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**CASINO CONTROL ACT
(CHAPTER 33A)**

**CASINO CONTROL
(PROBLEM GAMBLING — EXCLUSION ORDERS)
(AMENDMENT NO. 2) RULES 2013**

In exercise of the powers conferred by section 170 of the Casino Control Act, the National Council on Problem Gambling, with the approval of Mr Chan Chun Sing, Senior Minister of State, charged with the responsibility of the Minister for Social and Family Development, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Casino Control (Problem Gambling — Exclusion Orders) (Amendment No. 2) Rules 2013 and shall come into operation on 1st June 2013.

Amendment of rule 1

2. Rule 1 of the Casino Control (Problem Gambling — Exclusion Orders) Rules 2008 (G.N. No. S 623/2008) (referred to in these Rules as the principal Rules) is amended by inserting, immediately after the words “Exclusion Orders”, the words “and Visit Limits”.

Deletion and substitution of rule 2

3. Rule 2 of the principal Rules is deleted and the following rule substituted therefor:

“Definitions

2. In these Rules, unless the context otherwise requires —

“family visit limit” means a visit limit made by a Committee under section 163A(4) of the Act and includes such a visit limit made in the respondent’s absence under section 165C of the Act;

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- “register” means the register of excluded persons and visit limited persons under rule 3;
- “respondent” has the same meaning as in section 153 of the Act;
- “secretary” means the secretary to the Council appointed under section 155(2) of the Act;
- “third party visit limit” means a visit limit made by a Committee under section 165 of the Act, and includes such a visit limit made in the respondent’s absence under section 165C of the Act;
- “visit limited person” means a person against whom a visit limit under section 163A, 165 or 165B of the Act is made;
- “voluntary visit limit” means a visit limit voluntarily applied for by an individual under section 165B of the Act.”.

Deletion and substitution of rule 3

4. Rule 3 of the principal Rules is deleted and the following rule substituted therefor:

“Register of excluded persons and visit limited persons

3. The secretary shall keep and maintain a register, in electronic or other form, containing the name and particulars of —

- (a) every person against whom a family exclusion order under section 162 or 165C of the Act is made;
- (b) every person against whom a provisional family exclusion order under section 164 of the Act is made;
- (c) every person against whom an exclusion order under section 165 or 165C of the Act is made;
- (d) every person excluded under section 165A of the Act;
and
- (e) every person against whom a visit limit under section 163A, 165 or 165B of the Act is made.”.

Amendment of rule 4**5. Rule 4 of the principal Rules is amended —**

- (a) by deleting the words “for a family exclusion order made to the Council” in paragraph (a) and substituting the words “to the Council for a family exclusion order under section 162 of the Act or for a family visit limit under section 163A of the Act”;
- (b) by inserting, immediately after paragraph (aa), the following paragraph:
 - “(aaa) records of every application to the Council for a voluntary visit limit under section 165B of the Act;”;
- (c) by deleting paragraph (ab) and substituting the following paragraph:
 - “(ab) records of every application to the Council to revoke any self-exclusion under section 165A(3) of the Act or to revoke a voluntary visit limit under section 165B(3) of the Act;”;
- (d) by inserting, immediately after the words “an exclusion order” in paragraph (ac), the words “or a visit limit”; and
- (e) by deleting paragraph (c) and substituting the following paragraphs:
 - “(c) records of every objection or appeal under rule 12 or 13, as the case may be, against an exclusion order or a third party visit limit;
 - (ca) records of every application to vary or revoke a family exclusion order or a family visit limit under rule 11 or to vary or revoke an exclusion order or a third party visit limit under rule 17; and”.

Amendment of heading to Part II

6. Part II of the principal Rules is amended by inserting, immediately after the words “FAMILY EXCLUSION ORDERS” in the Part heading, the words “AND FAMILY VISIT LIMITS”.

Deletion and substitution of rule 6

7. Rule 6 of the principal Rules is deleted and the following rule substituted therefor:

“Application for family exclusion order or family visit limit

6. An application —

- (a) for a family exclusion order under section 159 of the Act;
- (b) for a family visit limit under section 163A of the Act; or
- (c) for such a family exclusion order or for such a family visit limit made on behalf of a family member under section 160 or 161 of the Act,

may be in such form as the Council may determine.”.

New rule 6A

8. The principal Rules are amended by inserting, immediately after rule 6, the following rule:

“Withdrawal of application relating to family exclusion order or family visit limit

6A.—(1) An application —

- (a) for a family exclusion order or a family visit limit;
- (b) to set aside a family exclusion order or a family visit limit; or
- (c) for the variation or revocation of a family exclusion order or a family visit limit,

may be withdrawn by the person making the application at any time before the family exclusion order or family visit limit is made, or the family exclusion order or family visit limit is set

aside, or the family exclusion order or family visit limit is varied or revoked, as the case may be.

(2) To withdraw an application referred to in paragraph (1), the person making the application must notify in writing the secretary and every other party to the matter to which the application relates.”.

Amendment of rule 7

9. Rule 7(1) of the principal Rules is amended by deleting the words “shall hear the evidence” in sub-paragraph (b) and substituting the words “shall have regard to and consider the evidence”.

Amendment of rule 8

10. Rule 8(1) of the principal Rules is amended by inserting, immediately after the words “the family exclusion order” in sub-paragraph (f), the words “or family visit limit”.

Amendment of rule 8A

11. Rule 8A of the principal Rules is amended —

- (a) by inserting, immediately after the words “a family exclusion order” in paragraphs (1), (4) and (5), the words “or a family visit limit”;
- (b) by inserting, immediately after the words “the family exclusion order” in paragraphs (1), (3)(a) and (b) and (5), the words “or family visit limit”;
- (c) by inserting, immediately after the words “that family exclusion order” in paragraph (4), the words “or family visit limit”; and
- (d) by inserting, immediately after the words “family exclusion order” in the rule heading, the words “or family visit limit”.

Amendment of rule 9

12. Rule 9 of the principal Rules is amended —

- (a) by inserting, immediately after the words “family exclusion order” in paragraph (1), the words “or a family visit limit”;

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- (b) by deleting the words “the order” in paragraph (1) and substituting the words “that order or visit limit”;
- (c) by inserting, immediately after the words “excluded person” in paragraph (1), the words “or visit limited person who is subject to the family exclusion order or family visit limit to be varied or revoked”;
- (d) by inserting, immediately after the words “family exclusion order” in paragraph (2), the words “or family visit limit”;
- (e) by deleting sub-paragraph (a) of paragraph (3) and substituting the following sub-paragraph:
- “(a) any evidence that there is no longer a reasonable apprehension that —
- (i) the excluded person who is subject to the family exclusion order to be varied or revoked may cause serious harm to his family members because of his gambling; or
- (ii) the visit limited person who is subject to the family visit limit to be varied or revoked has engaged, or is likely to engage, in gambling activities in disregard of the needs and welfare of his family members; and”;
- (f) by inserting, immediately after the words “family exclusion order” in the rule heading, the words “or family visit limit”.

Amendment of rule 10

13. Rule 10 of the principal Rules is amended —

- (a) by inserting, immediately after the words “family exclusion order” in paragraph (1), the words “or a family visit limit”;
- (b) by deleting the words “one or both” in paragraph (1) and substituting the words “all or any”;
- (c) by inserting, immediately after the words “excluded person” in paragraph (1)(a) and (b), the words “or visit limited person

who is subject to that family exclusion order or family visit limit”;

- (d) by inserting, immediately after the words “the order” in paragraph (1)(a), the words “or visit limit”;
- (e) by deleting the full-stop at the end of sub-paragraph (b) of paragraph (1) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraph:
 - “(c) require the excluded person or visit limited person who is subject to that family exclusion order or family visit limit 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.”;
- (f) by inserting, immediately after the words “excluded person” in paragraph (2), the words “or visit limited person who is subject to a family exclusion order or a family visit limit,”; and
- (g) by inserting, immediately after the words “family exclusion order” in the rule heading, the words “or family visit limit”.

Amendment of rule 11

14. Rule 11 of the principal Rules is amended —

- (a) by inserting, immediately after the words “a family exclusion order” in paragraph (1), the words “or a family visit limit”;
- (b) by inserting, immediately after the words “that family exclusion order” in paragraph (1), the words “or family visit limit”;
- (c) by inserting, immediately after the words “excluded person” in paragraph (2)(a) and (b), the words “or visit limited person who is subject to the family exclusion order or family visit limit”;
- (d) by inserting, immediately after the words “family exclusion order” in paragraph (2)(b), the words “or family visit limit”;

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- (e) by deleting the comma at the end of sub-paragraph (b) of paragraph (2) and substituting the word “; or”, and by inserting immediately thereafter the following sub-paragraph:
- “(c) such other person as the Council considers necessary to make the decision on the application,”;
- (f) by deleting the words “inviting the excluded person or any family member,” in paragraph (2) and substituting the words “inviting the excluded person or visit limited person who is subject to the family exclusion order or family visit limit, any family member or such other person,”;
- (g) by inserting, immediately after the words “excluded person” in paragraph (3)(b), the words “or visit limited person who is subject to the family exclusion order or family visit limit so varied or revoked”;
- (h) by inserting, immediately after the words “family exclusion order” in paragraph (4), the words “or family visit limit”; and
- (i) by inserting, immediately after the words “family exclusion order” in the rule heading, the words “or family visit limit”.

Amendment of heading to Part III

15. Part III of the principal Rules is amended by inserting, immediately after the words “EXCLUSION ORDERS” in the Part heading, the words “AND THIRD PARTY VISIT LIMITS”.

Deletion and substitution of rule 12

16. Rule 12 of the principal Rules is deleted and the following rule substituted therefor:

“Notice to object to exclusion order or third party visit limit

12.—(1) Where a Committee intends to make an exclusion order or a third party visit limit against a person under section 165 of the Act, a notice shall be served on that person (referred to in this rule as the objector), allowing him an

opportunity to submit to the Committee an objection to the proposed exclusion order or third party visit limit.

(2) An objection under paragraph (1) must be submitted to the Committee by the objector —

- (a) in person at the office of the Council during such hours as the office is open for business; or
- (b) in such electronic form available at the Council's Internet website at <http://www.ncpg.org.sg> or such other location, online or otherwise, as the Council may notify from time to time,

and not later than such date and time specified in the notice, being not later than 14 days after the date of service of the notice (or such longer period as the Committee may allow in any particular case).

(3) Every objection under paragraph (1) shall set out the grounds of objection in a clear and concise manner and may be accompanied by any evidence in support of the objection, including —

- (a) the credit record of the objector;
- (b) the financial situation of the objector;
- (c) the debts of the objector and his ability to pay his debts as they fall due; or
- (d) the frequency of the objector's visit to a casino or the extent of his gambling activities in the casino.

(4) An exclusion order or a third party visit limit under section 165 of the Act may be made by a Committee in the absence of the objector if the Committee is satisfied that the objector has been served with a notice to object and failed to respond by such date and time specified in the notice, or has indicated that he does not wish to respond, and the chairman of the Committee shall make a note of that fact in the record of proceedings.

(5) A Committee may, from time to time, without requiring the attendance of any party, adjourn a hearing to a later date if the

Committee is satisfied that the notice to object has not been served on the objector or that there is any other adequate reason for the adjournment.

(6) The date fixed for any adjourned hearing must be no later than 14 days after the date on which the adjournment is ordered unless the Committee is satisfied that —

(a) a later date is required to enable the notice to object to be served; or

(b) there is any other adequate reason for fixing a later date.

(7) If a hearing is adjourned, the Committee at the adjourned hearing need not comprise the same members as the Committee which ordered the adjournment.

(8) An objection to a proposed exclusion order or a third party visit limit may be withdrawn by the person who made the objection at any time before the objection is decided.

(9) To withdraw an objection referred to in paragraph (8), the person submitting the objection must notify in writing the secretary and every other party to the matter to which the objection relates.”.

New rule 12AA

17. The principal Rules are amended by inserting, immediately after rule 12, the following rule:

“Withdrawal of application or appeal relating to exclusion order or third party visit limit

12AA.—(1) A person who —

(a) applies to set aside an exclusion order or a third party visit limit;

(b) applies for a variation or revocation of an exclusion order or a third party visit limit; or

(c) appeals against an exclusion order or a third party visit limit,

may withdraw his application or appeal at any time before the exclusion order or third party visit limit is set aside, varied or revoked, or the appeal determined, as the case may be.

(2) To withdraw an application or appeal referred to in paragraph (1), the person making the application or appeal must notify in writing the secretary and every other party to the matter to which the application or appeal relates.”.

Amendment of rule 12A

18. Rule 12A of the principal Rules is amended —

- (a) by inserting, immediately after the words “an exclusion order” in paragraphs (1), (4) and (5), the words “or a third party visit limit”;
- (b) by inserting, immediately after the words “the exclusion order” in paragraphs (1), (4) and (5), the words “or third party visit limit”;
- (c) by inserting, immediately after the words “exclusion order” in paragraph (3)(a) and (b), the words “or third party visit limit”;
- (d) by inserting, immediately after the words “that exclusion order” in paragraph (4), the words “or third party visit limit”;
- (e) by inserting, immediately after paragraph (5), the following paragraphs:

“(6) In determining an application to set aside an exclusion order or a third party visit limit, the Committee shall have regard to and consider the evidence of —

- (a) the respondent; and
- (b) such other person as the Committee may think necessary to determine the application.

(7) A Committee may, from time to time, without requiring the attendance of any party, adjourn a hearing to a later date if the Committee is satisfied that the summons to the respondent to attend the hearing has not been served or that there is any other adequate reason for the adjournment.

(8) The date fixed for an adjourned hearing must be within 7 days of the date on which the adjournment is ordered unless the Committee is satisfied that —

- (a) a later date is required to enable the respondent to be informed of the date of proceedings; or
- (b) there is any other adequate reason for fixing a later date.

(9) If a hearing is adjourned, the Committee at the adjourned hearing need not comprise the same members as the Committee which ordered the adjournment.”; and

- (f) by inserting, immediately after the words “exclusion order” in the rule heading, the words “or third party visit limit”.

Amendment of rule 13

19. Rule 13 of the principal Rules is amended —

- (a) by inserting, immediately after the words “an exclusion order” in paragraph (1), the words “or a third party visit limit”;
- (b) by inserting, immediately after the words “excluded person” in paragraph (1), the words “or visit limited person who is subject to the exclusion order or third party visit limit”;
- (c) by deleting the word “appellant” in paragraph (2)(a) and substituting the words “person who appeals against an exclusion order or a third party visit limit (referred to in this rule and rule 14 as the appellant)”;
- (d) by inserting, immediately after the words “exclusion order” in paragraph (2)(a), the words “or third party visit limit”;
- (e) by inserting, immediately after paragraph (3), the following paragraph:

“(4) An appeal shall not suspend the effect of an exclusion order or a third party visit limit.”; and
- (f) by inserting, immediately after the words “exclusion order” in the rule heading, the words “or third party visit limit”.

Amendment of rule 14

20. Rule 14 of the principal Rules is amended —

- (a) by inserting, immediately after the words “an exclusion order” in paragraph (1), the words “or a third party visit limit”;
- (b) by inserting, immediately after the words “the exclusion order” in paragraph (1), the words “or third party visit limit”;
- (c) by inserting, immediately after the words “excluded person” in paragraph (2)(b), the words “or visit limited person who is subject to the exclusion order or third party visit limit appealed against”;
- (d) by inserting, immediately after the words “excluded person” in paragraph (2)(c), the words “or visit limited person who is subject to the exclusion order or third party visit limit appealed against”;
- (e) by deleting paragraph (3) and substituting the following paragraphs:
 - “(3) An appellant cannot raise or rely on any ground of appeal, which is not stated in the notice of appeal, during the consideration of the appeal unless that person has permission from the Council to amend his notice of appeal to include that ground.
 - (4) After considering all the circumstances, the Council may confirm, vary or revoke the exclusion order or third party visit limit appealed against.”; and
- (f) by inserting, immediately after the words “exclusion order” in the rule heading, the words “or third party visit limit”.

Amendment of rule 17

21. Rule 17 of the principal Rules is amended —

- (a) by inserting, immediately after the words “an exclusion order” in paragraph (1), the words “or a third party visit limit”;

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- (b) by inserting, immediately after the words “excluded person” in paragraphs (1), (2)(b) and (3)(a), the words “or visit limited person who is subject to the exclusion order or third party visit limit,”;
 - (c) by deleting the words “section 166(1)” in paragraph (1) and substituting the words “section 166(1)(b)”;
 - (d) by inserting, immediately after the words “same exclusion order” in paragraph (2)(a), the words “or third party visit limit”;
 - (e) by inserting, immediately after the words “the exclusion order” in paragraph (3)(a), the words “or third party visit limit”;
 - (f) by inserting, immediately after the words “excluded person” in paragraph (3)(b), the words “or visit limited person, as the case may be,”; and
 - (g) by inserting, immediately after the words “exclusion order” in the rule heading, the words “or third party visit limit”.

Amendment of rule 18

22. Rule 18 of the principal Rules is amended —

- (a) by inserting, immediately after the words “an exclusion order” in paragraph (1), the words “or a third party visit limit”;
- (b) by inserting, immediately after the words “excluded person” in paragraphs (1)(a) and (b) and (2), the words “or visit limited person who is subject to the exclusion order or third party visit limit to be varied or revoked”; and
- (c) by inserting, immediately after the words “exclusion order” in the rule heading, the words “or third party visit limit”.

Amendment of rule 19

23. Rule 19 of the principal Rules is amended —

- (a) by inserting, immediately after the words “an exclusion order” in paragraph (1), the words “or a third party visit limit”;
- (b) by inserting, immediately after the words “excluded person” in paragraph (1)(b), the words “or visit limited person who is subject to the exclusion order or third party visit limit to be varied or revoked, ”;
- (c) by inserting, immediately after the words “excluded person” in paragraph (1)(c), the words “or visit limited person who is subject to the exclusion order or third party visit limit to be varied or revoked,”;
- (d) by inserting, immediately after the words “exclusion order” in paragraph (2), the words “or third party visit limit”; and
- (e) by inserting, immediately after the words “exclusion order” in the rule heading, the words “or third party visit limit”.

Amendment of heading to Part IV

24. Part IV of the principal Rules is amended by inserting, immediately after the word “SELF-EXCLUSION” in the Part heading, the words “AND VOLUNTARY VISIT LIMIT”.

Amendment of rule 20

25. Rule 20 of the principal Rules is amended —

- (a) by inserting, immediately after the words “the Act” in paragraph (1), the words “or a voluntary visit limit under section 165B(1) of the Act”;
- (b) by deleting the words “section 165A(1)(c)” in paragraph (2) and substituting the words “sections 165A(1)(c) and 165B(1)”;
- (c) by inserting, immediately after the word “self-exclusion” in paragraph (2), the words “or a voluntary visit limit”; and

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- (d) by inserting, immediately after the word “self-exclusion” in the rule heading, the words “or voluntary visit limit”.

Amendment of rule 21

26. Rule 21 of the principal Rules is amended —

- (a) by inserting, immediately after the words “section 165A(3)”, the words “or 165B(3)”;
(b) by inserting, immediately after the word “self-exclusion”, the words “or a voluntary visit limit”; and
(c) by inserting, immediately after the word “self-exclusion” in the rule heading, the words “or voluntary visit limit”.

[G.N. Nos. S 564/2009; S 683/2010; S 58/2013]

Made this 28th day of May 2013.

LIM HOCK SAN
*Chairman,
National Council on Problem
Gambling,
Singapore.*

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