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CASINO CONTROL ACT
(CHAPTER 33A)

CASINO CONTROL
(CASINO MARKETING ARRANGEMENTS)
REGULATIONS 2013

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In exercise of the powers conferred by sections 110B and 200 of the Casino Control Act, the Casino Regulatory Authority of Singapore, with the approval of the Minister for Home Affairs, hereby makes the following Regulations:

PART I
PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Casino Control (Casino Marketing Arrangements) Regulations 2013 and shall come into operation on 31st January 2013.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“application” means an application for an international market agent licence or an international market agent representative licence, and “applicant” shall be construed accordingly;

“endorsement”, in relation to an international market agent, means an endorsement by a casino operator of the international market agent, in accordance with the requirements in regulation 7(1)(d);

“international market agreement” means a contract or other arrangement between a casino operator and a licensed international market agent that relates to the conduct of a casino marketing arrangement by that international market agent;

“international player” means a person who games in a casino as a result of his participation in a casino marketing arrangement;

“international market licensee” means the holder of an international market agent licence or international market agent representative licence;

“net win” has the same meaning as in section 146(6) of the Act;

“relevant financial interest”, in relation to a business, means —

- (a) any share in the capital of the business;
- (b) any entitlement to receive any income derived from the business; or
- (c) any contribution to the capital of the business, whether by a loan or otherwise;

“relevant position”, in relation to a business, means the position of director or manager, or other executive position, however that position is designated;

“relevant power” means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others —

- (a) to participate in any directorial, managerial or executive decision; or
- (b) to elect or appoint any person to any relevant position.

(2) In these Regulations, a person is an “associate” of a licensed international market agent or an applicant for an international market agent licence if the person is, in the opinion of the Authority, able or will be able to exercise a significant influence over or with respect to the management or operation of the business of the licensed international market agent or the applicant relating to the grant of an international market agent licence.

(3) In determining whether a person is able or will be able to exercise the significant influence referred to in paragraph (2), the Authority may consider all or any of the following:

- (a) whether the person holds or will hold any relevant financial interest in the business of the licensed international market agent or the applicant relating to the grant of an international market agent licence;
- (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 business of the licensed international market agent or the applicant relating to the grant of an international market agent licence;

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- (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 business of the licensed international market agent or the applicant relating to the grant of an international market agent licence;
 - (d) the degree of direct or indirect influence that the person has in the management or operation of the business of the licensed international market agent or the applicant relating to the grant of an international market agent licence;
 - (e) any other matter that the Authority considers relevant.

Prescribed form of payment or rebate for casino marketing arrangements

3. Any form of payment or rebate, monetary or otherwise, referred to in paragraph (c) of the definition of “casino marketing arrangement” in section 2(1) of the Act, shall be that as is specified in the First Schedule.

Persons required to hold international market agent licence or international market agent representative licence

4.—(1) For the purposes of section 110A(1) of the Act —

- (a) no body corporate shall organise, promote or conduct a casino marketing arrangement in or with respect to any casino unless it holds an international market agent licence from the Authority authorising it to do so in or with respect to that casino; and
- (b) no individual shall organise, promote or conduct a casino marketing arrangement in or with respect to any casino unless he holds —
 - (i) an international market agent representative licence from the Authority authorising him to do so in or with respect to that casino, if he is employed by a licensed international market agent as its international market agent representative; or

- (ii) an international market agent licence from the Authority authorising him to do so in or with respect to that casino, if he is acting on his own behalf or if he employs any international market agent representative to do so.

(2) Paragraph (1) shall not apply to —

- (a) any licensed special employee who organises or promotes a casino marketing arrangement in the performance of his duties;
- (b) any person who receives a commission or other payment from a casino operator, or the person in charge of a casino, based solely on the price of the transportation or lodging arranged for by the first-mentioned person; or
- (c) any person whose commission or other payment from a casino operator, or the person in charge of a casino, is a fixed amount or a fixed rate that is —
 - (i) not based on the net win of the casino operator attributable to the players introduced by the first-mentioned person; and
 - (ii) not otherwise calculated by reference to such net win, provided that the aggregate value of such commission or other payment received in relation to a single casino does not exceed \$100,000 in a calendar year or any part thereof during which the first-mentioned person does not hold an international market agent licence.

Casino operator to provide information relating to unlicensed persons being paid commission

5. A casino operator must prepare and submit to the Authority, on such date as may be specified by the Authority, a monthly report of the commission or other payment paid by the casino operator, or the person in charge of the casino, to any unlicensed person referred to in regulation 4(2)(b) or (c).

Duty of casino operator in relation to unlicensed persons

6. A casino operator shall not allow a person —
- (a) who is not a licensed international market agent endorsed by it or a licensed international market agent representative employed by a licensed international market agent endorsed by it;
 - (b) who is not a person referred to in regulation 4(2); or
 - (c) who is suspended under section 110C of the Act, or regulation 39 or 42,

to perform any function in relation to organising, promoting or conducting a casino marketing arrangement within its casino premises.

PART II**APPLICATION FOR INTERNATIONAL
MARKET AGENT LICENCE OR INTERNATIONAL
MARKET AGENT REPRESENTATIVE LICENCE****Application for international market agent licence**

7.—(1) An application for an international market agent licence shall be made to the Authority in such form and manner as the Authority may provide and shall be accompanied by —

- (a) the appropriate application fee specified in the Second Schedule, which fee is not refundable;
- (b) the disclosure of corporate or individual information in the form provided by the Authority for the applicant for the international market agent licence and such associates of that applicant as the Authority may specify;
- (c) documentary evidence from any casino operator or applicant for a casino licence that it intends to enter into an international market agreement with the applicant for the international market agent licence;
- (d) an endorsement of the applicant for the international market agent licence in such form as the Authority may require, by

each casino operator (or applicant for a casino licence) with which the applicant for the international market agent licence intends to enter into an international market agreement —

- (i) stating that, having regard to the suitability of the applicant for the international market agent licence, the casino operator (or applicant for a casino licence) is satisfied that entering into an international market agreement with the applicant for the international market agent licence will not affect the credibility, integrity and stability of its casino operations; and
- (ii) accompanied by a due diligence report on the applicant for the international market agent licence by the casino operator (or applicant for a casino licence); and

(e) such other documents as the Authority may require to determine the application.

(2) The Authority may refuse to consider an application under paragraph (1) if —

- (a) the application is incomplete; or
- (b) the application fee or the estimated costs of investigation required under regulation 12 are not paid.

(3) Where any application for an international market agent licence, received and considered by the Authority before the date of publication of the notice referred to in regulation 13(3)(a), is refused on the ground stated in regulation 13(2), the Authority shall refund the costs of investigation paid in respect of the application under paragraph (1), and any application made under regulation 8(1), without interest to the applicant.

Application for international market agent representative licence

8.—(1) An application for an international market agent representative licence shall be made to the Authority by a licensed international market agent (or an applicant for an international market

agent licence) on behalf of any person he or it intends to employ to organise, promote or conduct a casino marketing arrangement on his or its behalf.

(2) Every application under paragraph (1) shall be submitted using the relevant application form issued by the Authority and shall be accompanied by —

- (a) the appropriate application fee specified in the Second Schedule, which fee is not refundable;
- (b) the disclosure of the individual information of the applicant for the international market agent representative licence in the form provided by the Authority; and
- (c) such other documents as the Authority may require to determine the application.

(3) The Authority may refuse to consider an application under paragraph (1) if —

- (a) the application is incomplete; or
- (b) the application fee or the estimated costs of investigation required under regulation 12 are not paid.

Eligibility to apply for or to hold international market agent licence or international market agent representative licence

9.—(1) A person shall not be eligible to apply for or to hold an international market agent licence or international market agent representative licence, if —

- (a) in the case of an individual —
 - (i) he is below the age of 21 years;
 - (ii) he is subject to an exclusion order under section 120, 121 or 122 of the Act;
 - (iii) he is subject to a family exclusion order, provisional family exclusion order or exclusion order under Part X of the Act or is excluded under section 165A of the Act from entering or remaining, or taking part in any gaming, on any casino premises; or

(iv) he is an undischarged bankrupt, whether in Singapore or elsewhere; and

(b) in the case of a body corporate —

(i) it has been declared insolvent by a court, whether in Singapore or elsewhere; or

(ii) winding up proceedings against it have commenced or it has gone into liquidation or receivership, whether in Singapore or elsewhere.

(2) Where a licensed international market agent or licensed international market agent representative becomes ineligible to hold the licence under paragraph (1), the licence shall lapse.

(3) Where a licence lapses under paragraph (2), the person who held the licence shall, within 14 days after the date on which the licence lapses, notify the Authority in writing of the lapsing of the licence and shall return the licence to the Authority.

(4) Any person who, without reasonable excuse, fails to comply with paragraph (3) 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 6 months or to both.

Investigation of application

10.—(1) On receiving an application for an international market agent licence or international market agent representative licence, the Authority shall cause to be carried out all such investigations and inquiries as it considers necessary to enable it to consider the application properly.

(2) In particular, the Authority or an authorised person may —

(a) investigate all or any of the following persons:

(i) the applicant, in relation to the person's suitability to be a licensed international market agent or licensed international market agent representative, as the case may be;

(ii) any person who may be an associate of the applicant, in relation to the person's suitability to be associated

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- with a licensed international market agent or licensed international market agent representative;
- (iii) any person who has a business association with the applicant or is an associate of the applicant, which is, in the opinion of the Authority, relevant to the application;
 - (iv) any other person who is associated or connected with the ownership, administration or management of the operations or business of the applicant;
- (b) require the applicant or any person referred to in sub-paragraph (a) —
- (i) to provide such information or produce such records relevant to the investigation of the application as may be specified by a notice in writing issued by the Authority, and permit the Authority or an authorised person to examine the records, take extracts from them and make copies of them; and
 - (ii) to furnish such authorisations or consents as the Authority or authorised person may direct for the purpose of enabling the Authority or authorised person to obtain information (including financial and other confidential information) concerning the applicant or person and his or its associates from other persons;
- (c) require the applicant or any person referred to in sub-paragraph (a) to consent to having his photograph, fingerprints and palm prints taken; and
- (d) send a copy of the application and of any such photograph, fingerprints and palm prints taken under sub-paragraph (c) and any supporting documentation to the Commissioner of Police.
- (3) The Commissioner of Police or any police officer authorised by the Commissioner shall inquire into and report to the Authority on such matters concerning the application as the Authority requests.

(4) The Authority may refuse to consider an application for a licence if —

- (a) the applicant or any other person refuses to allow the investigation or fails to comply with any requirement of the Authority under this regulation in respect of that application; or
- (b) the applicant or any other person from whom the Authority requires a photograph, fingerprints or palm prints under this regulation refuses to allow his photograph, fingerprints or palm prints to be taken.

Change of particulars of application

11.—(1) If a change occurs in the information provided in or in connection with an application for an international market agent licence or international market agent representative licence (including in any document lodged with the application) before the application is granted or refused, the applicant must without delay give the Authority written particulars of the change.

(2) If the Authority or an authorised person requires information under regulation 10 from a person whose association with the applicant is in the opinion of the Authority relevant to the application, and a change occurs in that information before the application is granted or refused, that person must without delay give the Authority written particulars of the change.

(3) Any person who fails to comply with paragraph (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

(4) When particulars of the change are given, those particulars shall be considered to have formed part of the original application for the purposes of the application of paragraph (1) or (2) to any further change in the information provided.

Costs of investigation of applications to be borne by international market agent

12.—(1) The costs of investigation in relation to each application for, or renewal of —

- (a) an international market agent licence; or
- (b) an international market agent representative licence,

shall be borne by the international market agent making the application, whether the application is made on his or its own behalf or on behalf of an international market agent representative he or it intends to employ.

(2) The Authority may, from time to time, give a written notice to the international market agent making the application of the estimated costs of investigation and require the international market agent to pay such estimated costs to the Authority within such period as may be specified in the notice.

(3) At the conclusion of the investigation into the application or if the application is withdrawn, the Authority shall certify the actual costs of the investigation, and shall —

- (a) where the actual costs of investigation are lower than the amount paid under paragraph (2), refund the excess without interest to the international market agent; or
- (b) where the actual costs of investigation are higher than the amount paid under paragraph (2), by a written notice, require the international market agent to reimburse the Authority the excess within such period as may be specified in the notice.

(4) The certificate of the Authority stating the actual costs of the investigation under paragraph (3) shall be conclusive evidence of such amount.

Matters to be considered in determining applications for international market agent

13.—(1) The Authority shall consider whether to grant an application for an international market agent licence, having regard to the information before it, including the following matters:

- (a) whether there is any information that the applicant or any associate of the applicant is not of good repute, having regard to character, honesty and integrity;

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- (b) whether there is any information that the applicant or any associate of the applicant is not financially sound and stable;
 - (c) in the case of an applicant that is not a natural person, whether the applicant has, or has arranged, a satisfactory ownership, trust or corporate structure;
 - (d) whether the applicant has or is able to obtain financial resources that are adequate to ensure the financial viability of the proposed international market agent, and whether the applicant has sufficient experience in the management and operation of a casino marketing arrangement or is able to obtain the services of persons who have sufficient experience in the management and operation of a casino marketing arrangement;
 - (e) whether the applicant or any associate of the applicant has any business association with any person, body or association who or which, in the opinion of the Authority, is not of good repute having regard to character, honesty and integrity or has undesirable or unsatisfactory financial resources;
 - (f) whether there is any information that any director, partner, trustee, executive officer or any other officer or person determined by the Authority to be associated or connected with the ownership, administration or management of the operations or business of the applicant is not a suitable person to act in that capacity;
 - (g) whether the applicant or any associate of the applicant has any undesirable or unsatisfactory financial resources;
 - (h) whether the applicant or any associate of the applicant has any record of non-compliance with legal and regulatory requirements applicable to him or it, whether in relation to casino gaming or otherwise and whether in Singapore or elsewhere.
- (2) For the purposes of section 110B(2) of the Act, the Authority shall not grant an international market agent licence to an applicant

with respect to a casino unless the Authority is satisfied that the grant of such a licence does not result in the total number of international market agent licences in force exceeding such maximum number of international market agent licences as the Authority has, in the public interest, determined for that casino.

(3) If the Authority determines that the maximum number of international market agent licences with respect to any casino is attained, the Authority shall —

(a) publish a notice on the official website of the Authority at <http://www.cra.gov.sg> to that effect, which notice shall remain on the website until it is cancelled; and

(b) notify the affected casino operator of its determination.

(4) The Authority shall determine the application by either issuing an international market agent licence to the applicant or refusing the application, and shall notify the applicant in writing accordingly.

(5) The Authority is not required to give reasons for its decision but may give reasons if it thinks fit.

Matters to be considered in determining applications for international market agent representative

14.—(1) The Authority shall consider whether to grant an application for an international market agent representative licence, having regard to the information before it, including the following matters:

(a) the integrity, responsibility, personal background and financial stability of the applicant;

(b) the general reputation of the applicant having regard to character, honesty and integrity;

(c) whether the applicant has any business association with any person, body or association who or which, in the opinion of the Authority, is not of good repute having regard to character, honesty and integrity or has undesirable or unsatisfactory financial resources;

(d) whether the applicant has any record of non-compliance with legal and regulatory requirements applicable to him, whether in relation to casino gaming or otherwise and whether in Singapore or elsewhere.

(2) The Authority shall determine the application by either issuing an international market agent representative licence to the applicant or refusing the application, and shall notify the applicant in writing accordingly.

(3) The Authority is not required to give reasons for its decision but may give reasons if it thinks fit.

Grant of licence may be subject to conditions

15.—(1) An international market agent licence or international market agent representative licence may be granted subject to such conditions as the Authority may impose from time to time.

(2) An international market agent licence or international market agent representative licence granted under paragraph (1) shall only be valid in and with respect to any casino of which the casino operator has given its endorsement of the international market agent, or the international market agent employing the international market agent representative, as the case may be.

(3) A condition of a licence may be amended or revoked by the Authority, whether on its own motion or on the application of the licensed international market agent or licensed international market agent representative.

(4) The Authority shall allow the licensed international market agent or licensed international market agent representative such period as it may specify to make submissions to the Authority concerning any proposed addition or amendment of a condition (whether proposed by the Authority or the international market licensee) and must consider any submission so made.

(5) The Authority shall notify the international market licensee concerned of any addition, amendment or revocation of a condition of the international market agent licence or international market agent representative licence, as the case may be.

Licence not transferable

16. Every international market agent licence and international market agent representative licence shall not be transferable.

Validity period of international market agent licence

17.—(1) An international market agent licence shall be valid for such period as the Authority may specify in the licence (not being longer than 3 years), unless before that date —

- (a) the licence lapses under regulation 9(2);
- (b) the licence lapses under regulation 19(2)(a) or, after it lapses with respect to a casino under regulation 19(2)(b), there is no other casino in respect of which the licence is valid; or
- (c) the licence is cancelled under section 110C of the Act or regulation 42.

(2) Where an international market agent licence lapses under paragraph (1)(b), the international market agent shall, within 14 days after the date on which the licence lapses, return the licence to the Authority.

(3) Any person who, without reasonable excuse, fails to comply with paragraph (2) 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 6 months or to both.

Validity period of international market agent representative licence

18.—(1) An international market agent representative licence shall be valid for such period as the Authority may specify in the licence (not being longer than 3 years), unless before that date the licence lapses under regulation 9(2) or paragraph (2) or is cancelled under section 110C of the Act or regulation 42.

(2) An international market agent representative licence lapses when —

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- (a) the licensed international market agent representative ceases to be employed by the licensed international market agent to which he is licensed; or
 - (b) the licence of the international market agent by which the licensed international market agent representative is employed expires, lapses under regulation 17(1)(b) or is cancelled.

(3) Where an international market agent representative licence lapses under paragraph (2), the international market agent representative shall, within 14 days after the date on which the licence lapses, return the licence to the Authority.

(4) Any person who, without reasonable excuse, fails to comply with paragraph (3) 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 6 months or to both.

Withdrawal of endorsement by casino operator

19.—(1) A casino operator —

- (a) shall monitor the suitability of every international market agent endorsed by it and shall withdraw its endorsement of any international market agent if the casino operator is no longer satisfied that being a party to an international market agreement with that international market agent will not affect the credibility, integrity and stability of its casino operations; and
- (b) may withdraw its endorsement of any international market agent if, for any other reason, the casino operator no longer wishes to enter into or be a party to an international market agreement with the international market agent.

(2) Where a casino operator withdraws its endorsement of an international market agent —

- (a) under paragraph (1)(a), the licence of that international market agent, and every international market agent representative employed by that international market agent, shall lapse with respect to the casino of the casino

operator withdrawing its endorsement and any other casino in respect of which the international market agent licence has been granted; and

(b) under paragraph (1)(b), the licence of that international market agent, and every international market agent representative employed by that international market agent, shall lapse with respect to the casino of the casino operator withdrawing its endorsement.

(3) A withdrawal of endorsement by a casino operator under paragraph (1) shall —

(a) by a notice in writing (referred to in this regulation as a notice of withdrawal), be given to the international market agent, not less than 24 hours before the effective date of the withdrawal;

(b) state the effective date of the withdrawal; and

(c) contain the grounds for the withdrawal and such other information as the Authority may require.

(4) A casino operator shall, at the time the notice of withdrawal is given to the international market agent or immediately thereafter, send a copy of the notice of withdrawal to the Authority.

(5) The Authority may, by notice in writing, request the casino operator to provide such information or produce such records relevant to its endorsement or withdrawal of endorsement of any international market agent as the Authority may consider necessary, and the casino operator shall comply with such request.

Renewal of licence

20.—(1) Regulations 7 to 14 shall apply, with the necessary modifications and subject to this regulation, to an application for renewal of an international market agent licence or international market agent representative licence.

(2) An application for renewal of an international market agent licence or international market agent representative licence must be —

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- (a) submitted to the Authority not later than 6 months before the date of expiry of the licence; and
 - (b) accompanied by the relevant renewal fee specified in the Second Schedule.

(3) If an application to renew an international market agent licence or international market agent representative licence is submitted to the Authority less than 6 months before the date of expiry of the licence, the application must, in addition to the renewal fee, be accompanied by the relevant late application fee specified in the Second Schedule.

(4) Notwithstanding paragraph (3), if any requirement under this regulation is not complied with, the Authority may refuse to consider any application to renew an international market agent licence or international market agent representative licence.

Loss, etc., of international market agent licence or international market agent representative licence

21. If the Authority is satisfied that an international market agent licence or international market agent representative licence has been lost, destroyed or damaged, the Authority may, on payment of the replacement fee specified in the Second Schedule, issue a replacement licence.

Surrender of licence

22.—(1) Subject to paragraph (2), an international market licensee may surrender his or its international market agent licence or international market agent representative licence, as the case may be, by giving notice in writing to the Authority and returning the licence.

(2) An international market licensee against whom disciplinary proceedings are instituted under regulation 42 shall not, without the permission of the Authority, surrender his or its international market agent licence or international market agent representative licence, as the case may be, during the interval before the disciplinary proceedings are concluded.

PART III

DUTIES OF LICENSED INTERNATIONAL
MARKET AGENTS AND LICENSED INTERNATIONAL
MARKET AGENT REPRESENTATIVES

Address for service

23. Every licensed international market agent shall give to the Authority an address in Singapore at which summonses, notices and other documents may be served on the licensed international market agent and on any licensed international market agent representative he or it employs.

Duties of licensed international market agent to provide information, etc.

24.—(1) Every licensed international market agent must comply with the following duties:

- (a) when requested by the Authority to do so by notice in writing —
 - (i) provide to the Authority such information as the Authority may specify in the notice; and
 - (ii) produce to the Authority such records as the Authority may specify in the notice and permit the Authority to examine the records, take extracts from them and make copies of them; and
- (b) attend before the Authority in relation to any matter relevant to his or its licence, or to other matters specified by the Authority, and to answer questions relating to those matters.

(2) If records are produced under this regulation, the Authority may retain possession of the records for such period as may reasonably be necessary.

Duty of licensed international market agent to employ licensed international market agent representatives

25. A licensed international market agent shall not employ or use the services of a person to organise, promote or conduct a casino marketing arrangement within any casino premises unless that person is the holder of a valid international market agent representative licence.

Duties of licensed international market agent in relation to licensed international market agent representative

26.—(1) Every licensed international market agent must comply with the following duties in relation to the licensed international market agent representatives in his or its employ:

- (a) notify the Authority in writing when any licensed international market agent representative ceases to be in his or its employ, and the reasons therefor, as soon as practicable and, in any event, no later than 7 days after such cessation (or such longer period as the Authority may, on the application of any licensed international market agent, allow in any particular case);
- (b) submit to the Authority a list of the licensed international market agent representatives in his or its employ in a form approved by the Authority, at least once a year on such date as is specified by the Authority;
- (c) when requested by the Authority to do so —
 - (i) provide to the Authority such information relevant to all or any of the licensed international market agent representatives in his or its employ as the Authority may specify; and
 - (ii) produce such records relevant to all or any of the licensed international market agent representatives as the Authority may specify and permit the Authority to examine the records, take extracts from them and make copies of them.

(2) If any records are produced under this regulation, the Authority may retain possession of the records for such period as may reasonably be necessary.

Duty to notify Authority of changes

27.—(1) A licensed international market agent must notify the Authority of such changes as the Authority may, by notice in writing, require in relation to —

- (a) the licensed international market agent's own situation;
- (b) any licensed international market agent representative in the employ of the licensed international market agent; or
- (c) any associate of the licensed international market agent.

(2) A licensed international market agent representative must notify the Authority of such changes in his own situation as the Authority may, by notice in writing, require.

(3) A notification under paragraph (1) or (2) must be submitted to the Authority within such time and in such form and manner as the Authority may require.

Duty of licensed international market agent in relation to giving of credit

28. No licensed international market agent may give credit to his or its international players except in accordance with the requirements of the Act and regulations relating to the giving of credit.

Records to be kept of casino marketing arrangement

29.—(1) A licensed international market agent must keep a record of every casino marketing arrangement organised, promoted or conducted by it, in such form and manner as the Authority may require, which must include —

- (a) the following information relating to each international player on the casino marketing arrangement:
 - (i) full name;
 - (ii) date of birth;

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- (iii) nationality;
 - (iv) the address of his usual place of residence; and
 - (v) an identity card number, a passport number, a taxpayer identification number or the number of any other document of identity issued by any government as evidence of the individual's nationality or residence and bearing a photograph of the individual;
- (b) the date and time of arrival at the casino of the international players;
 - (c) the names and licence numbers of the licensed international market agent representatives, if any, accompanying the international players;
 - (d) the amount and type of any commission, rebate or complimentary given to each international player; and
 - (e) such other information as the Authority may specify by notice in writing to the licensed international market agent in any particular case.
- (2) The licensed international market agent shall, whenever requested by the Authority to do so —
- (a) produce to the Authority all records referred to in paragraph (1) and permit the examination of those records, the taking of extracts from them and the making of copies of them; and
 - (b) furnish to the Authority all such information as the Authority may require in connection with any such records.

Keeping of records

30. Every licensed international market agent shall ensure that every record relating to his or its operations as an international market agent, including any record required to be kept under these Regulations and regulations relating to the giving of credit —

- (a) is kept in Singapore at a location made known to the Authority;

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- (b) is retained for not less than 5 years after the completion of the transactions to which the record relates, or such shorter period as the Authority may, on the application of the licensed international market agent in any particular case, allow; and
 - (c) is available for inspection by an inspector at any time during that period.

Special audit

31.—(1) The Authority may, at any time by a notice in writing —

- (a) require a licensed international market agent to appoint a special auditor to review or investigate the licensed international market agent's affairs and report his findings to the Authority; and
- (b) specify the terms of reference for the special audit referred to in sub-paragraph (a) and the time within which it must be completed.

(2) A licensed international market agent to whom a notice under paragraph (1) is directed shall engage, at his or 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.

(3) The special auditor engaged under paragraph (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) In this regulation, “public accountant” means a person who is registered or deemed to be registered under the Accountants Act (Cap. 2) as a public accountant.

Identification to be worn while in casino premises

32. Every licensed international market agent and licensed international market agent representative shall, at all times while in

the casino premises, wear identification of a kind issued by the casino operator and approved by the Authority in such manner as to be visible to other persons within the casino premises.

Prohibited sharing of commission, etc.

33.—(1) Subject to paragraph (2), no licensed international market agent shall share with any person who is not a licensed international market agent or a licensed international market agent representative, all or part of any commission or other payment received by or due to the licensed international market agent from a casino operator, or the person for the time being in charge of the casino, for the organisation, promotion or conduct of a casino marketing arrangement.

(2) Notwithstanding paragraph (1), a licensed international market agent may pay a referral fee to any person who introduces an international player to the licensed international market agent, on the condition that the fee is —

- (a) a fixed amount not calculated by reference to the turnover of play or net win of the international player; and
- (b) paid in accordance with such requirements as the Authority may specify by notice in writing to the licensed international market agent.

(3) Every —

- (a) licensed international market agent who or which contravenes paragraph (1); and
- (b) person who receives any commission or payment in contravention of paragraph (1),

shall each be guilty of an offence and shall each be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 12 months or to both.

Licensed international market agent and licensed international market agent representative liable to disciplinary action

34. Any licensed international market agent or licensed international market agent representative who or which fails to comply with any duty or requirement imposed on the licensed

international market agent or licensed international market agent representative under this Part (except regulation 33) shall be liable to disciplinary action under regulation 42.

PART IV
SUPERVISION AND CONTROL OF
LICENSED INTERNATIONAL MARKET AGENTS
AND ASSOCIATED PERSONS

Directions to licensed international market agent

35.—(1) The Authority may give to a licensed international market agent a written direction that relates to the organising, promoting or conducting of casino marketing arrangements and the licensed international market agent shall comply with the direction as soon as it takes effect.

(2) The direction takes effect when the direction is given to the licensed international market agent or on a later date specified in the direction.

(3) The power conferred by this regulation includes a power to give a direction to a licensed international market agent to adopt, vary, cease or refrain from any practice in respect of the conduct of casino marketing arrangements.

(4) A direction under this regulation to a licensed international market agent shall not be inconsistent with the Act or the conditions of the international market agent's licence.

(5) Any licensed international market agent who or which fails to comply with a direction under this regulation shall be liable to disciplinary action under regulation 42.

(6) Where a licensed international market agent has been subject to disciplinary action under paragraph (5) (referred to in this regulation as the first disciplinary action) and continues to fail to comply with the direction of the Authority, such failure shall constitute a fresh ground of disciplinary action for every day or part thereof that the failure continues after the first disciplinary action.

Regular investigations of licensed international market agent's suitability, etc.

36. The Authority shall, at such intervals as it may determine, investigate whether or not —

- (a) a licensed international market agent is a suitable person to continue to hold the international market agent licence; and
- (b) an international market agent licence should continue in force,

and shall take whatever action the Authority considers appropriate in the light of its findings.

On-going monitoring of associates and others

37.—(1) The Authority may, from time to time, inquire into —

- (a) an associate, or a person likely to become an associate, of a licensed international market agent; or
- (b) any person, body or association having a business association with a person referred to in sub-paragraph (a).

(2) In particular, the Authority shall consider whether there is any information that an associate, or a person likely to become an associate, of a licensed international market agent —

- (a) is not of good repute, having regard to character, honesty and integrity;
- (b) is not of sound and stable financial background;
- (c) has any business association with any person, body or association who or which, in the opinion of the Authority, is not of good repute having regard to character, honesty and integrity or has undesirable or unsatisfactory financial resources;
- (d) is not a suitable person to act in the capacity of a director, partner, trustee, executive officer or any other officer or person determined by the Authority to be associated or connected with the ownership, administration or

management of the operations or business of the licensed international market agent;

- (e) has any undesirable or unsatisfactory financial resources; or
- (f) has any record of non-compliance with legal and regulatory requirements applicable to him or it, whether in relation to casino gaming or otherwise and whether in Singapore or elsewhere.

(3) A licensed international market agent shall notify the Authority in writing that a person is likely to become an associate of the licensed international market agent as soon as practicable after the licensed international market agent becomes aware of the likelihood.

(4) The Authority may, by notice in writing, require a person referred to in paragraph (1)(a) or (b) —

- (a) to provide the Authority, in accordance with directions in the notice, with such information relevant to the licensed international market agent or the first-mentioned person's association with the licensed international market agent, or with such information as the Authority requires, as is specified in the notice;
- (b) to produce to the Authority, in accordance with the directions in the notice, such records relevant to the licensed international market agent or that association, or to matters specified by the Authority, as may be specified in the notice and to permit the Authority to examine the records, take extracts from them and make copies of them; or
- (c) to attend before the Authority for examination in relation to any matter relevant to the licensed international market agent or that association, or to matters specified by the Authority, and to answer questions relating to those matters.

(5) If records are produced under this regulation, the Authority may retain possession of the records for such period as may reasonably be necessary for inquiries to be carried out.

(6) At any reasonable time during the period for which records are retained, the Authority shall permit inspection of the records by a person who would be entitled to inspect them if they were not in the possession of the Authority.

(7) The Authority may —

- (a) require an associate or a person likely to become an associate of the licensed international market agent to consent to having his photograph, finger prints and palm prints taken; and
- (b) send a copy of such photograph, finger prints and palm prints and any supporting documents to the Commissioner of Police.

(8) The Commissioner of Police or any police officer authorised by the Commissioner shall inquire into and report to the Authority on such matters concerning the associate, or person likely to become an associate, of the licensed international market agent as the Authority requests.

(9) If the Authority determines that an associate of a licensed international market agent has engaged or is engaging in conduct that, in the Authority's opinion, is unacceptable for a person who is concerned in or associated with the ownership, management or operation of the business of the licensed international market agent, the Authority may give written notice to the associate that the conduct is unacceptable.

(10) If —

- (a) the Authority having regard to the matters referred to in paragraph (2), determines that an associate of a licensed international market agent is unsuitable to be concerned in or associated with the business of the licensed international market agent; or
- (b) the associate continues with the conduct referred to in paragraph (9),

the Authority may, by notice in writing, direct the licensed international market agent to take all reasonable steps to terminate

the association and the licensed international market agent shall comply with the direction within 14 days or any longer period agreed with the Authority.

(11) Any licensed international market agent who or which fails to comply with paragraph (3) or (10) shall be liable to disciplinary action.

Costs of investigation of suitability to be borne by licensed international market agent

38.—(1) For the purposes of meeting any costs arising out of investigations in connection with the suitability of any licensed international market agent to continue to hold a licence, the Authority may, from time to time, give a written notice to the licensed international market agent to pay such estimated costs to the Authority within such period of time as may be specified in the notice.

(2) Regulation 12(3) and (4) shall apply, with the necessary modifications and subject to this regulation, to any costs of investigation of suitability under paragraph (1) as it does to the costs of investigation of applications under regulation 12(1).

Suspension of licence pending disciplinary action

39.—(1) In any case where —

- (a) the Authority has been informed that a licensed international market agent or licensed international market agent representative is under investigation for, or has been charged with —
 - (i) an offence under the Act;
 - (ii) an offence involving dishonesty or moral turpitude, whether in Singapore or elsewhere; or
 - (iii) in relation to a licensed international market agent representative, an offence arising out of or in connection with the employment of the licensed international market agent representative under the Act,

the Authority may suspend the international market licensee concerned, pending the conclusion of any inquiry or disciplinary proceedings against the international market licensee under regulation 42, if the Authority thinks it necessary in the public interest that the international market licensee should immediately cease to conduct his or its business as an international market agent or international market agent representative, as the case may be.

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

(3) The suspension under paragraph (1) shall take effect notwithstanding that any representation under paragraph (2) is pending.

Disciplinary action against licensed international market agent

40.—(1) In this regulation and regulation 42 —

“disciplinary action”, in relation to a licensed international market agent, means one or more of the following:

- (a) the cancellation or suspension of his or its international market agent licence;
- (b) the issuing of a letter of censure;
- (c) the variation of any condition of his or its international market agent licence;
- (d) the imposition of a financial penalty not exceeding \$400,000 for each ground of disciplinary action;

“grounds for disciplinary action”, in relation to a licensed international market agent, means any of the following grounds:

- (a) that his or its international market agent licence was improperly obtained in that, at the time the international market agent licence was granted, there were grounds for refusing it;

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- (b) that the licensed international market agent or an agent or employee of the licensed international market agent has contravened a provision of the Act, regulations made thereunder or a condition of his or its international market agent licence;
 - (c) that the licensed international market agent has failed to provide information that he or it is required by the Act or these Regulations to provide or has provided information knowing it to be false or misleading or reckless as to whether it is so;
 - (d) that for any reason, the licensed international market agent is, in the opinion of the Authority, no longer a suitable person to hold an international market agent licence having regard to the matters in regulation 13.

(2) A letter of censure may censure the licensed international market agent in respect of any matter connected with the ownership, administration or management of the licensed international market agent or the organisation, promotion or conduct of any casino marketing arrangement, and may include a direction to the licensed international market agent to rectify, within a specified time, any matter giving rise to the letter of censure.

(3) If any direction to rectify given under paragraph (2) to a licensed international market agent is not complied with within the specified time, the Authority may, by written notice given to the licensed international market agent —

- (a) cancel, suspend or vary the terms of his or its international market agent licence; or
- (b) impose a financial penalty not exceeding \$400,000,

without affording the licensed international market agent a further opportunity to be heard.

Disciplinary action against licensed international market agent representative

41.—(1) In this regulation and regulation 42 —

“disciplinary action”, in relation to a licensed international market agent representative, means one or more of the following:

- (a) the issuing of a letter of censure to the licensed international market agent representative;
- (b) the variation of any condition of his international market agent representative licence;
- (c) the cancellation or suspension of his international market agent representative licence;
- (d) the cancellation of his international market agent representative licence and disqualification from obtaining or applying for any international market agent representative licence for a specified period;
- (e) the imposition of a financial penalty not exceeding \$10,000 for each ground of disciplinary action;

“grounds for disciplinary action” means any of the following grounds in respect of a licensed international market agent representative:

- (a) that his international market agent representative licence was improperly obtained in that, when it was granted, there were grounds for refusing it;
- (b) that the licensed international market agent representative has been convicted or found guilty of —
 - (i) an offence arising out of or in connection with his employment as an international market agent representative; or
 - (ii) whether in Singapore or elsewhere, an offence involving dishonesty or moral turpitude;

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- (c) that the licensed international market agent representative has contravened any provision of the Act or these Regulations or a condition of his international market agent representative licence;
 - (d) that the licensed international market agent representative has failed to provide information that he is required by the Act or these Regulations to provide or has provided information knowing it to be false or misleading or reckless as to whether it is so;
 - (e) that for any reason, the licensed international market agent representative is, in the opinion of the Authority, no longer a suitable person to hold an international market agent representative licence having regard to the matters in regulation 14.

(2) A letter of censure may censure the licensed international market agent representative in respect of any matter connected with the organisation, promotion or conduct of any casino marketing arrangement and may include a direction to the licensed international market agent representative to rectify, within a specified time, any matter giving rise to the letter of censure.

(3) If any direction to rectify given under paragraph (2) to a licensed international market agent representative is not complied with within the specified time, the Authority may, by giving written notice to the licensed international market agent representative —

- (a) cancel, suspend or vary the terms of his international market agent representative licence; or
- (b) impose a financial penalty not exceeding \$10,000,

without affording the licensed international market agent representative a further opportunity to be heard.

Disciplinary proceedings against licensed international market agent or licensed international market agent representative

42.—(1) The Authority may inquire into whether there are grounds for disciplinary action against an international market licensee.

(2) The Authority may serve on an international market licensee a notice in writing affording the international market licensee an opportunity to show cause within 14 days, or such longer period as the Authority may allow on application by the international market licensee, why disciplinary action should not be taken on grounds for disciplinary action specified in the notice.

(3) The international market licensee may, within the period allowed under paragraph (2), arrange with the Authority for the making of submissions to the Authority as to why disciplinary action should not be taken and the Authority shall consider any submissions so made.

(4) The Authority may, after considering the submissions made by the international market licensee, then take such disciplinary action against the international market licensee as the Authority sees fit by giving written notice to the international market licensee of the disciplinary action that the Authority intends to take.

(5) The cancellation, suspension or variation of an international market agent licence or international market agent representative licence takes effect when the notice under paragraph (4) is given or on a later date specified in the notice.

(6) If any international market licensee organises, promotes or conducts a casino marketing arrangement during the suspension of his or its international market agent licence or international market agent representative licence under section 110C of the Act or regulation 39, the Authority may, without affording the international market licensee a further opportunity to be heard, by written notice, impose a financial penalty on the international market licensee —

- (a) not exceeding \$400,000, where the international market licensee is a licensed international market agent; and
- (b) not exceeding \$10,000, where the international market licensee is a licensed international market agent representative,

for every day or part thereof that the organisation, promotion or conduct of any casino marketing arrangement continues during the suspension of the international market agent licence or international

market agent representative licence or in contravention of the direction, as the case may be.

(7) A member of the Authority who has participated in the consideration of disciplinary action against an international market licensee is not prevented by that reason alone from considering whether further disciplinary action should be taken against that same international market licensee.

Effect of suspension

43.—(1) During the period of suspension of an international market agent licence or international market agent representative licence under section 110C of the Act or regulation 42, the international market licensee concerned shall be deemed not to be a licensed international market agent or licensed international market agent representative, as the case may be.

(2) The Authority may, at any time, terminate any suspension of an international market agent licence or international market agent representative licence, or reduce the period of any such suspension.

Return of licence on suspension or cancellation

44.—(1) If an international market agent licence or international market agent representative licence is suspended or cancelled, the international market licensee concerned shall return his or its international market agent licence or international market agent representative licence to the Authority immediately after the suspension or cancellation takes effect, or within such other period as the Authority may specify by notice in writing to the international market licensee.

(2) Any person who fails to comply with paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part thereof during which the offence continues after conviction.

Security deposit for financial penalty

45. Where the Authority has obtained a deposit from an international market licensee under section 185C of the Act, the Authority may refund any excess without interest to the international market licensee.

PART V**DUTIES OF CASINO OPERATORS IN RELATION TO
CASINO MARKETING ARRANGEMENTS AND
INTERNATIONAL MARKET AGENTS****International market agreements**

46.—(1) A casino operator must not permit a licensed international market agent to commence a casino marketing arrangement in its casino unless —

- (a) an international market agreement that complies with paragraph (2) has been entered into by the casino operator and the licensed international market agent organising, promoting or conducting the casino marketing arrangement; and
- (b) the international market agreement has been lodged with the Authority at least 5 days before the commencement of the casino marketing arrangement, or within such shorter period as the Authority may allow in any particular case.

(2) An international market agreement must be in writing and include the following:

- (a) the name of the casino operator which is party thereto;
- (b) the name and licence number of the licensed international market agent who is party thereto;
- (c) a description of the essential terms of the agreement relating to the commission or other payment, including —
 - (i) the rate of commission or other payment payable to the international market agent who is party thereto; and

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- (ii) the basis on which the commission or other payment is to be calculated;
 - (d) the duration of the international market agreement;
 - (e) the date on which the international market agreement was entered into;
 - (f) the signatures of persons authorised to represent the parties to the agreement;
 - (g) the terms of the provision of credit (if any) from the casino operator to the licensed international market agent or any of its licensed international market agent representatives for the purpose of the casino marketing arrangement; and
 - (h) such other information as the Authority may specify by notice in writing to the casino operator.

(3) Where the international market agreement is not written in the English language, the casino operator which is party thereto must lodge at the same time with the Authority a certified translation thereof in the English language.

(4) The casino operator which is party to an international market agreement must notify the Authority of any change to —

- (a) any of the parties to the international market agreement; or
- (b) any of the terms of the international market agreement referred to in paragraph (2)(c) or (d),

not later than 3 days before the commencement of the first casino marketing arrangement subject to the revised terms after the change, or within such shorter period as the Authority may allow in any particular case.

(5) The casino operator must notify the Authority not later than 5 days after the termination of any international market agreement to which it is a party.

(6) For the purposes of this regulation and regulation 47, a casino marketing arrangement commences in a casino when international players commence gaming in the casino on the casino marketing arrangement.

Arrival report

47.—(1) A casino operator must give an arrival report to the Authority in writing in a form approved by the Authority, not less than one hour before the commencement of a casino marketing arrangement in its casino, or within such other period as the Authority may require by notice in writing to the casino operator, in relation to any particular casino marketing arrangement.

(2) The arrival report under paragraph (1) must contain —

(a) the following information relating to each international player on the casino marketing arrangement:

- (i) full name;
- (ii) date of birth;
- (iii) nationality;
- (iv) the address of his usual place of residence; and
- (v) an identity card number, a passport number, a taxpayer identification number or the number of any other document of identity issued by any government as evidence of the individual's nationality or residence and bearing a photograph of the individual;

(b) the date and time of arrival at the casino of the international players and the proposed date and time of their departure from the casino at the conclusion of the casino marketing arrangement; and

(c) the names and licence numbers of the licensed international market agent representatives, if any, accompanying the international players.

(3) If any change occurs in the information referred to in paragraph (2) provided in the arrival report, the casino operator must without delay give the Authority written particulars of the change.

(4) No commission may be paid in relation to the participation of any person in a casino marketing arrangement whose name is not in

the arrival report under paragraph (1) as an international player on that casino marketing arrangement.

Directions to casino operator to provide information, etc.

48. The Authority may, by written direction, require a casino operator to notify the Authority of matters relating to any licensed international market agent with which the casino operator has an international market agreement or to provide such information relevant to any casino marketing arrangement as the Authority may specify, and the casino operator shall comply with such direction.

Identification passes to be issued by casino operator

49.—(1) A casino operator shall issue an identification pass of a type approved by the Authority to every licensed international market agent (who is an individual) and licensed international market agent representative who is licensed to conduct casino marketing arrangements in its casino premises.

(2) An identification pass issued to an international market licensee under paragraph (1) shall contain —

- (a) the preferred name of the international market licensee to whom the identification pass is issued;
- (b) the full name of the licensed international market agent or, in the case of a licensed international market agent representative, the licensed international market agent by which he is employed;
- (c) an identification number issued by the Authority to the international market licensee;
- (d) a recent colour photograph of the international market licensee according to such specifications as to standard, quality, dimension or any other matter as may be determined by the Authority; and
- (e) such other information as may be determined by the Authority.

PART VI
GENERAL

No refund of fees or costs of investigation

50. Except where expressly provided in these Regulations, all fees and costs of investigation shall be payable in advance and shall not be refundable, even if the application for a licence is unsuccessful or withdrawn.

Production of licence or identification pass to inspector

51.—(1) An inspector may by direction stop any person who is, or who reasonably appears to the inspector to be, organising, promoting or conducting a casino marketing arrangement, from performing that function if, on demand of the inspector —

- (a) the person fails to produce a valid international market agent licence or valid international market agent representative licence or identification pass for that casino; or
- (b) in the absence of such documents, the person is unable to produce evidence that he is a licensed international market agent or licensed international market agent representative.

(2) Any person who fails to comply with a direction of an inspector to stop performing the function of an international market agent or international market agent representative under paragraph (1) 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 12 months or to both.

Validity of agreements not affected

52. For the avoidance of doubt, nothing in these Regulations shall be construed so as to affect the validity or enforceability of any international market agreement or other contract or agreement to which an international market agent or international market agent representative is a party, by reason only of a withdrawal of endorsement or suspension or cancellation of the international

market agent's licence or the international market agent representative's licence.

Casino operator liable to disciplinary action

53. Any casino operator which —

- (a) contravenes regulation 5, 6 or 19(1)(a), (3), (4) or (5) or any regulation under Part V;
- (b) gives an endorsement of an international market agent, knowing it to be false or misleading, or reckless as to whether it is so; or
- (c) allows any sharing of commission or other payment in contravention of regulation 33,

shall be liable to disciplinary action under section 54 of the Act.

Revocation

54. The Casino Control (Junkets) Regulations 2009 (G.N. No. S 663/2009) are revoked.

FIRST SCHEDULE

Regulation 3

PRESCRIBED FORM OF PAYMENT OR REBATE FOR CASINO MARKETING ARRANGEMENTS

1. Rebates on losses arising from the playing of any game in a casino by one or more patrons.

SECOND SCHEDULE

Regulations 7(1)(a), 8(2)(a), 20(2)(b)
and (3) and 21

FEES

1. For an application for —

- | | |
|--|-------|
| (a) an international market agent licence | \$670 |
| (b) an international market agent representative licence | \$320 |

2. For an application for renewal of —

SECOND SCHEDULE — *continued*

(a) an international market agent licence	\$550
(b) an international market agent representative licence	\$300
3. For a late application to renew —	
(a) an international market agent licence	\$120
(b) an international market agent representative licence	\$20
4. For a replacement of a licence	\$10.

Made this 30th day of January 2013.

RICHARD MAGNUS
Chairman,
Casino Regulatory Authority of
Singapore.

[CRA 206.02.00040; AG/LLRD/SL/33A/2010/22 Vol. 1]