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GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 21st July 2008 and assented to by the President on 1st August 2008:—

REPUBLIC OF SINGAPORE

No. 12 of 2008.

I assent.

(LS)

S R NATHAN,
President.
1st August 2008.

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

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

Short title and commencement

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

Amendment of section 2

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

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

“ “advertisement” includes —

- (a) any notice, circular, pamphlet, brochure, programme, price-list, label, wrapper or other document; and
- (b) any announcement, notification or intimation to the public or any section thereof or to any person or persons made —
 - (i) orally or in writing;
 - (ii) by means of any poster, placard, notice or other document affixed, posted up or displayed on any wall, billboard or hoarding or on any other object or thing;
 - (iii) by means of producing or transmitting sound or light and whether for aural or visual reception or both;
 - (iv) by means of any writing on any vehicle or any object or thing; or
 - (v) in any other manner whatsoever;”;

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

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

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

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

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

Amendment of section 4

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

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

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

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

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

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

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

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

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

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

Amendment of section 5

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

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

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

Repeal and re-enactment of section 7

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

“Appointment of officers, etc.

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

- (a) appoint and employ such officers, employees, consultants or agents; and
- (b) appoint such totalisator agencies,

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

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

- (a) any agent to operate or conduct any totalisator, lottery, betting or gaming activity; or
- (b) any totalisator agency.”.

Repeal of section 11

6. Section 11 of the principal Act is repealed.

Amendment of section 12

7. Section 12 of the principal Act is amended —

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

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

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

Amendment of section 13

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

Amendment of section 14

9. Section 14 of the principal Act is amended —

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

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

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

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

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

Repeal and re-enactment of section 15

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

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

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

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

Repeal of sections 16 and 17

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

Amendment of section 18

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

Amendment of section 19

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

New sections 20A and 20B

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

“Composition of offences

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

- (a) one half of the amount of the maximum fine that is prescribed for the offence; or
- (b) \$5,000,

whichever is the lower.

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

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

General exemption

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

Amendment of section 21

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

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

- (a) regulate any advertisement in relation to any totalisator, lottery, betting or gaming activity of —
 - (i) the Board;
 - (ii) any totalisator agency; or
 - (iii) any agent appointed by the Board;

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

Amendment of First Schedule

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

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

Amendment of Second Schedule

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

Consequential amendments to other written laws

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

Transitional and savings provisions

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

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

THE SCHEDULE

Section 18

CONSEQUENTIAL AMENDMENTS TO OTHER WRITTEN LAWS

*First column**Second column*

- (1) Betting Act
(Chapter 21, 1985 Ed.)

Section 3

Insert, immediately after subsection (1), the following subsection:

“(1A) Subsection (1)(e) shall not apply to —

- (a) the Singapore Totalisator Board;
- (b) any totalisator agency appointed by the Singapore Totalisator Board; and
- (c) any agent appointed by the Singapore Totalisator Board to operate or conduct any totalisator, lottery, betting or gaming activity.”.

- (2) Common Gaming Houses Act
(Chapter 49, 1985 Ed.)

Section 4

Insert, immediately after subsection (1), the following subsection:

“(1A) Subsection (1)(d) shall not apply to —

- (a) the Singapore Totalisator Board;
- (b) any totalisator agency appointed by the Singapore Totalisator Board; and
- (c) any agent appointed by the Singapore Totalisator Board to operate or conduct any totalisator, lottery, betting or gaming activity.”.