

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**SINGAPORE TOTALISATOR BOARD ACT
(CHAPTER 305A)**

Act
29 of 1987

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Singapore Totalisator Board Act

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An Act to provide for the establishment of the Singapore Totalisator Board and to regulate the conduct of betting by agencies of the Board, and for matters connected therewith.

[1st January 1988]

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Singapore Totalisator Board Act.

Inter-pretation.

2. In this Act, unless the context otherwise requires —
- “approved scheme” means a scheme for the establishment and operation of totalisators and totalisator agencies for the time being approved by the Minister pursuant to section 11;
- “Board” means the Singapore Totalisator Board established by section 3;
- “horse race” includes a pony race;
- “race course” means any land used for the purpose of a race meeting;
- “race meeting” means a meeting for the purpose of horse racing;
- “totalisator” means any instrument for wagering or betting known by that name, and any other instrument, device, machine or method of a like nature and conducted on the same principles, and includes a numbers forecast totalisator paying a fixed minimum dividend;

“totalisator agency” means any totalisator agency operated in accordance with an approved scheme, and includes any premises in which totalisator investments may be received pursuant to such scheme;

“totalisator investment” means any money, currency note or cheque received for investment on the totalisator or invested pursuant to any facilities provided under an approved scheme;

“turf club” means any club, association or other body of persons (whether incorporated or unincorporated) established for the purpose of promoting, conducting and controlling the sport of horse racing.

PART II

SINGAPORE TOTALISATOR BOARD

3. There is hereby established a Board to be known as the Singapore Totalisator Board which shall be a body corporate with perpetual succession and a common seal and shall, by that name, be capable of —

Establishment and incorporation of Singapore Totalisator Board.

- (a) suing and being sued;
- (b) acquiring, owning, holding and developing or disposing of property, both movable and immovable; and
- (c) doing and suffering such other acts or things as bodies corporate may lawfully do and suffer.

4. The functions of the Board are —

Functions of Board.

- (a) to operate totalisators in accordance with any approved scheme under section 11;
- (b) to conduct equine research and establish, maintain and improve turf clubs, training centres for apprentices, jockeys, blacksmiths and others employed in connection with racing, and other places used in connection with racing;
- (c) to conduct 4 digit numbers forecast draws in accordance with any scheme which the Minister may, subject to such conditions as he may impose, authorise; and

(d) to carry on all other activities which appear to the Board requisite, advantageous or convenient for or in connection with its functions and for the improvement of racing generally in Singapore.

Powers of Board.

5.—(1) The Board shall have all such powers as may be reasonably necessary to enable it to carry out its functions.

(2) Subject to any regulations made under section 21, the Board may from time to time distribute any moneys forming part of the funds of the Board and not required by it in the exercise of its functions under section 4 for all or any of the following purposes:

- (a) public, social or charitable purposes; and
- (b) the promotion of culture, art and sport generally in Singapore.

Members of Board.

6.—(1) The Board shall consist of —

- (a) a Chairman; and
- (b) not less than 4 nor more than 6 other members as the Minister may from time to time determine.

(2) The First Schedule shall have effect with respect to the Board, its members and proceedings.

Staff.

7. The Board may from time to time appoint such officers, employees and agents as it thinks fit for the effective performance of its functions on such terms and conditions as it may determine.

Bank accounts and application of revenue.

8.—(1) The Board shall open and maintain an account or accounts with such bank or banks as the Board thinks fit; and every such account shall be operated by such person or persons as may from time to time be authorised in that behalf by the Board.

(2) The moneys of the Board shall be applied only in payment or discharge of the expenses, obligations and liabilities of the Board and in making any payments that the Board is authorised or required to make.

Investments.

9. Moneys belonging to the Board may, with the approval of the Minister, be invested in such securities as trustees may by any written law be authorised to invest.

10. The financial provisions set out in the Second Schedule shall have effect with respect to the Board. Financial provisions.

PART III

TOTALISATORS AND TOTALISATOR AGENCIES

11.—(1) The Board shall submit to the Minister for his approval a scheme for the establishment and operation of totalisators and totalisator agencies in respect of race meetings. Approval of totalisator agency scheme.

(2) Any scheme under this section may provide for —

- (a) the administration of the scheme, and for the establishment, maintenance and operation of totalisators and totalisator agencies and for the carrying out of the functions of the Board under the scheme;
- (b) the receiving at totalisators and totalisator agencies of totalisator investments in respect of horse races, the credit facilities in respect of such investments, the manner in which the investments may be made and the times at which and the conditions upon or subject to which the investments may be made and received;
- (c) the payment at or from totalisators and totalisator agencies of dividends payable in respect of totalisator investments received and the times at which and the manner in which the dividends may be paid;
- (d) the method of calculation of the dividends payable as aforesaid out of moneys received as totalisator investments;
- (e) the method of accounting as between the Board, turf club and totalisator agencies in respect of investments, dividends and commission; or
- (f) such other matters as may be necessary for the proper operations and control of totalisators and totalisator agencies, or for the operation of the scheme.

(3) The Board may from time to time submit to the Minister for his approval any variation of any scheme or any part thereof for the time being in force under this section,

or any new scheme in substitution for any such scheme as aforesaid.

(4) No scheme or any part thereof, and no variation of any such scheme or part thereof, shall come into force until approved in writing by the Minister.

(5) Every approved scheme and any variation thereof shall be published in the *Gazette*.

(6) The Minister may by order notified in the *Gazette* suspend or revoke any approved scheme or variation of any approved scheme, or any part thereof, and any such suspension or revocation shall have the effect of a repeal of such scheme or part thereof, as the case may be.

Calculation
of dividend.

12. 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 to pay out by way of dividend all moneys received from investments on the totalisator after deducting —

Cap. 22.

(a) the amount of any duty charged under the Betting and Sweepstake Duties Act; and

(b) by way of commission 10%, or such other amount (whether greater or lesser than 10%) as may be prescribed by any regulations made under section 21, of all such moneys:

Provided that —

(i) it shall not be necessary to pay out fractions of a dollar;

(ii) any investment on any horse which is scratched or otherwise withdrawn in accordance with the rules of racing applied by any approved scheme shall be refunded without deduction of such duty and commission.

Proportion of
deduction
from
investment
to belong
to Board.

13. The sums deducted by way of commission in accordance with section 12(b), together with any fractional money arising pursuant to the operation of paragraph (i) of the proviso to section 12, shall be deemed for all purposes to belong to and form part of the general funds of the Board and may be apportioned between the Board and the turf club in such proportion and in such manner as may be approved by the Minister under an approved scheme.

PART IV

MISCELLANEOUS

14.—(1) A turf club may admit members of the public to any race course or premises under the control or supervision of the club or of any one or more of the officers of such club on payment of an admission fee.

Admission
to race
courses.

(2) Where an admission fee is charged under subsection (1), such admission fee shall be subject to the payment of duty under the Entertainments Duty Act.

Cap. 94.

(3) A turf club may from time to time, with the approval of the Minister, make by-laws controlling the admission of persons to any race course or premises used or occupied by such club for race meetings or for the placing of investments on the totalisator.

(4) Any by-laws made under this section may provide for the exclusion from a race course or such premises of any specified class or description of persons, either absolutely or subject to such conditions as may be prescribed by such by-laws.

(5) This section —

(a) shall be applicable to any race course notwithstanding the fact that it is or forms part of a reserve or other place in respect of which there exists a right of public use or entry;

(b) shall not be deemed to limit the power of any club to exclude or remove any person from any race course occupied by the club and which is free from such right of public use or entry.

(6) Any person who commits a breach of any by-law made under this section may be removed from the race course by any member, officer, agent or employee of the turf club by which the by-law was made, or by any police officer.

(7) All by-laws made under this section shall be published in the *Gazette*, and the cost of such publication shall be borne by the turf club by which the by-laws were made.

Authority of totalisator operations and investments in accordance with approved scheme.

15.—(1) Notwithstanding the provisions of any other written law to the contrary, it shall be lawful for —

- (a) totalisator investments in respect of horse races to be lodged and received, and for dividends to be paid in respect of such investments, in accordance with an approved scheme; and
- (b) any person of or above the age of 18 years to buy a ticket or chance or take part in any totalisator operated in accordance with an approved scheme, notwithstanding that he is not a member of a turf club.

(2) Where any totalisator is operated in accordance with an approved scheme, no person shall be liable in respect of the use of the totalisator to any penalty or forfeiture under the Common Gaming Houses Act or the Betting Act or any other written law for the time being in force relating to gaming, betting or lotteries.

Cap. 49
Cap. 21.

Certain advertisements relating to totalisator agencies not unlawful.

16.—(1) Notwithstanding anything in any written law, it shall not be an offence for any person —

- (a) to exhibit the name of any totalisator agency on any premises in which the agency is situated;
- (b) to publish in any newspaper, by or on behalf of the Board, any advertisement setting out any list of totalisator agencies, the name, address, hours of business and any telephone number of any totalisator agency, any rules, terms or conditions upon or subject to which totalisator investments may be received at any such agency, or the name of any race meeting in respect of which totalisator investments may for the time being be received at any such agency; or
- (c) to exhibit inside any totalisator agency any notice relating to any of the matters referred to in paragraph (b).

(2) Nothing in subsection (1) shall be construed to authorise the exhibition or publication of any matter intended to induce any person to make any totalisator investment.

Exemption from Betting Act.

17. The Board and any officer, agent or employee of the Board or of any turf club while engaged in the lawful conduct of any totalisator or totalisator agency in

accordance with an approved scheme shall be exempted from the provisions of the Betting Act.

Cap. 21.

18. 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 who —

Investment on totalisator after time of race prohibited.

- (a) receives or permits to be received any investment on the totalisator in respect of any race after the start of the race;
- (b) registers on the totalisator after the start of any race any moneys received for investment in respect of that race;
- (c) takes into account in the calculation or payment of any dividend any investment which has not been publicly registered on the totalisator in accordance with this section;
- (d) receives or permits to be received any investment on the totalisator elsewhere than at the totalisator itself; or
- (e) makes, authorises or permits the payment to any person of any dividend which is not calculated in accordance with section 12,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

19. Any police officer may arrest without warrant any person who he has reason to believe has committed an offence under section 17 or 18.

Power of arrest.

20. A police officer not below the rank of inspector may at any time enter for the purpose of inspection any premises in which any totalisator or totalisator agency is operated, and may during such inspection examine any books, accounts, records or other documents, or any machine or equipment, for the time being used in the operation of the totalisator or agency, and seize any such books, accounts, records, documents, machine or equipment which he has reasonable cause to believe to be evidence of the commission of any offence under this Act, and may demand from any person for the time being having the care and management of the totalisator or agency or any part thereof any

Inspection of totalisators and totalisator agencies.

information that he considers necessary for the purpose of the inspection.

Power
to make
regulations.

21. The Minister may from time to time make such regulations as he may consider necessary or expedient to give effect to the provisions of this Act and for the due administration thereof.

Property of
Singapore
Turf Club
to be held
on trust
for Board.
Cap. 311.

22.—(1) The following property and funds of the Singapore Turf Club, a society registered under the Societies Act, shall with effect from 9th November 1987 be deemed to be held by the Club on trust for the purposes of the Board and the Board may at any time require the Club to transfer to the Board any such property or funds for those purposes:

- (a) all immovable property owned by the Club on that date; and
- (b) all funds and investments belonging to the Club on that date.

(2) If any question arises as to whether any particular property, fund or investment is held on trust for the Board, the matter shall be determined by the Minister and a certificate under the hand of the Minister shall be conclusive evidence of the matter certified therein.

(3) The Board may grant to the Singapore Turf Club out of the funds deemed to be held by the Club on trust for the Board such sums of money as the Board may determine to enable the Club to meet the expenses of carrying out its operations and to maintain or improve its facilities and for such other purpose as the Board thinks fit.

S 349/87.

(4) Notwithstanding subsection (1), the Singapore Turf Club may, from 9th November 1987 to 1st January 1988, apply any funds deemed to be held by the Club on trust for the Board for such purposes as may be approved by the Minister for Finance.

FIRST SCHEDULE

Section 6(2).

CONSTITUTION AND PROCEEDINGS OF BOARD

1. The Chairman and other members shall be appointed by the Minister. Appointment of Chairman and other members.
2. A member shall hold office on such conditions and for such term, as the Minister may determine, and shall be eligible for reappointment. Tenure of office of members.
3. The Minister may appoint any person to be a temporary member of the Board during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of any member. Temporary members.
4. The Minister may appoint any member to be a temporary Chairman during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of the Chairman. Temporary Chairman.
5. The Minister may, at any time, revoke the appointment of the Chairman or any member without assigning any reason. Revocation of appointment.
6. Any member may resign from his appointment at any time by giving notice in writing to the Minister. Resignation.
7. The Chairman may, by instrument in writing, authorise any member to exercise any power or perform any function conferred on the Chairman by or under this Act. Chairman may delegate functions.
8. The office of a member shall be vacated if he — Vacation of office.
 - (a) has been absent, without leave of the Board, from 3 consecutive meetings of the Board; or
 - (b) becomes in any manner disqualified for membership of the Board.
9. If a member resigns, dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, the Minister may appoint a person to fill the vacancy for the residue of the term for which the vacating member was appointed. Filling of vacancies.
10. No person shall be appointed or shall continue to hold office as a member if he — Disqualification from membership.
 - (a) is an undischarged bankrupt or has made any arrangement with his creditors; or
 - (b) has been sentenced to imprisonment for a term of not less than 6 months and has not received a free pardon.
- 11.—(1) A member of the Board who is in any way directly or indirectly interested in a transaction or project of the Board shall disclose the nature of his interest at a meeting of the Board; and the disclosure shall be recorded in the minutes of the Board and the member shall not take part in any deliberation of the Board with respect to that transaction or project. Disclosure of interest by members.

FIRST SCHEDULE — *continued*

(2) For the purpose of determining whether there is a quorum, a member shall be treated as being present at a meeting notwithstanding that under sub-paragraph (1) he cannot vote or has withdrawn from the meeting.

Fees, etc., payable to members of Board.

12. There shall be paid to the Chairman and other members, out of the funds of the Board, such fees and allowances as the Minister may from time to time determine.

Meetings of Board.

13.—(1) The Board shall meet for the despatch of business at such times and places as the Chairman may from time to time appoint.

(2) At every meeting of the Board, 3 members shall form a quorum.

(3) A decision at a meeting of the Board shall be adopted by a simple majority of the members present and voting except that in the case of an equality of votes the Chairman or member presiding shall have a casting vote in addition to his original vote.

(4) The Chairman or in his absence the temporary Chairman shall preside at meetings of the Board.

(5) Where both the Chairman and the temporary Chairman are absent at a meeting, such member as the members present may elect shall preside at that meeting.

(6) Where not less than 3 members of the Board request the Chairman by notice in writing signed by them to convene a meeting of the Board for any purpose specified in the notice, the Chairman shall, within 7 days from the receipt of the notice, convene a meeting for that purpose.

Vacancies.

14. The Board may act notwithstanding any vacancy in its membership.

Procedure at meetings.

15. Subject to the provisions of this Act, the Board may make rules to regulate its own procedure generally, and in particular, regarding the holding and proceedings of meetings, the notice to be given of such meetings, the keeping of minutes and the custody, production and inspection of such minutes.

Validity of proceedings.

16. The validity of any proceedings of the Board shall not be affected by any defect in the appointment of any member or by any contravention of paragraph 10 by any member.

SECOND SCHEDULE

Section 10.

FINANCIAL PROVISIONS

1. The financial year of the Board shall begin on 1st April of each year and end on 31st March of the succeeding year.

2. The Board shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that all payments out of its moneys are correctly made and properly authorised and that adequate control is maintained over the assets of, or in custody of, the Board and over the expenditure incurred by the Board.

3.—(1) The accounts of the Board shall be audited by the Auditor-General or such other auditor as may be appointed annually by the Minister in consultation with the Auditor-General.

(2) A person shall not be qualified for appointment as an auditor under sub-paragraph (1) unless he is an approved company auditor under the Companies Act.

Cap. 50.

4. The remuneration of the auditor shall be paid out of the funds of the Board.

5. The Board shall, as soon as practicable after the close of each financial year, prepare and submit the financial statements in respect of that year to the auditor who shall audit and report on them.

6. The auditor shall in his report state —

- (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Board;
- (b) whether proper accounting and other records have been kept, including records of all assets of the Board whether purchased, donated or otherwise;
- (c) whether the receipts, expenditure, investment of moneys, and the acquisition and disposal of assets by the Board during the financial year have been in accordance with this Act; and
- (d) such other matters arising from the audit as he considers should be reported.

7. The auditor may at any other time report to the Minister through the Board upon any matter arising out of the performance of his audit.

8. The auditor or any person authorised by him is entitled at all reasonable times to full and free access to all accounting and other records relating directly or indirectly to the financial transactions of the Board.

9. The auditor or a person authorised by him may make copies of or extracts from any such accounting and other records.

SECOND SCHEDULE — *continued*

10. The auditor may require any person to furnish him with such information in the possession of that person or to which that person has access as the auditor considers necessary for the purposes of his functions under this Act.

11. Any person who fails without any reasonable cause to comply with any requirement of the auditor under paragraph 10 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

12. As soon as the accounts of the Board and the financial statements have been audited in accordance with the provisions of this Act, a copy of the audited financial statements signed by the Chairman, together with a copy of any report made by the auditor, shall be submitted to the Minister.

13. Where the Auditor-General is not the auditor of the Board, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General at the same time they are submitted to the Board.

14. The Minister shall as soon as practicable cause a copy of the audited financial statements and of the auditor's report to be presented to Parliament.