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CASINO CONTROL ACT (CHAPTER 33A)

CASINO CONTROL (PROBLEM GAMBLING — EXCLUSION ORDERS) (AMENDMENT) RULES 2013

In exercise of the powers conferred by sections 165C(3) and 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) Rules 2013 and shall come into operation on 31st January 2013.

Amendment of rule 3

2. Rule 3 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 “a family exclusion order” in paragraph (a), the words “, a provisional family exclusion order”.

Amendment of rule 4

3. Rule 4 of the principal Rules is amended —

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

“(ab) records of every application to the Council for revocation of self-exclusion by any person;” and

(b) by inserting, immediately after paragraph (ac), the following paragraph:

“(ad) records of every application to set aside any family exclusion order or exclusion order under section 165C(3) of the Act;”.

Amendment of rule 7

4. The principal Rules are amended by renumbering rule 7 as paragraph (1) of that rule, and by inserting immediately thereafter the following paragraphs:

“(2) 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 other adequate reason for the adjournment.

(3) The date fixed for an adjourned hearing must be within 28 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 summons to be served; or

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

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

Amendment of rule 8

5. Rule 8(1) of the principal Rules is amended by inserting, immediately after the words “if any” in sub-paragraph (f), the words “, and any provisional family exclusion order made”.

New rule 8A

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

“Application for setting aside of family exclusion order made in respondent’s absence

8A.—(1) An application to set aside a family exclusion order under section 165C(3) of the Act may be made by the respondent in such form as the Council may determine, not later than 30 days after the respondent is notified of the family exclusion order made against him in his absence.

(2) An application under paragraph (1) must be submitted to the Council by the respondent in person at the office of the Council during such hours as the office is open for business or at such other locations as the Council may determine.

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

- (a) an explanation for the respondent’s absence at the hearing of the application for the family exclusion order; and
- (b) any evidence or information which the respondent considers necessary in support of his application to set aside the family exclusion order.

(4) Upon the submission of any application under paragraph (1) in respect of a family exclusion order, any application for the variation or revocation of that family exclusion order made under regulation 9 shall be stayed pending the determination of the application under paragraph (1).

(5) The Committee, in any proceedings to set aside the family exclusion order, may exercise the powers under section 158(4) of the Act in the same manner as if the proceedings were for a determination of a family exclusion order under that section.”.

Amendment of rule 9

7. Rule 9(1) of the principal Rules is amended by deleting the words “section 166(1)” and substituting the words “section 166(1)(a)”.

Amendment of rule 10**8. Rule 10 of the principal Rules is amended —**

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

“(1) For the purposes of determining whether permission for an application for variation or revocation of a family exclusion order is to be granted under section 166(2) of the Act, the Council may, in addition to considering the matters referred to in section 166(2A) of the Act, do one or both of the following:

(a) appoint an officer of the Council to conduct an interview with the excluded person and any family member for whose benefit the order was made, and to report his findings to the Council;

(b) require the excluded person to participate in a programme of counselling, rehabilitation or special education.”;

(b) by deleting the words “paragraph (1)” in paragraph (2) and substituting the words “paragraph (1)(a)”; and

(c) by inserting, immediately after the word “revocation” in the rule heading, the words “of family exclusion order”.

New rule 12A

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

“Application for setting aside of exclusion order made in respondent’s absence

12A.—(1) An application to set aside an exclusion order under section 165C(3) of the Act may be made by the respondent in such form as the Council may determine, not later than 7 days after the respondent is notified of the exclusion order made against him in his absence.

(2) An application under paragraph (1) must be submitted to the Council by the respondent in person at the office of the Council during such hours as the office is open for business or at such other locations as the Council may determine.

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

- (a) an explanation for the respondent's failure to respond to a notice to object to the proposed exclusion order; and
- (b) any evidence or information which the respondent considers necessary in support of his application to set aside the exclusion order.

(4) Upon the submission of any application under paragraph (1) in respect of an exclusion order, any appeal against that exclusion order under regulation 13 or application for the variation or revocation of the exclusion order made under regulation 17 shall be stayed pending the determination of the application under paragraph (1).

(5) The Committee, in any proceedings to set aside the exclusion order, may exercise the powers under section 165(2A) of the Act in the same manner as if the proceedings were for a determination of an exclusion order under that section.”

Deletion of rules 15 and 16

10. Rules 15 and 16 of the principal Rules are deleted.

Amendment of rule 17

11. Rule 17 of the principal Rules is amended —

- (a) by inserting, immediately after the word “variation” in paragraph (1), the words “or revocation”;
- (b) by deleting the word “or” at the end of paragraph (2)(a) and substituting the word “and”;

(c) by deleting sub-paragraph (b) of paragraph (2) and substituting the following sub-paragraph:

“(b) in the case of an application for revocation, whilst the excluded person still falls within the circumstances described in section 165(1) of the Act.”;

(d) by deleting paragraph (3) and substituting the following paragraph:

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

(a) any evidence that the excluded person does not fall within the circumstances described in section 165(1) of the Act for the making of the exclusion order; or

(b) such relevant testimonials, references and other information as the excluded person considers necessary in support of his application.”; and

(e) by inserting, immediately after the word “variation” in the rule heading, the words “or revocation”.

Amendment of rule 18

12. Rule 18 of the principal Rules is amended —

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

“(1) For the purposes of determining whether permission for an application for variation or revocation of an exclusion order is to be granted under section 166(2) of the Act, the Council may, in addition to considering the matters referred to in section 166(2A) of the Act, do one or both of the following:

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- (a) appoint an officer of the Council to conduct an interview with the excluded person, and to report his findings to the Council;
 - (b) require the excluded person to participate in a programme of counselling, rehabilitation or special education.”;
- (b) by deleting the words “paragraph (1)” in paragraph (2) and substituting the words “paragraph (1)(a)”; and
- (c) by inserting, immediately after the word “variation” in the rule heading, the words “or revocation of exclusion order”.

Amendment of rule 19

13. Rule 19 of the principal Rules is amended —

- (a) by inserting, immediately after the words “for the application for variation” in paragraph (1), the words “or revocation”;
- (b) by inserting, immediately after the words “considering the application for variation” in paragraph (1), the words “or revocation”; and
- (c) by inserting, immediately after the word “variation” in the rule heading, the words “or revocation”.

Deletion and substitution of rule 21

14. Rule 21 of the principal Rules is deleted and the following rule substituted therefor:

“Application to revoke self-exclusion

21. An application under section 165A(3) of the Act to revoke self-exclusion —

- (a) may be made using such form as the Council may provide in hard copy or electronic form; and
- (b) shall be submitted to the Council in person at the office of the Council during such hours as the office is

open for business or at such other locations as the Council may determine.”.

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

Made this 25th day of January 2013.

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

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