and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

““self-exclusion” means an exclusion of a person from any casino premises under section 165A(1)(c) upon a voluntary application of that person;

“visit limit”, in relation to an individual, means an order made by the Council or by a Committee specifying a maximum number of visits in aggregate which the individual may make to any casino each month, and includes any visit limit made in the respondent’s absence under section 165C.”; and

- (h) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) In this Part, any continuous period of 24 hours commencing from the time a person enters any casino premises shall constitute a single visit by the person to that casino, regardless of the number of times the person leaves and re-enters the casino premises during that 24-hour period.”.



### **New Division heading**

**79.** The principal Act is amended by inserting, immediately before section 157, the following Division heading:

*“Division 3 — Family exclusion orders, visit limits and other exclusion orders”.*

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### **Amendment of section 157**

**80.** Section 157 of the principal Act is amended —

- (a) by inserting, immediately after the words “family exclusion order” in subsection (1), the words “or a visit limit”;
- (b) by inserting, immediately after the words “an exclusion order” in subsection (1), the words “or a visit limit”; and
- (c) by inserting, immediately after the word “orders” in the section heading, the words “and visit limits”.

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### **Amendment of section 158**

**81.** Section 158 of the principal Act is amended —

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- (a) by deleting the words “referred to the Committee under section 159(2)” in subsection (1) and substituting the words “or visit limits referred to the Committee under section 159(2) or 163A(2), as the case may be”;
- (b) by deleting the word “; and” at the end of subsection (4)(a) and substituting the words “, and examine such person as a witness;”;
- (c) by deleting paragraph (b) of subsection (4) and substituting the following paragraphs:

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“(b) require any person to furnish such information or produce such document, record or article in the possession or under control of that person as the Committee considers relevant for the purposes of the proceedings; and

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(c) inspect, keep or make copies of such record, document or article.”;

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(d) by inserting, immediately after the words “before a Committee” in subsection (5), the words “or required to furnish any information or produce any document, record or article by a Committee”; and

5 (e) by inserting, immediately after the word “orders” in the section heading, the words “and visit limits”.

### **Amendment of section 159**

**82.** Section 159 of the principal Act is amended —

10 (a) by inserting, immediately after the words “family exclusion order” in subsection (1), the words “against a respondent”; and

(b) by inserting, immediately after subsection (2), the following subsection:

15 “(3) Upon receiving an application under subsection (1), the Council, or the secretary or an officer of the Council on behalf of the Council —

20 (a) may require the respondent named in the application, any family member of the respondent or any casino operator to furnish such information or produce such document or record in the possession or under the control of the respondent, family member or casino operator, as the case may be, as the Council considers relevant to the application; and

25 (b) may inspect, keep or make copies of such document or record.”.

### **Amendment of section 162**

30 **83.** Section 162(1) of the principal Act is amended by inserting, immediately before the words “the respondent” in paragraph (c), the words “subject to section 165C,”.



## **New section 163A**

**84.** The principal Act is amended by inserting, immediately after section 163, the following section:

### **“Visit limit application by family member**

**163A.**—(1) An application for a visit limit against a respondent may be made by — 5

- (a) a family member of the respondent who is, or is likely to be, adversely affected by the respondent’s gambling; or
- (b) a person referred to in section 160 or 161 on behalf of a family member referred to in paragraph (a). 10

(2) An application for a visit limit shall be made to the Council in writing in the form approved by the Council, and the Council shall refer the application to a Committee.

(3) Upon receiving an application under subsection (1), the Council, or the secretary or an officer of the Council on behalf of the Council — 15

- (a) may require the respondent named in the application, any family member of the respondent or any casino operator to furnish such information or produce such document or record in the possession or under the control of the respondent, family member or casino operator, as the case may be, as the Council considers relevant to the application; and 20

- (b) may inspect, keep or make copies of such document or record. 25

(4) A Committee to whom an application under this section is referred may make a visit limit against a respondent if the Committee is satisfied that —

- (a) there is a reasonable apprehension that the respondent has engaged, or is likely to engage, in gambling activities in disregard of the needs and welfare of the respondent’s family members; 30

(b) a visit limit against the respondent is appropriate in the circumstances;

(c) subject to section 165C, the respondent has been given an opportunity to object to the application; and

5 (d) it would be in the best interests of the respondent and his family members to make the visit limit.

(5) A visit limit made under subsection (4) against a respondent shall —

(a) specify the period during which it is in force; and

10 (b) specify the maximum number of visits in aggregate that the respondent may make to any casino in each month.

(6) The Committee in making a visit limit under subsection (4) may also refer the respondent to participate in a programme of counselling, rehabilitation or special education or any combination of these.

15 (7) A Committee may, in determining whether there is a reasonable apprehension that the respondent has engaged, or is likely to engage, in gambling activities in disregard of the needs and welfare of the respondent's family members, take into account events that have taken place outside Singapore.

20 (8) If a respondent disputes some or all of the grounds on which a visit limit is sought or made but consents to the making of the visit limit, a Committee may make or confirm the visit limit without receiving any further submission or evidence as to the grounds.

25 (9) A Committee may, at any stage, dismiss an application if the Committee is satisfied that the application is frivolous, vexatious, without substance or has no reasonable prospect of success.

30 (10) A Committee shall report to the Council its decision on every application referred to the Committee accordingly and briefly state the reasons for its decision.”.

## Repeal and re-enactment of section 164

85. Section 164 of the principal Act is repealed and the following section substituted therefor:

### “Provisional family exclusion order

164.—(1) Where, upon an application for a family exclusion order under section 159, a Committee is satisfied that the respondent has caused serious harm to family members having regard to section 162(2) and further harm to family members is imminent, the Committee may make a provisional family exclusion order, notwithstanding that —

(a) a hearing has not been held under section 158 to determine the application for the family exclusion order; or

(b) a summons has not been served on the respondent to appear at the hearing under section 158.

(2) A provisional family exclusion order shall take effect on the date on which the provisional family exclusion order is served on the respondent or such later date as the Committee may specify therein, but shall cease to have effect on whichever of the following dates occurs first:

(a) the date of the conclusion of the hearing under section 158 to which the respondent is summoned or, if the hearing is adjourned, the conclusion of the adjourned hearing;

(b) the 28th day after the date of the making of the provisional family exclusion order, or such later date as the Committee may determine in any particular case.

(3) The Committee which makes or extends a provisional family exclusion order under this section need not comprise the same members as the Committee which hears the application for the family exclusion order under section 158.”.

## Amendment of section 165

**86.** Section 165 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsections:

5 “(1) A Committee may, without receiving any application, by written order make either an exclusion order or a visit limit against a person, if —

(a) it comes to the attention of the Committee that the person has a poor credit record; or

10 (b) the Committee is of the opinion that the person is vulnerable to financial harm because of his gambling.

(2) For the purposes of determining whether a person is vulnerable to financial harm under subsection (1)(b), the Committee may have regard, but not be limited, to all or any of the following factors:

15 (a) the financial situation of the person;

(b) any indebtedness of the person or inability of the person to pay his debts as they fall due;

20 (c) the frequency of the person’s visits to a casino or the extent of his gambling activities in the casino.

(2A) For the purposes of enabling a Committee to make a determination under subsection (1), an officer of the Council may —

25 (a) by notice in writing, require the respondent against whom the exclusion order or visit limit is being considered, any family member of the respondent or any casino operator to furnish such information or produce such document or record as may be specified in the notice relating to the respondent or to any of the matters referred to in subsection (2), which is in the possession or under the control of the

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respondent, family member or casino operator,  
as the case may be;

(b) by notice in writing to any statutory body,  
request that statutory body to furnish such  
information or produce such document or  
record as may be specified in the notice  
relating to the respondent or to any of the  
matters referred to in subsection (2); and

(c) inspect, keep or make copies of such document  
or record.

(2B) Every person required to furnish any information  
or produce any document or record by a notice under  
subsection (2A) shall be legally bound to state the truth  
and to produce such documents and records as may be  
specified in the notice.”;

(b) by inserting, immediately after the words “exclusion order” in  
subsection (3), the words “or a visit limit”;

(c) by inserting, immediately after the words “the Committee  
shall” in subsection (3), the words “, by a notice in writing,”;

(d) by inserting, immediately after the words “proposed order” in  
subsection (3), the words “or visit limit”;

(e) by inserting, immediately after subsection (4), the following  
subsections:

“(4A) A visit limit made under subsection (1) against a  
person shall —

(a) specify the period during which it is in force;  
and

(b) specify the maximum number of visits in  
aggregate that the person may make to any  
casino in each month.

(4B) In making a visit limit under subsection (1)  
against a person, the Committee may also refer the  
person to participate in a programme of counselling,

rehabilitation or special education or any combination of these.”;

(f) by inserting, immediately after the words “an exclusion order” wherever they appear in subsections (5) and (6), the words “or a visit limit”; and

(g) by inserting, immediately after the words “exclusion order” in the section heading, the words “or visit limit”.

### **Amendment of section 165A**

**87.** Section 165A of the principal Act is amended —

(a) by deleting paragraph (a) of subsection (1) and substituting the following paragraph:

“(a) a person who is on such social assistance programme or subsidy scheme funded by the Government or any statutory body as the Minister may, by order published in the *Gazette*, prescribe;”;

(b) by inserting, immediately after subsection (1), the following subsection:

“(1A) The Minister may, by order published in the *Gazette*, exempt any person or class of persons referred to in subsection (1)(a) or (b) from subsection (2), subject to such conditions as may be specified in the order.”;

(c) by deleting subsections (3) to (9) and substituting the following subsections:

“(3) A person referred to in subsection (1)(c) shall be subject to the self-exclusion which he has applied for (whenever made) until such time that the Council, upon the person’s application, revokes the self-exclusion.

(4) The Council may, as a condition of revoking the self-exclusion of a person (whenever made), require the person to —

(a) participate in a programme of counselling, rehabilitation or special education; or

(b) undergo an assessment of harm from gambling, including a clinical assessment if necessary, by a suitably qualified person appointed by the Council for this purpose,

or any combination of these.”; and

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(d) by inserting, immediately after the word “excluded” in the section heading, the words “by law or self-excluded”.

### **New sections 165B, 165C and 165D**

**88.** The principal Act is amended by inserting, immediately after section 165A, the following sections:

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#### **“Voluntary application for visit limit**

**165B.**—(1) A person may make a voluntary application for a visit limit against himself in the prescribed form and manner to the Council.

(2) A visit limit under subsection (1) shall specify the maximum number of visits in aggregate that the person may make to any casino in each month.

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(3) A person shall be subject to the visit limit which he has applied for under subsection (1) until such time that the Council, upon the person’s application, revokes the visit limit.

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(4) The Council may, as a condition of revoking a visit limit against a person, require the person to —

(a) participate in a programme of counselling, rehabilitation or special education; or

(b) undergo an assessment of harm from gambling, including a clinical assessment if necessary, by a suitably qualified person appointed by the Council for this purpose,

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or any combination of these.

**Making family exclusion order, visit limit or exclusion order in respondent's absence**

5 **165C.**—(1) A family exclusion order, a visit limit or an exclusion order under section 162, 163A or 165(1) may be made by a Committee in the absence of the respondent if —

10 (a) the respondent was served with the summons to appear at the hearing of the application under section 158 and failed, without reasonable excuse, to appear at the time and place appointed for the hearing, or has indicated that he does not wish to attend the hearing;

(b) the respondent was served with a notice to object under section 165(3) and failed to respond by the time and date specified in the notice, or has indicated that he does not wish to respond; or

15 (c) no service can be effected after reasonable efforts have been made to locate the respondent who cannot be found or is outside Singapore,

20 and the Committee is satisfied that there are grounds for making the family exclusion order, visit limit or exclusion order under section 162, 163A or 165(1), as the case may be.

25 (2) Any family exclusion order, visit limit or exclusion order made by virtue of this section shall take effect on the date of the conclusion of the hearing under section 158 or the date specified in the notice under section 165(3), as the case may be, or such later date as the Committee may specify, and continues in force until whichever of the following occurs first:

(a) the family exclusion order, visit limit or exclusion order is set aside by a Committee on the application of the respondent under subsection (3);

30 (b) the family exclusion order, visit limit or exclusion order expires;

(c) the family exclusion order, visit limit or exclusion order is revoked under section 166.



(3) An application to set aside any family exclusion order, visit limit or exclusion order made by virtue of this section may be made by the respondent within the prescribed time and in the prescribed manner.

(4) A Committee may determine an application to set aside any family exclusion order, visit limit or exclusion order by confirming, varying or setting aside the order or visit limit.

(5) The Committee at the hearing to set aside any family exclusion order, visit limit or exclusion order need not comprise the same members as the Committee which made the order or visit limit.

(6) This section shall apply to any respondent against whom an application for a family exclusion order is made, whether made before, on or after the date of commencement of section 88 of the Casino Control (Amendment) Act 2012.

### **Effect of visit limit**

**165D.** A respondent who has, in any month, made the maximum number of visits to any casino specified in a visit limit under section 163A, 165(1) or 165B against him —

- (a) shall be excluded from entering into or remaining on, or taking part in any gaming on, any casino premises for the remainder of the month; and
- (b) shall cease to be so excluded upon the commencement of the first day of the following month.”.

### **Amendment of section 166**

**89.** Section 166 of the principal Act is amended —

- (a) by deleting subsection (1) and substituting the following subsection:

“(1) The Council may confirm, vary or revoke —

- (a) a family exclusion order or a visit limit made under section 163A on an application by —

(i) a family member for whose benefit the family exclusion order or visit limit was made; or

(ii) the respondent; or

5 (b) an exclusion order or a visit limit made under section 165(1) on an application by the respondent.”;

(b) by inserting, immediately after the words “an order” in subsection (2), the words “or a visit limit”;

10 (c) by inserting, immediately after the words “the order” in subsection (2), the words “or visit limit”;

(d) by inserting, immediately after subsection (2), the following subsection:

15 “(2A) For the purposes of determining whether there has been a substantial change in the relevant circumstances, the Council may —

(a) require the respondent to undergo an assessment of harm caused by gambling, including a clinical assessment if necessary, by a suitably qualified person appointed by the Council for this purpose;

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(b) require any person to furnish such information or produce such document or record in the possession or under the control of that person as the Council considers relevant to its determination; and

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(c) inspect, keep or make copies of such document or record.”;

(e) by inserting, immediately after the words “an order” in subsection (3), the words “or a visit limit”; and

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(f) by inserting, immediately after the words “family exclusion order” in the section heading, the words “, visit limit”.

## **Amendment of section 167**

**90.** Section 167 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsection:

“(1) Except in a case where an order or a visit limit has  
been made by virtue of section 165C(1)(c), any family  
exclusion order, provisional family exclusion order, visit  
limit made under section 163A or 165(1) or exclusion  
order must be served on the respondent and is not  
binding on the person named in the order or visit limit  
until it has been so served.”;

(b) by inserting, immediately after the words “family exclusion order” in subsection (2), the words “, a provisional family exclusion order, a visit limit”;

(c) by inserting, immediately after the words “the order” in subsection (2), the words “or visit limit”;

(d) by inserting, immediately after the words “the order” in subsection (2)(b), the words “or visit limit”;

(e) by inserting, immediately after subsection (2), the following subsection:

“(3) As soon as practicable after a family exclusion order or a visit limit under section 163A is made, varied or revoked, the Council shall notify the applicant of the family exclusion order or visit limit of the making of the family exclusion order or visit limit, or the variation or revocation thereof, as the case may be.”; and

(f) by inserting, immediately after the words “family exclusion order” in the section heading, the words “, visit limit”.

## **Repeal and re-enactment of section 168**

**91.** Section 168 of the principal Act is repealed and the following section substituted therefor:

**“List of excluded persons**

5 **168.**—(1) The Council shall establish, maintain and regularly update a list of excluded persons which sets out the names and particulars of every person (referred to collectively in this section as excluded persons under this Part) who, for the time being is —

(a) excluded from any casino premises by a family exclusion order, a provisional family exclusion order or an exclusion order, or subject to exclusion or self-exclusion under section 165A; or

10 (b) excluded under section 165D from any casino premises by reason of having made the maximum number of visits to any casino specified by a visit limit made against him for the month.

15 (2) For the purposes of maintaining the list of excluded persons referred to in subsection (1)(b), the Council may, by notice in writing, require a casino operator to furnish any information or produce any document or record in the possession or under the control of the casino operator relating to the number of visits made by any person to the casino.

20 (3) The Council shall furnish the list of excluded persons to —

(a) the Authority;

(b) the Commissioner of Police; and

(c) every casino operator.

(4) Upon —

25 (a) the cessation, revocation or setting aside of any family exclusion order, provisional family exclusion order, exclusion order or visit limit made against any person whose name is on the list of excluded persons;

30 (b) the cessation of any exclusion or self-exclusion under section 165A, or revocation of any visit limit under section 165B, against any person whose name is on the list of excluded persons; or

(c) the cessation of any exclusion under section 165D(b),

the Council shall —

- (i) remove the name and particulars of the person from the list of excluded persons; and
- (ii) notify the persons referred to in subsection (3)(a), (b) and (c) of the removal.

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(5) Without prejudice to subsection (4), the Council may, from time to time, vary or update the list of excluded persons —

- (a) to correct any clerical or other error in the names or particulars therein;
- (b) to add the names and particulars of new persons to the list; or
- (c) to update any of the names or particulars therein in order that they remain sufficient to identify any excluded person,

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and the Council shall notify the persons referred to in subsection (3)(a), (b) and (c) of those variations and updates.

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(6) It shall be a defence to any disciplinary action against a casino operator for a contravention of section 126(1) by permitting an excluded person under this Part to enter or remain on the casino premises if it is proved that —

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- (a) before the person entered the casino premises or while the person was on the casino premises, there was produced to the casino operator or to its agent or employee proof of the person's identity; and
- (b) at that time, the person's name and particulars were not on the list of excluded persons furnished by the Council to the casino operator.

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(7) It shall be lawful for the person for the time being in charge of a casino, an agent of the casino operator or a casino employee to refuse entry to, or remove or cause to be removed from the casino premises using no more force than is reasonably necessary, any person whose name and particulars are at that time on the list of excluded persons furnished or notified by the Council to the casino operator.”

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## **Amendment of section 169**

5 **92.** Section 169(2) of the principal Act is amended by inserting, immediately after the words “authorised to do so by the Minister”, the words “or the respondent to whom the information relates has consented to the disclosure”.

## **New Part XA**

**93.** The principal Act is amended by inserting, immediately after section 170, the following Part:

### “PART XA

#### 10 CASINO ADVERTISING AND RESPONSIBLE GAMBLING

#### **Casino advertising and promotions**

15 **170A.**—(1) Subject to subsection (2), no person shall carry out any advertising or promotional activities relating to a casino except with the approval of the Authority and in accordance with regulations made for such purpose under section 200.

(2) Regulations made for the purposes of this section may —

(a) specify the types of advertising and promotional activities for which approval is required; and

20 (b) specify the persons or class of persons who shall be required to comply with this section.

(3) Any casino operator, licensed special employee, licensed international market agent or licensed international market agent representative which or who, being required to comply with subsection (1), fails to do so shall be liable to disciplinary action.

25 (4) Any person (other than a person referred to in subsection (3)) who, being required to comply with subsection (1), fails to do so shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

#### **Responsible gambling requirements**

30 **170B.**—(1) A casino operator shall, at all times while the casino is in operation, establish and implement a responsible gambling programme approved by the Authority which meets

the responsible gambling requirements prescribed by regulations made under section 200.

(2) A casino operator which contravenes subsection (1) shall be liable to disciplinary action.

### **Audit on advertising or responsible gambling**

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**170C.**—(1) The Authority may, at any time, appoint a special auditor to undertake an audit of a casino operator’s advertising and promotional activities or responsible gambling practices.

(2) The Authority may, instead of appointing a special auditor under subsection (1), by a notice in writing issued to a casino operator —

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(a) require the casino operator to appoint a person approved by the Authority as a special auditor to undertake the audit of the casino operator’s advertising and promotional activities or responsible gambling practices; and

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(b) specify the terms of reference for the audit referred to in paragraph (a) and the time within which it must be completed.

(3) A casino operator to whom a notice in subsection (2) is directed shall, at its own expense, engage a person approved by the Authority as a special auditor to conduct the audit in accordance with the terms of reference and within the time specified in the notice.

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(4) Where a casino operator fails to comply with subsection (3), the Authority may appoint a special auditor to undertake the audit and recover the cost of the audit from the casino operator.

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(5) A casino operator shall provide all reasonable assistance to a special auditor appointed or engaged under this section.

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(6) The special auditor who is appointed or engaged to undertake the audit of a casino operator’s advertising and promotional activities or responsible gambling practices shall submit his report, all relevant supporting documents and such

other information or report as the Authority may specify in relation to the audit, to the Authority not later than 60 days after the conclusion of the audit or within such other period as the Authority may specify in any particular case.

- 5           (7) A casino operator which fails to comply with subsection (3) shall be liable to disciplinary action.”.

### **Amendment of section 171**

**94.** Section 171 of the principal Act is amended —

- 10           (a) by inserting, immediately after subsection (1), the following subsection:

                  “(1A) A person shall not, whether in a casino or elsewhere —

- (a) use as genuine chips that he knows or has reason to believe to be counterfeit chips;
- 15           (b) have in his possession chips that he knows or has reason to believe to be counterfeit chips, intending that the same may be used as genuine; or
- 20           (c) sell, buy or otherwise deal in chips that he knows or has reason to believe to be counterfeit chips, intending that the same may be used as genuine.”;

- (b) by deleting the words “on premises” in subsection (2);
- 25           (c) by inserting, immediately after the word “possession” in subsection (2), the words “or under his control”;
- (d) by deleting paragraph (a) of subsection (2) and substituting the following paragraph:

                  “(a) any device, machine, implement or other material —

- 30           (i) for the purpose of counterfeiting chips, or knowing or having reason to believe that



the same is intended to be used for that purpose; or

- (ii) that he knows or has reason to believe is or has been specially designed or adapted for the making of counterfeit chips;”;

(e) by inserting, immediately after subsection (2), the following subsection:

“(2A) A person shall not, in any place outside a designated site, have in his possession or under his control any of the things in subsection (2)(a) to (d) —

(a) knowing or having reason to believe that the device, machine, implement or material is or has been specially designed or adapted for the making of counterfeit chips; and

(b) with the intention that he or someone else will use the device, machine, implement or material to make counterfeit chips.”;

(f) by deleting the words “subsection (1) or (2)” in subsection (3) and substituting the words “subsection (1), (1A), (2) or (2A)”;

(g) by deleting the words “Subsection (2)” in subsection (4) and substituting the words “Subsection (1A) or (2)”;

(h) by inserting, immediately after the word “Possession” in the section heading, the words “, use, etc.,”.

## **Amendment of section 172**

**95.** Section 172 of the principal Act is amended —

(a) by deleting the words “in a casino or on premises within any designated site” in subsection (1) and substituting the words “whether in a casino or elsewhere”; and

(b) by inserting, immediately after subsection (3), the following subsection:

“(4) Nothing in subsection (3) shall authorise any police officer or inspector to remove, or require a person

to remove, any of the person’s clothing, and a search of a person’s clothing being worn by the person may only be done by a police officer or an inspector of the same sex as the person.”.

5 **New section 172A**

**96.** The principal Act is amended by inserting, immediately after section 172, the following section:

**“Cheating at play**

10 **172A.**—(1) A person shall not, in relation to the playing of any game in a casino, obtain or attempt to obtain any money or advantage for himself or any other person —

(a) by a fraudulent trick, device, sleight of hand or representation;

(b) by a fraudulent scheme or practice;

15 (c) by the fraudulent use of gaming equipment or any other thing; or

(d) by placing a bet in a game after the result of the game is known.

20 (2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$150,000 or to imprisonment for a term not exceeding 7 years or to both.

25 (3) Any person who colludes with another person to do any act in contravention of subsection (1) shall be guilty of an offence and shall be liable on conviction to be punished with the punishment provided for the offence under subsection (2).

30 (4) If a police officer or an inspector believes on reasonable grounds that a person has committed, or colluded in the commission of, an offence of contravening subsection (1), the police officer or inspector may search the person for any device, gaming equipment, implement or material that the police officer or inspector suspects was used in the commission of the offence.

(5) Nothing in subsection (4) shall authorise any police officer or inspector to remove, or require a person to remove, any of the person's clothing, and a search of a person's clothing being worn by the person may only be done by a police officer or an inspector of the same sex as the person.”.

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### **Amendment of section 173**

**97.** Section 173(1) of the principal Act is amended by deleting the words “chips the aggregate value of which exceeds \$10,000” and substituting the words “chips of the aggregate value of \$10,000 or more,”.

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### **Amendment of section 174**

**98.** Section 174(1) of the principal Act is amended —

- (a) by inserting, immediately after the words “a chip purchase voucher,” in paragraph (a), the words “a match play coupon,”;
- (b) by deleting the words “counterfeit chips or” in paragraph (b); and
- (c) by inserting, immediately after the words “chip purchase voucher,” in paragraph (b), the words “match play coupon,”.

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### **New sections 175A and 175B**

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**99.** The principal Act is amended by inserting, immediately after section 175, the following sections:

#### **“Entering casino on false pretences**

**175A.** Any person who enters any casino by pretending to be some other person, or by using another person's identification document, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both.

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### **Commissioner of Police and authorised police officer may obtain information**

5       **175B.**—(1) The Commissioner of Police, or a police officer not below the rank of superintendent authorised by the Commissioner, may, if he is of the opinion that it is necessary to respond to a security threat, a threat to law and order or a threat of criminal infiltration, by a notice in writing, require a casino operator or a special employee to provide him with such information as may be specified in the notice concerning the casino operations or any person in or connected with the casino.

10       (2) A certificate purporting to be under the hand of the Commissioner of Police, or a police officer not below the rank of superintendent authorised by the Commissioner, that the information specified in the notice is necessary under subsection (1) shall be sufficient evidence of that fact.

15       (3) Any person to whom a notice under subsection (1) is given who, without reasonable excuse, fails to provide the specified information within the time specified in the notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000.”

### **Amendment of section 176**

20       **100.** Section 176(1) of the principal Act is amended by deleting the words “or records” in paragraph (a) and substituting the words “, record or thing”.

### **Amendment of section 181**

25       **101.** Section 181 of the principal Act is amended —

30       (a) by deleting the words “in relation to any offence under this Act, on declaration of his office and production to the person against whom he is acting such identification card as the Chief Executive may direct to be carried by inspectors or authorised persons —” in subsection (1) and substituting the words “for the purposes of investigating any offence or contravention of a provision of this Act which may result in disciplinary action, do all or any of the following:”;

- (b) by inserting, immediately after the word “offence” in subsection (1)(a), the words “or contravention”;
- (c) by deleting the word “book” wherever it appears in subsection (1)(b) and substituting in each case the word “record”;
- (d) by deleting the word “or” at the end of subsection (1)(b);
- (e) by deleting the words “officer or employee” in subsection (1)(c) and substituting the words “inspector or authorised person”;
- (f) by deleting the full-stop at the end of paragraph (c) of subsection (1) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:
- “(d) examine orally any person who appears to be acquainted with the facts and circumstances of matters under this Act —
- (i) whether before or after that person or anyone else is charged with an offence, or disciplinary proceedings are commenced, in connection with the matter; and
- (ii) whether or not that person is to be called as a witness in any inquiry, trial or disciplinary proceedings in connection with the matter.”;
- (g) by inserting, immediately after subsection (1), the following subsections:
- “(1A) Any person examined under this section shall be bound to state truly what he knows of the facts and circumstances concerning matters under this Act, except that he need not say anything that might expose him to a criminal charge, penalty or forfeiture.
- (1B) A statement made by any person examined under this section shall —
- (a) be reduced to writing;

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- (b) be read over to him;
- (c) if he does not understand English, be interpreted for him in a language that he understands; and
- (d) after correction, if necessary, be signed by him.

5 (1C) If any person fails to attend as required by an order under subsection (1)(c), the inspector or authorised person may report such failure to a Magistrate who may thereupon issue a warrant to secure the attendance of that person as required by the order.”; and

10 (h) by deleting the word “book” in subsection (2)(a) and substituting the word “record”.

### **Amendment of section 182**

**102.** Section 182 of the principal Act is amended —

- 15 (a) by deleting the words “a seizable offence” wherever they appear in subsections (1) and (2) and substituting in each case the words “an arrestable offence”; and
- (b) by deleting the words “seizable offences” in subsection (3) and substituting the words “arrestable offences”.

### **Repeal and re-enactment of section 183 and new section 183A**

20 **103.** Section 183 of the principal Act is repealed and the following sections substituted therefor:

#### **“Arrest on refusal to give name and residence**

25 **183.**—(1) An inspector or authorised person may arrest any person who is accused of committing, or who commits in the view or presence of the inspector or authorised person, a non-arrestable offence if, on the demand of the inspector or authorised person, he refuses to give his name and residential address.

30 (2) An inspector or authorised person may arrest such a person who gives a residential address outside Singapore, or a name or residential address which the inspector or authorised person has reason to believe is false.

(3) Any person arrested under this section must be brought to a police station as soon as reasonably practicable and may, if required by a police officer of or above the rank of sergeant, be released upon signing a bond, with or without surety, to appear before a Magistrate. 5

(4) If the person refuses or is unable to sign the bond as required, he must, within 24 hours of the arrest (excluding the time necessary for the journey to a Magistrate's Court), be brought before a Magistrate's Court.

(5) The person who is brought before a Magistrate's Court under subsection (4) may — 10

(a) be ordered to be detained in custody until he can be tried; or

(b) if so required by the Magistrate, be released upon signing a bond, with or without surety, to appear before a Magistrate's Court. 15

### **Power to enter premises**

**183A.**—(1) An inspector or authorised person may enter at any reasonable time without notice any premises of a holder of a licence or approval granted under this Act for the purpose of investigating any offence or contravention of a provision of this Act which may result in disciplinary action, and may do all or any of the following: 20

(a) search the premises and take possession of any thing found therein and reasonably believed to be connected to the commission of the offence or the contravention; 25

(b) require the production of records and documents relating or reasonably believed to relate to the commission of the offence or the contravention, wherever and by whomsoever kept, and take and retain extracts or copies thereof; 30

(c) compel any person who is able to operate any equipment at the premises to do so for the purpose of enabling the inspector or authorised person to ascertain whether the

equipment, or a disk, tape or other storage device that can be used or associated with the equipment, contains information that is relevant to the investigation;

(d) if such information is found in exercise of the power in paragraph (c) —

(i) produce, or compel the production of, the information in documentary form, and keep or copy the documents so produced; or

(ii) transfer, or compel the transfer of, the information to a disk, tape or other storage device, and remove it from the premises.

(2) Where an inspector or authorised person has reasonable grounds to suspect that there is, on any premises (including premises other than those referred to in subsection (1)), any record, document or information the production of which has been required under subsection (1) or section 181(1)(b), and —

(a) which has not been produced in compliance with that requirement; or

(b) which the inspector or authorised person has reasonable grounds to believe will not be produced in compliance with that requirement,

the inspector or authorised person may apply to a Magistrate for the issue of a warrant to search the premises for such record, document or information.

(3) Whenever it appears to a Magistrate, upon an application made under subsection (2), and after such enquiry as he may think necessary, that there are reasonable grounds for suspecting that there is, on particular premises, any record, document or information the production of which has been required under subsection (1) or section 181(1)(b), and —

(a) which has not been produced in compliance with that requirement; or



- (b) which the Magistrate has reasonable grounds to suspect will not be produced in compliance with that requirement,

the Magistrate may issue a warrant authorising the inspector or authorised person or any person named therein, with or without assistance —

- (i) to enter and search the premises and to break open and search anything, whether a fixture or not, in the premises; and
- (ii) to take possession of, or secure against interference, any record or document, or equipment, disk, tape or other storage device containing information, that appears to be a record or document, or to contain information, the production of which was so required.”.

#### **Amendment of section 184**

**104.** Section 184 of the principal Act is amended —

- (a) by inserting, immediately after subsection (1), the following subsections:

“(1A) Any person aggrieved by any decision of the Authority (other than a decision under section 93A, 110C or 114) may, within 28 days after being notified of the decision or such other period as may be prescribed in lieu thereof, make a request to the Authority to review the decision.

(1B) A request for review under subsection (1A) shall —

(a) be in writing; and

(b) specify the grounds on which it is made.

(1C) Any person who has made a request for review under subsection (1A) shall provide such information as may be required by the Authority in such manner and within such period as may be specified by the Authority.

(1D) The Authority may determine any request for review by confirming, varying or reversing its decision.”;

5 (b) by deleting the words “of receipt of the decision” in subsection (2) and substituting the words “after being notified of the Authority’s decision, or such other period as may be prescribed in lieu thereof”;

(c) by inserting, immediately after subsection (3), the following subsections:

10 “(3A) Any person who has made an appeal to the Minister under subsection (2) shall provide such information as may be required by the Minister in such manner and within such period as may be specified by the Minister.

15 (3B) The Minister may reject the appeal of an appellant —

(a) who fails to comply with subsection (3) or (3A);  
or

20 (b) who has not first made a request for review of the same decision by the Authority under subsection (1A), or under section 93A(2) or 110C(2), as the case may be.”;

(d) by deleting the words “An appeal against” in subsection (6) and substituting the words “A review of or an appeal against”;

25 (e) by inserting, immediately after the words “implement the decision” in subsection (6), the words “, and unless otherwise provided by the Authority or the Minister, the decision under review or appealed against shall be complied with until the determination of the review or appeal, as the case may be”;

30 (f) by inserting, immediately after subsection (6), the following subsection:

“(7) The Minister may make regulations to provide for the manner in which an appeal to the Minister may be

made and the procedure to be adopted in any such appeal.”; and

(g) by deleting the section heading and substituting the following section heading:

**“Request for review by Authority or appeal to Minister”.**

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### **Amendment of section 185**

**105.** Section 185 of the principal Act is amended by inserting, immediately after the words “any licence” wherever they appear, the words “or approval”.

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### **New sections 185A to 185D**

**106.** The principal Act is amended by inserting, immediately after section 185, the following sections:

#### **“Grant of licence or approval a revocable privilege**

**185A.** For the avoidance of doubt, any licence or approval granted under this Act is a revocable privilege.

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#### **Investigations of suitability**

**185B.—(1)** Where the Authority is required to be satisfied that any applicant for a licence or an approval, or any other person connected to the application, is suitable or qualified for the purposes of the licence or approval, the burden of proving that suitability or qualification shall be on the applicant and each other person connected to the application, as the case may be.

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**(2)** For the purposes of meeting any costs arising out of investigations in connection with the suitability of any person to be granted or to continue to hold a licence or an approval, the Authority may, by notice in writing, require the applicant for or the holder of any licence or approval granted under this Act to furnish to the Authority a deposit or pre-payment of such amount as the Authority may determine.

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## Security deposit

5       **185C.** The Authority may, by notice in writing, require the holder of any licence or approval granted under this Act to furnish to the Authority a performance bond, deposit or some other form of security of such amount as the Authority may determine for the purpose of meeting any financial penalty arising out of any disciplinary proceedings commenced or likely to commence against the holder of the licence or approval.

## Enforceable undertakings

10       **185D.**—(1) The Authority may accept a written undertaking given by a holder of any licence or approval granted by the Authority under this Act (referred to in this section as a licensed or approved person), in connection with any matter within the powers and functions of the Authority under this Act.

15       (2) Without limiting the matters to which the written undertaking may relate, the undertaking may include any of the following:

- (a) an undertaking to take specified action within a specified time;
- 20       (b) an undertaking to refrain from taking specified action;
- (c) an undertaking to compensate a specified person a specified amount within a specified time.

25       (3) A licensed or approved person may vary or withdraw any written undertaking given by that person only with the permission of the Authority in writing.

(4) If the Authority is satisfied that any licensed or approved person has failed to comply with any term of the written undertaking given by that person, the Authority may apply to a court for an order under subsection (5).

30       (5) If the court is satisfied that any licensed or approved person has failed to comply with any term of the written undertaking given by that person, the court may make an order directing the licensed or approved person to comply with the term or terms of

the undertaking, or any other order that the court considers appropriate for the purposes of this Act.”.

### **Amendment of section 186**

**107.** Section 186 of the principal Act is amended by deleting subsection (4) and substituting the following subsection: 5

“(4) Any casino operator which fails to comply with a direction under this section shall be liable to disciplinary action.”.

### **Amendment of section 187**

**108.** Section 187(2) of the principal Act is amended by deleting the word “book” and substituting the word “record”. 10

### **Amendment of section 188**

**109.** Section 188(1) of the principal Act is amended by deleting the words “administering any Act” in paragraph (a) and substituting the words “administering any part of this Act”.

### **Amendment of section 190**

**110.** Section 190 of the principal Act is amended — 15

(a) by deleting the word “or” at the end of subsection (1)(d);

(b) by deleting paragraph (e) of subsection (1) and substituting the following paragraphs:

“(e) a member of any committee appointed by the Authority under section 12(1) or 112(4); 20

(f) a member, a secretary or an officer of the evaluation panel appointed under section 45A; or

(g) a member, a secretary or an officer of the Council,”; 25

(c) by deleting the words “paragraphs (a) to (d)” in subsection (1A) and substituting the words “paragraphs (a) to (e)”;

- (*d*) by deleting the words “Comptroller of Income Tax or an officer of the Inland Revenue Authority of Singapore” in subsection (1A)(*a*) and (*b*) and substituting in each case the words “Comptroller or an officer of the Inland Revenue Authority of Singapore authorised by the Comptroller”; and
- (*e*) by inserting, immediately after subsection (1A), the following subsection:

“(1B) Notwithstanding subsection (1), any person referred to in that subsection may furnish any information, report or document obtained in the performance of his duties or in the exercise of his functions under this Act to any individual or statutory body set out in the Second Schedule for the purpose of enabling the performance or discharge by that individual or statutory body of his or its public functions or duties.”.

### **Amendment of section 192**

#### **111. Section 192 of the principal Act is amended —**

- (*a*) by deleting the words “No action, suit or other legal proceedings shall lie against the Authority or personally against” and substituting the words “No liability shall be incurred by”;
- (*b*) by inserting, immediately after paragraph (*a*), the following paragraph:
- “(aa) any member, secretary or officer of the evaluation panel appointed under section 45A;”;
- (*c*) by deleting the word “or” at the end of paragraph (*d*);
- (*d*) by deleting the comma at the end of paragraph (*e*) and substituting the word “; or”;
- (*e*) by inserting, immediately after paragraph (*e*), the following paragraph:
- “(f) any member of a committee appointed by the Authority under section 12(1) or 112(4),”.

### **Amendment of section 193**

**112.** Section 193 of the principal Act is amended by inserting, immediately after the word “inspectors”, the words “, all members of the evaluation panel appointed under section 45A, all members of committees appointed by the Authority under section 12(1) or 112(4)”. 5

### **Amendment of section 196**

**113.** Section 196(1) of the principal Act is amended by inserting, immediately after the words “any offence under this Act”, the words “(except an offence under Part IX)”. 10

### **New section 197A**

**114.** The principal Act is amended by inserting, immediately after section 197, the following section:

#### **“Amendment of Second Schedule**

**197A.—(1)** The Minister may, from time to time, by order published in the *Gazette*, amend, add to or vary the Second Schedule. 15

(2) The Minister may, in any order made under subsection (1), make such incidental, consequential or supplementary provision as may be necessary or expedient. 20

(3) Any order made under subsection (1) shall be presented to Parliament as soon as possible after publication in the *Gazette*.”.

### **Amendment of section 200**

**115.** Section 200(2) of the principal Act is amended —

(a) by deleting paragraph (j) and substituting the following paragraphs: 25

“(j) with respect to casino advertising and promotions —

(i) regulating or prohibiting advertising and promotional activities relating to a 30

casino, including regulating the content of any advertisement or promotion;

5 (ii) applications for the approval of advertisements or promotional activities relating to a casino, including the fees, if any; and

10 (iii) the obligations of casino operators in relation to persons who carry out advertising or promotional activities relating to a casino;

(*ja*) applications for the approval of any part of a responsible gambling programme;

15 (*jb*) the responsible gambling requirements referred to in section 170B, which may include, but are not limited to —

(i) the establishment by a casino operator of a system to enable a patron of its casino to set limits on his gambling expenditure or period of continuous gambling;

20 (ii) the establishment by a casino operator of a system to determine and impose a maximum number of visits which a patron may make to its casino in each month;

25 (iii) patron education;

(iv) provision of problem gambling assistance, intervention or facilities;

(v) training of casino employees in relation to responsible gambling;

30 (vi) keeping of records related to responsible gambling activities; and

(vii) regular review of responsible gambling measures;”;



- (b) by deleting the words “within casino premises” in paragraph (l);
- (c) by deleting paragraph (o) and substituting the following paragraph:
- “(o) the manufacture, supply or operation of gaming equipment for use in a casino, and the provision of testing services for such gaming equipment;” 5
- (d) by deleting the words “or licensed junket promoters” in paragraph (r) and substituting the words “, licensed international market agents or licensed international market agent representatives”; and 10
- (e) by deleting paragraph (s) and substituting the following paragraphs:
- “(s) the procedure for any representations to be made against, or any request for a review of, a decision by the Authority; 15
- (sa) the procedure for disciplinary proceedings against any person licensed or approved by the Authority under this Act;
- (sb) regulating agents of casino operators, including any licensing or approval thereof; 20
- (sc) the furnishing of any deposit, pre-payment, performance bond or other form of security required by the Authority under this Act, and the procedure for drawing on, forfeiting or returning any such deposit, pre-payment, performance bond or other form of security; 25
- (sd) the enforcement of any written undertaking given under section 185D;
- (se) the system of internal controls for casino operations; 30
- (sf) the setting up of and requirements for a compliance function by casino operators;”.

## **New sections 200A, 200B and 200C**

**116.** The principal Act is amended by inserting, immediately after section 200, the following sections:

### **“Adoption of codes, standards of performance or specifications**

**200A.**—(1) Any regulations made under section 200 may adopt, wholly or partially or as amended by the regulations or by reference, any code, standard of performance or specification which relates to gaming equipment, surveillance systems, internal controls, casino advertising or promotions, responsible gambling or to any other matter related to casino operations that is relevant for the purposes of this Act, and which —

(a) is issued by the Authority under section 200B; or

(b) is issued by any standards organisation or person other than the Authority (whether within or outside Singapore) and approved by the Authority under section 200B.

(2) In any proceedings under this Act, a copy of any code, standard of performance or specification adopted under subsection (1) which is certified by the Authority as a true copy thereof shall be prima facie evidence of that code, standard of performance or specification.

### **Codes, standards of performance or specifications issued or approved by Authority**

**200B.**—(1) The Authority may, from time to time —

(a) issue one or more codes, standards of performance or specifications applicable to casino operations;

(b) approve as a code, standard of performance or specification applicable to casino operators any document prepared by a person other than the Authority if the Authority considers the document as suitable for this purpose; or

(c) amend, add to or revoke any code, standard of performance or specification issued under paragraph (a) or approved under paragraph (b).

(2) If any provision in any code, standard of performance or specification is inconsistent with any provision of this Act, such provision, to the extent of the inconsistency — 5

(a) shall have effect subject to the provisions of this Act; and

(b) having regard to the provisions of this Act, shall not have effect.

(3) Where any code, standard of performance or specification is issued, approved, amended or revoked by the Authority under subsection (1), the Authority shall — 10

(a) notify each casino operator and any other person licensed or approved by the Authority who may be affected by the issuance, approval, amendment or revocation; 15

(b) specify in the notice referred to in paragraph (a) the date that the issuance, approval, amendment or revocation is to take effect; and

(c) ensure that, so long as the code, standard of performance or specification remains in force, copies of that code, standard of performance or specification are made available to the casino operators and any other person required to comply with the code, standard of performance or specification. 20 25

(4) Any code, standard of performance or specification issued or approved under this section —

(a) may be of general or specific application; and

(b) may specify that different provisions thereof apply to different circumstances or provide for different cases or classes of cases. 30

(5) The Authority may, either generally or for such time as the Authority may specify, waive the application of any code, standard of performance or specification, or part thereof, issued

or approved under this section to any casino operator or other person.

### **Guidelines on compliance**

5 **200C.**—(1) The Authority may, from time to time and with a view to enabling any person to order his affairs in compliance with the provisions of this Act, issue such guidelines as it considers appropriate for providing guidance —

(a) in furtherance of its regulatory objectives; or

(b) on any matter relating to casino operations.

10 (2) Any person who fails to comply with any of the provisions of a guideline issued under this section that applies to him shall not of itself render that person liable to criminal proceedings but any such failure may, in any proceedings whether civil or criminal, be relied upon by any party to the proceedings as tending to establish or to negate any liability which is in question  
15 in the proceedings.

(3) For the avoidance of doubt, any guideline issued under this section shall not have legislative effect.”.

### **Renaming of Schedule and new Second Schedule**

20 **117.** The principal Act is amended —

(a) by renaming the existing Schedule as the First Schedule; and

(b) by inserting, immediately after the First Schedule, the following Schedule:

#### **“SECOND SCHEDULE**

25 Sections 190(1B) and 197A(1)

#### **PERSONS TO WHOM INFORMATION MAY BE DISCLOSED**

1. The Authority and any officer or employee of the Authority.
2. The Minister charged with the responsibility for casino regulation, and officers from that Ministry authorised by  
30 that Minister.

3. The Minister charged with the responsibility for tourism development and promotion, and officers from that Ministry authorised by that Minister.
4. The Minister charged with the responsibility for manpower planning and policy, and officers from that Ministry authorised by that Minister. 5
5. The Minister charged with the responsibility for prevention and rehabilitation in relation to problem gambling, and officers from that Ministry authorised by that Minister.
6. The National Council on Problem Gambling, and any secretary or officer of that Council.” 10

### **Saving and transitional provisions**

**118.**—(1) Section 45 of the principal Act as amended by section 9 of this Act shall apply only in respect of any application for the grant or renewal of any casino licence for a term commencing on or after 1st January 2015, and any application for the grant or renewal of any casino licence commencing before that date shall be dealt with under section 45 of the principal Act in force immediately before the date of commencement of section 9 of this Act, as if section 9 of this Act had not been enacted. 15 20

(2) The maximum financial penalty for any ground for disciplinary action occurring before the date of commencement of section 15(a) of this Act shall be the amount referred to in paragraph (d) of the definition of “disciplinary action” in section 54(1) of the principal Act in force immediately before the date of commencement of section 15(a) of this Act. 25

(3) Any person who, immediately before the date of commencement of section 45 of this Act, held a valid junket promoter licence or junket representative licence shall be deemed to be a licensed international market agent or licensed international market agent representative, respectively, until the date the junket promoter licence or junket representative licence would have expired, unless the licence earlier lapses or is cancelled under the principal Act as amended by section 45 of this Act. 30

(4) For a period of 2 years after the date of commencement of any provision of this Act, the Minister charged with the responsibility for 35

casino regulation may, by regulations, prescribe such provisions of a saving or transitional nature consequent on the enactment of that provision as he may consider necessary or expedient.

### **Consequential amendments to Income Tax Act**

5     **119.** The Income Tax Act (Cap. 134) is amended —

(a) by deleting the words “junket promoter” wherever they appear in section 12(8) (including the subsection heading) and substituting in each case the words “licensed international market agent”;

10     (b) by deleting the words “arranging a junket” in section 12(8) and substituting the words “organising or conducting a casino marketing arrangement”;

(c) by deleting subsection (9) of section 12 and substituting the following subsection:

15             “(9) In this section, “casino marketing arrangement”, “casino operator” and “international market agent” have the same meanings as in the Casino Control Act (Cap. 33A).”;

20     (d) by deleting the words “junket promoter” in subsection (1) and in the section heading of section 45H and substituting in each case the words “licensed international market agent”;

(e) by deleting the words “arranging a junket” in section 45H(1) and substituting the words “organising or conducting a casino marketing arrangement”; and

25     (f) by deleting subsection (3) of section 45H and substituting the following subsection:

30             “(3) In this section, “casino marketing arrangement”, “casino operator” and “international market agent” have the same meanings as in the Casino Control Act (Cap. 33A).”.

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## EXPLANATORY STATEMENT

This Bill seeks to amend the Casino Control Act (Cap. 33A) for the following main purposes:

- (a) to include as a factor for consideration in the grant or renewal of a casino licence an evaluation of the applicant's suitability to develop, maintain and promote the integrated resort of which the casino is a part, to be carried out by an evaluation panel appointed by the Minister charged with the responsibility for tourism promotion and development;
- (b) to prohibit casino marketing arrangements (previously known as "junkets") which involve the participation of citizens or permanent residents of Singapore and to strengthen the regulatory controls over international market agents (previously termed "junket promoters") and their employees;
- (c) to introduce a visit limit, being an order which specifies the maximum number of visits a person may make to any casino in a month, which may be applied for by a family member or by a person against himself, or may be imposed by a Committee of Assessors (a Committee) on a person who has a poor credit record or is considered by the Committee vulnerable to financial harm because of his gambling;
- (d) to enhance the powers of Committees to make provisional family exclusion orders or exclusion orders in the absence of the respondent under certain circumstances, and to ask for relevant information;
- (e) to create specific offences related to the casinos, such as offences relating to counterfeit chips, cheating at play, entering the casino under false pretences, attempting to evade entry levy or remaining in the casino beyond the period for which an entry levy is valid; and
- (f) to make other amendments generally to refine the regulatory framework and operational controls of the Casino Regulatory Authority of Singapore (the Authority), in particular —
  - (i) to make provision for a mid-term review of the casino licence fee;
  - (ii) to raise the maximum financial penalty which may be imposed on a casino operator for a serious breach;
  - (iii) to streamline the processes for certain submissions to and approvals by the Authority, such as for casino contracts, game rules and internal controls;
  - (iv) to set out the framework for approval of gaming machines and gaming machine manufacturers, gaming machine suppliers and test service providers;

- (v) to empower the Authority to act immediately in relation to licensed special employees, casino contracts or licensed international market agents or their representatives where there is a threat situation;
- (vi) to impose certain requirements in relation to casino advertising and promotions and responsible gambling practices by a casino operator;
- (vii) to enhance the powers of investigation for inspectors and authorised persons into regulatory breaches of the Act which are not offences;
- (viii) to provide for the review by the Authority of any of its decisions;
- (ix) to provide for the disclosure of information to certain Government agencies and statutory bodies for the performance of their public functions and duties; and
- (x) to make provision for the Authority to obtain security deposits, issue guidelines, issue codes, standards of performance and specifications, or obtain enforceable undertakings.

The Bill also makes consequential amendments to the Income Tax Act (Cap. 134).

Clause 1 relates to the short title and commencement.

Clause 2 amends section 2 —

- (a) to re-define “junket” and “junket promoter” as “casino marketing arrangement” and “international market agent”, respectively, and to define an “international market agent representative”;
- (b) to insert new definitions for the terms “Development Agreement” and “integrated resort” used in the context of the ownership of the designated site and new section 45A;
- (c) to insert new definitions relating to casino operations, such as “chip purchase voucher”, “electronic table game” and “match play coupon”;
- (d) to amend the definition of “excluded person” to include a person who is excluded by virtue of having made the maximum number of visits specified by a visit limit imposed on him;
- (e) to make amendments to clarify the definition of “premium player” to allow the Authority to prescribe the qualifying form of the deposit into the patron’s deposit account and other conditions relating to the deposit account; and



(f) to make consequential or clarifying amendments to certain other definitions.

Clause 3 amends section 3 to clarify that in determining whether a person is an associate of a casino operator or of an applicant for a casino licence, the main consideration is the degree of influence over the management or operation of the casino business, which the Authority will assess based on factors such as whether the person holds any relevant financial interest, is entitled to exercise any relevant power or holds any relevant position. The definition of “relevant financial interest” is amended to include financing of the business, and the position of company secretary is deleted from the definition of “relevant position”.

Clause 4 amends section 7 as a consequence of renaming the Schedule as the First Schedule.

Clause 5 amends section 8 to specify that the Authority’s objects include ensuring the suitability of the persons involved in the management and operation of the casinos.

Clause 6 amends section 15 to extend the inspector’s powers to require the production of, or to inspect or seize, any thing, in addition to machinery, equipment or records, and to empower inspectors to act when investigating into contraventions of the Act which may result in disciplinary action.

Clause 7 amends section 16 to remove the condition that the person being asked for his name or address must be informed that it is an offence to fail to comply.

Clause 8 amends section 44 to restrict that section to applications for the grant of a casino licence, as renewals are to be dealt with under new section 49B.

Clause 9 amends section 45 to include, as a factor for the Authority’s consideration in granting a casino licence, the suitability of an applicant to develop, maintain and promote the integrated resort of which the casino is a part, and to allow the Authority to rely on the opinion of the evaluation panel appointed under new section 45A (inserted by clause 10) in this matter.

Clause 10 inserts a new section 45A which provides for the appointment and functions of an evaluation panel, which is to give its opinion to the Authority on the integrated resort. In arriving at its opinion, the evaluation panel must consider the views of parties to the Development Agreement concerning that integrated resort, and may request other documents or information or obtain the views of other persons with the necessary expertise or experience. The evaluation panel may assess the integrated resort against performance indicators and standards, and use methodology, which may be prescribed by the Minister charged with the responsibility for tourism development and promotion.

Clause 11 makes a technical amendment to section 47.

Clause 12 makes a consequential amendment to section 49 to delete subsection (5), which is now incorporated in new section 49A.

Clause 13 inserts new sections 49A and 49B.

The new section 49A requires the casino operator to pay a casino licence fee of a prescribed amount to the Authority and provides for an increase in the casino licence fee during the term of the casino licence, as well as for the casino licence to lapse automatically if any part of the casino licence fee is not paid within the time prescribed.

The new section 49B sets out the procedure, fees and applicable provisions for a renewal of a casino licence.

Clause 14 amends section 50 to clarify that an amendment of casino licence conditions may include a variation or revocation of an existing condition or the addition of a new condition.

Clause 15 amends section 54 to increase the maximum financial penalty for serious breaches, as defined, to 10% of the annual gross gaming revenue of the casino operator concerned, the maximum of \$1 million remaining unchanged for other grounds of disciplinary action. Amendments are also made to clarify certain grounds for disciplinary action and to add a new ground of failing to provide information where required to do so or providing false or misleading information. An amendment is also made to allow the casino operator to request for more time to respond to a show cause notice.

Clause 16 amends section 57 to allow directions to be made concerning casino operations outside the casino premises as well as within the premises.

Clause 17 amends section 58 to include business associates of a casino operator or an associate of a casino operator among the persons whom the Authority may investigate as part of its general supervisory functions.

Clause 18 amends section 63 to refer to section 45(2) which currently sets out the considerations for suitability which are relevant to an associate or a person likely to become an associate of a casino operator, and deletes the suitability factors in subsection (4) which are no longer necessary.

Clause 19 amends section 64 to define the “relevant date” as the date a casino licence first commences, which is the date on which the shareholding controls in sections 65 and 66 (as amended by clauses 20 and 21) would apply.

Clauses 20 and 21 amend sections 65 and 66, respectively, to change the date on which the shareholding controls apply, from the “appointed day” to the “relevant date”. The “appointed day”, being the original date of commencement of sections 65 and 66, is not applicable as no casino licence had been granted as at that date. With the change to “relevant date”, consequential amendments are made to change the term “casino operator” to “corporation”, since before the date a

casino licence commences, the entity in question is not a “casino operator” as defined but only a “corporation”.

Clause 21 also amends the definition of “indirect controller” in section 66 to remove the exclusion of persons whose appointment as director or other officer has been approved by the Authority. This exclusion is not applicable since the Authority does not approve such appointments.

Clause 22 makes consequential amendments to section 67 to change the term “casino operator” to “corporation”.

Clause 23 amends section 72 to insert new definitions for “notifiable contract” and “supply of goods or services”, and to remove the condition that an exemption can only be given where the Authority is satisfied that internal controls adequately provide for compliance with Division 3.

Clause 24 amends section 73 to allow the Authority to specify an alternative form or mode of reporting a controlled contract, for instance, consolidated reporting for contracts made under a master agreement with the same vendor. An amendment is also made to clarify the process by which the Authority responds to a submission by a casino operator.

Clause 25 repeals and re-enacts section 74 to set out the reporting requirements for notifiable contracts and, similar to controlled contracts, to allow the Authority to specify an alternative form or mode of reporting a notifiable contract.

Clause 26 makes a consequential amendment to section 75 to use the defined term “notifiable contract”.

Clause 27 amends section 76 to allow any party to a controlled contract or notifiable contract to request a longer period to respond to a show cause notice for termination of the contract, and empowers the Authority to immediately suspend further performance of a controlled contract or notifiable contract in the event of an immediate threat to the credibility, integrity or stability of casino operations, pending a determination by the Authority under that section.

Clauses 28 and 29 make consequential amendments to sections 77 and 78, respectively, arising from the amendments to section 76.

Clause 30 amends the Part heading of Part V.

Clause 31 makes a technical amendment to section 84(1).

Clause 32 amends section 93 to refine the grounds for disciplinary action against a licensed special employee.

Clause 33 inserts a new section 93A which allows the Authority to immediately suspend a licensed special employee pending the conclusion of any inquiry or disciplinary proceedings against him if the circumstances warrant it.

Clause 34 makes a consequential amendment to section 94 arising from the insertion of new section 93A.

Clause 35 amends section 97 to allow for flexibility in the time within which a casino operator is to notify the Authority on matters relating to its employees. Subsections (3) and (4) are deleted as these are now contained in new section 97A.

Clause 36 inserts a new section 97A setting out the powers of the Authority to obtain information, records and other authorisations and consents from a licensed special employee.

Clause 37 repeals and re-enacts section 99 to clarify that the requirements relating to the casino layout are statutory rather than conditions of the casino licence.

Clause 38 amends section 100 to remove the requirement that all games, mode of play and game rules must be published by order in the *Gazette* and to allow the Authority instead to issue a notice of approval to the casino operator and publish the games, mode of play and game rules on the Authority's website. Subsection (8) is amended to clarify that games played on certain electronic table games, being similar to table games, do require approval by the Authority.

Clause 39 amends section 101 to clarify that compliance with the direction on games which are not to be played is a statutory requirement rather than a condition of the casino licence.

Clause 40 deletes subsection (3) of section 102, which is not necessary as the regulation-making power is contained in section 200, and deletes subsection (5) so that gaming machines are included in the approval regime.

Clause 41 repeals and re-enacts section 103 and inserts a new section 103A. Section 103 sets out the requirements in relation to gaming machines, in particular that the gaming machines must be obtained from an approved manufacturer or approved supplier and that the gaming machines must be approved by the Authority, tested by an approved test service provider and must not exceed the maximum number of gaming machines allowed by the Authority.

The new section 103A sets out the procedure by which a person may apply to be an approved manufacturer or approved supplier of gaming machines or an approved test service provider for gaming equipment.

Clause 42 amends section 104 to specify certain conditions under which a casino operator may conduct simulated gaming without the prior approval of the Authority.

Clause 43 makes an editorial amendment to section 106 and deletes subsection (2)(b) concerning a voluntary loss limit system, for which regulations relating to a responsible gambling programme may be made.

Clause 44 amends section 108 —

- (a) to replace the term “licensed junket promoter” with “licensed international market agent” and to regulate the giving of credit by international market agent representatives as well;
- (b) to allow various forms of deposit into and withdrawal from a deposit account;
- (c) to allow a casino operator to provide chips on credit to a licensed international market agent for its business;
- (d) to allow a licensed international market agent to provide chips on credit only to persons who are not citizens or permanent residents of Singapore;
- (e) to make a casino operator and a licensed international market agent vicariously liable for the acts and omissions of their agents or employees; and
- (f) to remove the restriction that a cheque be from a bank authorised by the Authority.

Clause 45 repeals and re-enacts section 110 and inserts new sections 110A, 110B and 110C.

The new section 110 prohibits the organisation or conduct of any casino marketing arrangement involving the participation of a citizen or permanent resident of Singapore and contains a presumption as to when a person is organising or conducting a casino marketing arrangement.

The new section 110A requires any person who wishes to perform any function of an international market agent to be licensed.

The new section 110B provides for the licensing and regulation of international market agents and their representatives.

The new section 110C empowers the Authority to immediately suspend or cancel an international market agent licence or international market agent representative licence in the public interest if the circumstances warrant it.

Clause 46 amends section 111 to remove the \$1,000 minimum amount for patron disputes to be referred immediately to an inspector, and to ensure that requests for investigations by a patron are made in a timely manner.

Clause 47 amends section 113 to clarify that payment may be ordered against any party to a patron dispute.

Clause 48 amends section 115 as other provisions in the Act may provide a right of entry to the casino premises, such as the new sections 45A(4)(b) and 183A.

Clause 49 amends section 116 —

- (a) to exclude members, secretaries and officers of the evaluation panel under new section 45A and of the National Council on Problem Gambling (the Council) from having to pay the entry levy when they are acting in the discharge of their duties;
- (b) to impose a condition that a person who enters for official duties is prohibited from participating in any game whilst in the casino;
- (c) to penalise an attempt to enter the casino without paying the entry levy; and
- (d) to penalise the act of remaining in the casino premises for a period extending beyond the validity of the entry levy paid without paying the additional entry levy payable for the period of over-stay.

Clause 50 amends section 117 to allow the entry levy to be recovered from any person liable to pay the entry levy and removes the 6-month time bar for a demand to be made by the Chief Executive of the Authority. Subsection (7) is amended to be consistent with section 108(8A) (inserted by clause 44).

Clause 51 amends section 121 to allow the Authority to specify the circumstances when an exclusion order made by the Authority should apply to a person.

Clause 52 amends section 122 to allow the Commissioner of Police to specify the circumstances when an exclusion order made by him should apply to a person.

Clause 53 amends section 123 to allow for exclusion orders to lapse, either where the exclusion order specifies a validity period or by operation of section 121(2).

Clause 54 amends section 125 to penalise entry to a casino by a person who has been excluded by a third-party exclusion administered by the Council (on the ground of having a poor credit record, being vulnerable to financial harm, receiving social assistance or bankruptcy). The amendment also penalises a person who, being subject to a third-party visit limit administered by the Council (on the ground of having a poor credit record or being vulnerable to financial harm), exceeds the maximum number of visits to any casino for the month.

Clause 55 amends section 126 to require a casino operator to close deposit accounts of persons subject to exclusion orders by the casino operator itself, the Authority or the Commissioner of Police, and to clarify that the casino operator's obligations with respect to excluded persons are statutory rather than conditions of the casino licence.

Clause 56 amends section 128 to clarify that persons subject to any type of exclusion order or statutory exclusion (but not persons who are excluded by reason of having reached their visit limits) may have their winnings forfeited. The

amendment also allows an inspector to investigate and determine the amount of winnings to be forfeited and to search the clothing or personal effects of a person for those winnings.

Clause 57 amends section 129 to add illegal betting and gaming activities and the organisation and conduct by unlicensed persons of casino marketing arrangements to the conduct which a casino operator must ensure does not occur within the casino premises.

Clauses 58, 59 and 60 amend sections 132, 135 and 136, respectively, to provide a specific penalty for the offences relating to minors. Clause 59 also amends section 135 to remove the condition that the person being asked for his name or address must be informed that it is an offence to fail to comply.

Clause 61 amends section 138 to set out the framework for internal controls, namely that a casino operator must establish and implement a system of internal controls which satisfies requirements to be prescribed by regulations, and may be required to submit any part or the whole of those internal controls to the Authority for approval.

Clause 62 repeals section 139 as the internal controls requirements will be prescribed.

Clause 63 amends section 140 to allow the casino operator to carry out certain banking transactions at a bank other than the bank authorised by the Authority, subject to the Authority's approval.

Clause 64 amends section 142 to update the terms "profit and loss accounts" and "balance-sheet".

Clause 65 amends section 143 to allow for a shorter period of record-keeping in particular cases and to provide for inspections of records to be done by an inspector rather than an authorised person.

Clause 66 amends section 144 to update the terms "profit and loss account" and "balance-sheet".

Clause 67 inserts a new section 144A to empower the Authority to require a special audit to be carried out on the casino operator's affairs by a public accountant, where necessary.

Clause 68 amends section 146 to enable the Minister for Finance to make regulations concerning how a casino operator is to classify or verify gross gaming revenue from premium players, and to enable the method or formula for deriving net win to be prescribed for different games or types of games.

Clause 69 amends section 146A to enable the Comptroller of Income Tax (the Comptroller) to delegate duties to officers of the Inland Revenue Authority of Singapore.

Clause 70 amends section 146C to remove the reference in subsection (1) to a revision of a tax return in the event of overpayment of casino tax and to a refund of the casino tax overpaid, which is already provided in section 149, and to make consequential amendments in the remaining subsections.

Clause 71 makes a consequential amendment to section 146D arising from the amendment to section 146C.

Clause 72 amends section 149(2) to change the period for making any claim from 6 years to 5 years, consistent with record-keeping requirements.

Clause 73 deletes subsection (3) of section 151, which is now contained in new section 151A(8).

Clause 74 inserts a new section 151A which sets out the secrecy provisions applicable to tax-related information obtained by the Comptroller and other persons employed in the administration of Part IX, consistent with similar provisions in other tax legislation.

Clause 75 inserts a Division heading for Division 1 of Part X.

Clause 76 amends section 153 to define new terms such as “provisional family exclusion order” and “visit limit”, and to include in the definitions of “exclusion order” and “family exclusion order” such an order made in the absence of the respondent.

Clause 77 inserts a Division heading for Division 2 of Part X.

Clause 78 amends section 155 to allow the panel of assessors appointed by the Council to also decide on visit limits and to allow the Council to appoint committees and delegate its functions and powers to them.

Clause 79 inserts a Division heading for Division 3 of Part X.

Clause 80 amends section 157 to extend the functions and duties of a Committee to determining visit limits.

Clause 81 amends section 158 to provide for a Committee to determine visit limits, and to remove the requirement that a person from whom records, documents or articles are requested must also be summoned to attend before the Committee and be examined as a witness.

Clause 82 amends section 159 to empower the Council or the secretary or any officer of the Council to request for information and documents in relation to cases to be referred to a Committee.

Clause 83 makes a consequential amendment to section 162 arising from new section 165C.

Clause 84 inserts a new section 163A to allow a family member to apply for a visit limit.



Clause 85 repeals and re-enacts section 164 to provide for a provisional family exclusion order to be made in cases of imminent harm to family members, pending a hearing by the Committee.

Clause 86 amends section 165 —

- (a) to provide for a visit limit to be made in a case of a person with a poor credit record, as an alternative to an exclusion order (which is currently provided);
- (b) to provide for either an exclusion order or a visit limit to be made in a case where the Committee is of the opinion that a person is vulnerable to financial harm because of his gambling;
- (c) to set out the factors for a Committee to consider in determining whether a person is vulnerable to financial harm;
- (d) to enable information and documents to be obtained from the respondent, any family member, any casino operator or any statutory body for the purposes of the Committee's determination; and
- (e) to set out the provisions concerning a visit limit made under the section.

Clause 87 amends section 165A to enable the Minister charged with the responsibility for prevention and rehabilitation in relation to problem gambling to prescribe the social assistance programmes or subsidy schemes the recipients of which would be excluded from casinos. The Minister may also prescribe exemptions for certain classes of persons, for example those who are employed in the casino, notwithstanding that they would otherwise be excluded on the ground of receiving social assistance or bankruptcy. The amendment also requires a person subject to a self-exclusion to apply to the Council for revocation of the self-exclusion, whereupon the Council may require him to undergo counselling or an assessment of harm from gambling.

Clause 88 inserts new sections 165B, 165C and 165D.

The new section 165B sets out the process for a person to apply for a visit limit against himself, which will remain in force until he applies to the Council for the revocation of the visit limit.

The new section 165C allows for a family exclusion order, a visit limit or an exclusion order (other than a self-exclusion or a visit limit applied for by the respondent himself) to be made by a Committee in the absence of the respondent if the respondent has failed to respond to a notice served on him, has indicated that he does not wish to attend the hearing or cannot be found. The respondent may apply to set aside any such family exclusion order, visit limit or exclusion order made in his absence.

The new section 165D sets out the effect of a visit limit, namely that a person who has made the maximum number of visits to a casino specified in a visit limit

imposed on him for any particular month, whether as a result of visiting one or both casinos, will be excluded from all casinos for the remainder of that month, until the first day of the following month.

Clause 89 amends section 166 to provide for the variation or revocation of visit limits and allows the Council to exercise certain powers to ascertain whether there has been a change in the relevant circumstances to warrant the variation or revocation of a family exclusion order, exclusion order or visit limit.

Clause 90 amends section 167 to provide for the service of a visit limit and any variation thereof on a respondent, and makes a general exception to the requirement of service in a case under new section 165C.

Clause 91 repeals and re-enacts section 168 to provide for a consolidated list of excluded persons, including persons for the time being excluded by reason of having reached their visit limits, to be maintained by the Council.

Clause 92 amends section 169 to allow a respondent to consent to disclosure of information relating to himself.

Clause 93 inserts a new Part XA comprising new sections 170A, 170B and 170C. The new Part XA establishes the regulatory framework for casino advertising and responsible gambling.

The new section 170A requires that any casino advertising or promotions must be approved by the Authority and carried out in accordance with regulations.

The new section 170B requires a casino operator to establish and implement a responsible gambling programme which is approved by the Authority and meets the responsible gambling requirements prescribed in regulations.

The new section 170C enables the Authority to require a special audit to be conducted in relation to a casino operator's advertising and promotional activities or responsible gambling practices, where necessary.

Clause 94 amends section 171 to create offences relating to the use or possession of, dealing in or making of counterfeit chips.

Clause 95 removes the restriction in section 172 that the acts relating to unlawful interference with gaming equipment must occur in a casino or within a designated site. The amendment also inserts a safeguard where any search is carried out.

Clause 96 inserts a new offence in new section 172A relating to specific acts of cheating at play, with the specific inclusion of past posting and collusion.

Clause 97 amends section 173 to prohibit chips of the value of \$10,000 from being removed from a casino or designated site.

Clause 98 amends section 174 to include match play coupons among the items which may be forged or counterfeited.

Clause 99 inserts new sections 175A and 175B.

The new section 175A creates a specific offence of entering a casino by pretending to be some other person or by using another person's identification document.

The new section 175B enables the Commissioner of Police or a police officer specifically authorised by the Commissioner to obtain information from a casino operator or special employee relating to a security threat, threat to law and order or threat of criminal infiltration.

Clause 100 amends section 176 to allow an inspector or a police officer to require the production of any thing, besides machinery, equipment and records.

Clause 101 amends section 181 to provide for the enforcement powers to be exercised in relation to contraventions of the Act which may result in disciplinary action, not only for offences, and sets out the procedure for the taking of statements in the course of investigations.

Clause 102 replaces the term "seizable offence" in section 182 with the term "arrestable offence".

Clause 103 repeals and re-enacts section 183 and inserts a new section 183A.

The new section 183 sets out the procedure for the arrest of any person accused of committing a non-arrestable offence who refuses to give his name and residential address, consistent with section 65 of the Criminal Procedure Code (Cap. 68).

The new section 183A empowers inspectors and authorised persons to enter premises for the purpose of investigating any offence or contravention of the Act which may result in disciplinary action and to search for or require the production of records, documents or other items.

Clause 104 amends section 184 to allow any person aggrieved by a decision of the Authority to request a review of the decision by the Authority. The avenue of appeal to the Minister in certain circumstances remains unchanged, but the Minister may require the person aggrieved to first seek a review of the same decision by the Authority.

Clause 105 amends section 185 to state that no right to compensation arises in relation to the cancellation, suspension or variation of the terms or conditions of any approval under the Act, as is the case in relation to licences.

Clause 106 inserts new sections 185A to 185D.

The new section 185A states that any licence or approval granted under the Act is a revocable privilege.

The new section 185B provides for matters connected with investigations into suitability or qualification in relation to any licence or approval under the Act.

The new section 185C enables the Authority to require any holder of a licence or an approval under the Act to furnish a performance bond or security deposit.

The new section 185D enables the Authority to accept and enforce a written undertaking given by any holder of a licence or an approval under the Act.

Clause 107 amends section 186 to clarify that it is a statutory obligation to comply with a direction under the section, rather than a condition of the casino licence.

Clause 108 amends section 187 to replace the term “book” with “record”, which is defined.

Clause 109 makes an editorial amendment to section 188 since a Minister may administer only a part of the Act.

Clause 110 amends section 190 to preserve the confidentiality of information obtained by committees appointed by the Authority, members and officers of the evaluation panel and members and officers of the Council, subject to the sharing of information relating to casino tax with the Comptroller or officer authorised by the Comptroller or the sharing of relevant information with an individual or a statutory body listed in the Second Schedule to enable that individual or statutory body to perform his or its public functions or duties.

Clause 111 amends section 192 to remove the immunity for the Authority while retaining personal immunity for individuals and extending the immunity to members and officers of the evaluation panel and members of committees appointed by the Authority.

Clause 112 amends section 193 to deem as public servants members of the evaluation panel and members of committees appointed by the Authority.

Clause 113 amends section 196 to exclude offences under Part IX which are compoundable under section 152.

Clause 114 inserts a new section 197A which enables the Minister to amend, add to or vary the Second Schedule by an order published in the *Gazette*.

Clause 115 expands the regulation-making powers of the Authority in section 200.

Clause 116 inserts new sections 200A, 200B and 200C.

The new section 200A provides for the adoption of codes, standards of performance and other specifications by way of regulations.

The new section 200B empowers the Authority to issue or approve codes, standards of performance and other specifications, and to make amendments thereto.

The new section 200C enables the Authority to issue guidelines which do not have legislative effect, and the failure to comply with which does not in itself give rise to an offence.

Clause 117 renames the Schedule as the First Schedule and inserts a Second Schedule setting out the individuals and statutory bodies to whom information obtained under the Act may be disclosed.

Clause 118 sets out the saving and transitional provisions.

Clause 119 makes consequential amendments to the Income Tax Act (Cap. 134) arising from the replacement of the terms “junket promoter” and “junket” with “licensed international market agent” and “casino marketing arrangement”, respectively.

## EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.

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