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GAMBLING CONTROL ACT 2022

GAMBLING CONTROL
(TRADE AND OTHER PROMOTIONAL GAMES AND
LOTTERIES — CLASS LICENCE)
ORDER 2022

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In exercise of the powers conferred by section 60 of the Gambling Control Act 2022, the Minister for Home Affairs makes the following Order:

PART 1

PRELIMINARY

Citation and commencement

1.—(1) This Order is the Gambling Control (Trade and Other Promotional Games and Lotteries — Class Licence) Order 2022 and, except for Part 3, comes into operation on 2 August 2022.

(2) Part 3 comes into operation on 1 February 2023.

Definitions

2.—(1) In this Order, unless the context otherwise requires —

“arrangement” includes a contract, an agreement, understanding or other arrangement of any kind, whether written or unwritten;

“cause-related game” or “cause-related lottery” means a defined game or a defined lottery that is conducted in the circumstances described in paragraph 4(1)(b) or (2)(b) or exclusively for a purpose in paragraph 5(1)(b);

“class licensee” means a person to whom a class licence by virtue of this Order applies but does not include a person for the time the application of that class licence is suspended or disappplied under the Act;

“defined game” means any game —

- (a) that —
 - (i) involves both an element of chance and an element of skill;
 - (ii) involves an element of chance that can be eliminated by superlative skill; or
 - (iii) is presented as involving an element of chance;
- (b) that may be an interactive game or a game played (in whole or in part) using remote communication; and
- (c) that does not involve the use of, and does not comprise any design element or game mechanic from or involving, any game, method, device, scheme or competition which is specified in the First Schedule or any variant of such a specified game, method, device, scheme or competition;

“defined lottery” means any lottery, whether or not using any remote communication to participate in, but excludes any lottery that does involve the use of, or does comprise any design element or game mechanic from or involving —

- (a) any game, method, device, scheme or competition which is specified in the First Schedule; or
- (b) any variant of such a specified game, method, device, scheme or competition;

“eligible object” means to further or promote —

- (a) group participation in social, cultural, educational and athletic activities for the people of Singapore in order that they may realise that they belong to a multiracial community, the interests of which transcend sectional loyalties;
- (b) community bonding and strengthening of social cohesion among the people of Singapore;

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- (c) public safety and security in Singapore, including fire safety, building safety and the prevention and detection of crimes in Singapore;
 - (d) the safe use of roads and public paths in Singapore;
 - (e) national service and the defence of Singapore;
 - (f) walking and cycling and patronage of public transport;
 - (g) good health and healthy lifestyles among the people of Singapore;
 - (h) sports in Singapore for both competitive and recreational purposes;
 - (i) literature, science or the arts in Singapore, or research and development activities in Singapore directed towards promoting the technological advancement of the public and private sectors in Singapore through a focus on innovation;
 - (j) water and other resource conservation (like recycling), environmentally sustainable development or use of land in Singapore that balances the interests of current and future generations in Singapore, or the protection, conservation, rehabilitation and management of the environment in Singapore that take into account the effects of climate change;
 - (k) preserving any part of the historical or cultural heritage of Singapore;
 - (l) development or use of land in Singapore to maintain the cultural, economic, physical and social wellbeing of the people of Singapore;
 - (m) Singapore as a travel and tourist destination, including any event or activity taking place in Singapore that is intended wholly or partly for the benefit of, or for the purpose of attracting, visitors to Singapore;

(n) enthusiasm for lifelong learning in Singapore, or the acquisition and upgrading of skills and competencies by persons to enhance their employability or for the current, emerging and future needs of the Singapore workforce; or

(o) volunteerism in Singapore;

“eligible person” means —

(a) a Ministry or department thereof or an Organ of State; or

(b) a public authority (including a committee of the public authority);

“engage in defined gambling” means —

(a) to play a defined game; or

(b) to participate in a defined lottery,

with or without, and wholly or in part, using any remote communication;

“game” means a game of chance but not a gaming machine game;

“instant game” means a game the results of which are realisable immediately after the player in the game acquires the right to play and plays the game;

“instant lottery” means a lottery the results of which are realisable immediately after the participant in the lottery acquires the right to enter or participate in the lottery;

“interactive game” means a game —

(a) in which the way the game proceeds and the result achieved at various stages of the game is determined in response to the decisions, inputs and direct involvement of the player of the game; and

(b) in which a player enters or takes any step in the game by means of a computer or communication device;

“publicity”, for a defined game or defined lottery, means any information or material that gives publicity to, or otherwise promotes or is intended to promote the defined game or defined lottery, even though the information or material can reasonably be regarded as intended to achieve any other purpose as well;

“relevant education provider” means —

- (a) a person who carries on the business of providing instruction, training or education at any of the following universities:
 - (i) National University of Singapore;
 - (ii) Nanyang Technological University;
 - (iii) Singapore Institute of Technology;
 - (iv) Singapore Management University;
 - (v) Singapore University of Social Sciences;
 - (vi) Singapore University of Technology and Design;
- (b) any of the following Polytechnics:
 - (i) the Nanyang Polytechnic established under the Nanyang Polytechnic Act 1992;
 - (ii) the Ngee Ann Polytechnic established under the Ngee Ann Polytechnic Act 1967;
 - (iii) the Republic Polytechnic established under the Republic Polytechnic Act 2002;
 - (iv) the Singapore Polytechnic established under the Singapore Polytechnic Act 1954;
 - (v) the Temasek Polytechnic established under the Temasek Polytechnic Act 1990;
- (c) any company that is owned (wholly or partly) by any such Polytechnic mentioned in paragraph (b)(i) to (v); or

(d) a registered private education institution under the Private Education Act 2009 that offers instruction, training or an education leading to the award of a diploma or degree,

but does not include any teacher, lecturer, trainer or other individual engaged in teaching or carrying on, or assisting in teaching or carrying on, any instruction, training or education;

“sale”, for any goods or services, includes —

- (a) to supply the goods or services by loan or hire; and
- (b) to expose or display as an invitation to treat offering the goods or services in circumstances corresponding to a retail sale or a retail supply by loan or hire;

“scrutineer” means a person who is registered or deemed to be registered under the Accountants Act 2004 as a public accountant;

“ticket” means a card or token of any kind used for the purposes of determining the prizes in a game of chance or lottery or claiming an instant prize in a game of chance or lottery and includes —

- (a) a recording, by electronic means or otherwise, of a player’s or participant’s name or telephone number; and
- (b) the packaging of goods in which an instant prize, or a ticket for an instant prize, may be found;

“trade” includes the sale of any goods or services to a consumer or otherwise but does not include trade in any gambling service, gambling article, gaming machine, gaming token, peripheral equipment of a gaming machine or other gambling equipment;

“trade promotion game” or “trade promotion lottery” means, subject to paragraph 7(2), a defined game or defined lottery that is conducted —

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- (a) primarily to promote trade in any goods or services;
and
 - (b) such that —
 - (i) the entitlement to play the game or participate in the lottery is free; or
 - (ii) the right to play the game or participate in the lottery is dependent on the purchase of any of the goods or services which are the subject of the promotion;

“value”, in relation to an item that is a prize in a game of chance or lottery, means —

- (a) if the item is an antique or a piece of artwork, craftwork or collectible bric-a-brac or is second-hand — the price likely to be paid for the item if sold at auction; and
- (b) in any other case — the retail price, or a reasonable estimate of the likely retail price, of the item.

(2) For the purposes of this Order, publicity is taken to contain information if the information is displayed so as to be clearly visible or is clearly audible having regard to the nature of the publicity and its size or length.

- (3) In this Order, a reference to gaming or a lottery —
- (a) conducted by an eligible person (other than a Town Council), includes a reference to gaming or a lottery conducted under the authority of such an eligible person; or
 - (b) conducted by a relevant education provider or an entity includes a reference to gaming or a lottery conducted under the authority of the relevant education provider or entity, as the case may be.

Excluded gambling services

3. This Order does not apply to the provision of any gambling service covered by a class licence under —

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- (a) the Gambling Control (Minor Gambling — Class Licence) Order 2022 (G.N. No. S 659/2022); or
 - (b) the Gambling Control (Fundraisers — Class Licence) Order 2022 (G.N. No. S 661/2022).

PART 2

CAUSE-RELATED OR SURVEY PROMOTIONAL GAMES AND LOTTERIES

Class licence for cause-related gambling service

4.—(1) Unless exempt under section 128 of the Act, every eligible person who provides a gambling service by conducting gaming involving a defined game or by conducting a defined lottery —

- (a) at any time on or after 2 August 2022 in or from any place in Singapore;
- (b) on the basis that the publicity for the defined game or defined lottery expressly states that the defined game or defined lottery (as the case may be) is being conducted for one or more eligible objects; and
- (c) where to engage, or engaging, in any defined gambling involving the defined game or the defined lottery does not depend on the payment of any money or money equivalent,

is subject by virtue of this Part to a class licence in connection with the provision of such a gambling service.

(2) Unless exempt under section 128 of the Act, every entity which provides a gambling service by conducting gaming involving a defined game or by conducting a defined lottery —

- (a) at any time on or after 2 August 2022 in or from any place in Singapore;
- (b) under an arrangement or in collaboration with an eligible person (other than a Town Council) exclusively for one or more eligible objects; and

(c) where to engage, or engaging, in any defined gambling involving the defined game or the defined lottery does not depend on the payment of any money or money equivalent, is also subject by virtue of this Part to a class licence in connection with the provision of such a gambling service.

Class licence for survey-related gambling service

5.—(1) Unless exempt under section 128 of the Act, every relevant education provider and every entity which provides a gambling service by conducting gaming involving a defined game or by conducting a defined lottery (but not a trade promotion game or trade promotion lottery) —

- (a) at any time on or after 2 August 2022 in or from any place in Singapore;
 - (b) exclusively for the following purpose:
 - (i) if conducted by the relevant education provider —
 - (A) to promote or further research undertaken by the relevant education provider (either alone or in collaboration with others) in any subject matter other than prohibited subject matter; or
 - (B) to encourage participation in a market survey (without a sales demonstration) conducted by the relevant education provider in relation to its business but not any prohibited subject matter;
 - (ii) if conducted by the entity to encourage participation in a market survey (without a sales demonstration) conducted by the entity —
 - (A) in relation to its business; or
 - (B) in relation to the business of the person engaging the entity to conduct the market survey,
- but not any prohibited subject matter; and

(c) where to engage, or engaging, in any defined gambling involving the defined game or the defined lottery does not depend on the payment of any money or money equivalent, is subject by virtue of this Part to a class licence in connection with the provision of such a gambling service.

(2) In this paragraph, “prohibited subject matter” means a matter that is about or relates to any gambling article, gaming machine, gaming token, peripheral equipment of a gaming machine or other gambling equipment or the provision of any gambling service, but excludes minimising social harm associated with gambling, including problem gambling.

Conditions of Part 2 class licence

6. A class licensee by virtue of this Part is authorised to provide a gambling service by conducting gaming involving a defined game or by conducting a defined lottery, subject to the class licensee taking all reasonably practicable steps to satisfy the following conditions:

- (a) the advertising requirement in Part 4 with respect to all publicity for the defined game or defined lottery;
- (b) no image of a gambling article specified in the Second Schedule is displayed or used at any time during the conduct of the defined game or defined lottery;
- (c) the determination of the winners for the prizes in the defined game or defined lottery takes place at the place, date or time in accordance with the publicity for the defined game or defined lottery;
- (d) the information requirement in Part 4 to the extent applicable;
- (e) the special requirement in Part 4, if applicable;
- (f) the prize-winner notification requirement in Part 4, if applicable.

PART 3

TRADE PROMOTION GAMES AND LOTTERIES

Class licence for trade promotion games and lotteries

7.—(1) Unless exempt under section 128 of the Act, every entity which provides a gambling service by conducting a trade promotion game involving a defined game or a trade promotion lottery involving a defined lottery at any time on or after 1 February 2023 in or from any place in Singapore is subject to a class licence in connection with the provision of such a gambling service.

(2) However, for the purposes of this Order, a person that makes available an interactive game for others to play the game for a prize in accordance with arrangements made by or on behalf of the person is not to be regarded as conducting —

- (a) a trade promotion game for any goods or services just because an advertisement promoting trade in goods or services appears as a banner or interstitially on screen when a player plays that interactive game, and those goods or services are wholly unconnected with the interactive game; or
- (b) a trade promotion game for the interactive game or any associated features of the interactive game just because a player is encouraged to make or makes in-game microtransactions when playing the interactive game so as to do all or any, or a combination of any, of the following:
 - (i) to alter the player's computer-generated image or visual representation within the interactive game;
 - (ii) to unlock a feature of or add new content to the interactive game;
 - (iii) to add to or enhance the entertainment value of the interactive game;
 - (iv) to ease the player's progression in the interactive game (such as by assisting the player to accomplish a score, level or achievement faster).

Conditions of Part 3 class licence

8. A class licensee by virtue of this Part is authorised to provide a gambling service by conducting a trade promotion game or trade promotion lottery involving a defined game or defined lottery, subject to the class licensee taking all reasonably practicable steps to satisfy the following conditions:

- (a) the advertising requirement in Part 4 with respect to all publicity for the defined game or defined lottery;
- (b) no image of a gambling article specified in the Second Schedule is displayed or used at any time during the conduct of the trade promotion game or trade promotion lottery;
- (c) the determination of the winners for the prizes in the defined game or defined lottery takes place at the place, date or time in accordance with the publicity for the defined game or defined lottery;
- (d) the information requirement in Part 4 to the extent applicable;
- (e) the special requirement in Part 4, if applicable;
- (f) the prize-winner notification requirement in Part 4, if applicable;
- (g) no goods or services are offered as an inducement, or a prize, for playing any defined game or for entering or participating in any defined lottery in the trade promotion game or trade promotion lottery, to an individual who, by reason of his or her age, would not otherwise be permitted under any written law to purchase.

PART 4
CONDITIONS:
SUPPLEMENTARY INTERPRETIVE PROVISIONS

Advertising requirement

9. The advertising requirement in relation to a defined game or defined lottery in a cause-related game, cause-related lottery, trade promotion game or trade promotion lottery is the requirement that any information or material giving publicity to, or otherwise promoting or intended to promote, the defined game or defined lottery must not contain or make reference in any way to any gambling article specified in the Second Schedule.

Information requirement

10.—(1) The information requirement in relation to a defined game or defined lottery in a cause-related game, cause-related lottery, trade promotion game or trade promotion lottery is as follows:

- (a) to ensure that the following material information is included in relation to any publicity for the defined game or defined lottery:
 - (i) the name of the class licensee conducting the defined game or defined lottery;
 - (ii) the date, place and time for the playing of the defined game or the draw or determination of the defined lottery;
 - (iii) the rules of the defined game or defined lottery and the methodology used to determine the winners in the defined game or defined lottery;
 - (iv) the prizes that are available (including the manner of allocation of the prizes) and how unclaimed prizes will be dealt with by the class licensee;
 - (v) the details of how the prize-winners will be notified;
 - (vi) the details of the way in which the results of the defined game or defined lottery will be publicised;

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- (vii) other terms and conditions of the defined game or the defined lottery;
 - (b) to publish the material information mentioned in sub-paragraph (a) and connected with the defined game or defined lottery, before any ticket or right to participate in the defined game or defined lottery is distributed or offered for acquisition —
 - (i) in a newspaper or other publication (such as a magazine) circulating generally throughout Singapore; or
 - (ii) on the Internet website of the class licensee, if any;
 - (c) if any tickets in the defined game or defined lottery are to be distributed before the day on which the defined game is to be played or the defined lottery is to be drawn or determined, or at places other than the place at which the defined game is to be played or the defined lottery is to be drawn or determined, to ensure that the material information mentioned in sub-paragraph (a) and connected with the defined game or defined lottery (as the case may be) is —
 - (i) clearly printed on each ticket; or
 - (ii) otherwise made available to the player in the defined game or participant in the defined lottery (as the case may be) at the time the ticket is issued to the player or participant.

(2) It is sufficient compliance with the requirements of sub-paragraph (1)(a) if the material information is printed on the ticket issued in connection with the defined game or defined lottery.

(3) Where the trade promotion game or trade promotion lottery is conducted by a club, society or similar entity in which only members, or a class of members, of the club, society or similar entity have a right to play or participate in the defined game or defined lottery involved, it is sufficient compliance with the requirement in sub-paragraph (1)(b)(i) if the material information mentioned in

sub-paragraph (1)(a) is published in a publication (such as a newsletter) circulated generally among those members.

(4) However, the requirements in sub-paragraph (1)(a)(vi) and (c) do not apply in relation to a defined game or defined lottery that is an instant game or instant lottery.

Special requirement for non-instant games or lotteries

11.—(1) The special requirement applies only in relation to a cause-related game, cause-related lottery, trade promotion game or trade promotion lottery that is not entirely an instant game or an instant lottery.

(2) If the total value of the prizes in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery does not exceed \$10,000, the special requirement is as follows:

(a) every determination of winners in any defined game or defined lottery in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery (as the case may be) is conducted under the supervision of the class licensee, and takes place as follows:

(i) in front of an audience at a meeting that —

(A) is open to the general public; or

(B) is held whether wholly or partly, by electronic communication, video conferencing, tele-conferencing, or other electronic means (like real-time transmission) where the audience may watch the simultaneous audio or visual transmission, through the Internet or other form of communication network, from the place where the meeting is taking place to another place where the audience is present; or

(ii) in the presence of a scrutineer who is not associated with the class licensee or otherwise involved in the conduct of any defined game or defined lottery in the cause-related game, cause-related lottery, trade

promotion game or trade promotion lottery, as the case may be;

(b) to make and keep accurate records, for a period of at least 5 years after the determination of the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery to which the record relates, of the following matters:

(i) the details of the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery, including the time, date, location and method of the determination of every defined game or defined lottery in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery;

(ii) the distribution of all prizes to the prize-winners and the details of any unclaimed prizes and the manner in which they were dealt with;

(c) to make available in the period specified in sub-paragraph (b) all records required under that sub-paragraph for inspection by the Authority.

(3) If the total value of the prizes in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery exceeds \$10,000, the special requirement is as follows:

(a) every determination of winners in any defined game or defined lottery in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery (as the case may be) is conducted under the supervision of the class licensee, and takes place either as follows:

(i) in front of an audience at a meeting that —

(A) is open to the general public; or

(B) is held whether wholly or partly, by electronic communication, video conferencing, tele-conferencing, or other electronic means (like real-time transmission) where the

audience may watch the simultaneous audio or visual transmission, through the Internet or other form of communication network, from the place where the meeting is taking place to another place where the audience is present;

- (ii) in the presence of a scrutineer who is not associated with the class licensee or otherwise involved in the conduct of any defined game or defined lottery in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery, as the case may be;
- (b) to ensure that particulars of the results of every defined game or defined lottery in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery are published —
- (i) within 7 days after the determination of the results of the defined game or defined lottery, in a major newspaper circulating generally throughout Singapore; or
 - (ii) for a minimum period of 2 months after the determination of those results, on the Internet website of the class licensee conducting the defined game or defined lottery;
- (c) to make and keep accurate records, for a period of at least 5 years after the determination of the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery to which the record relates, of the following matters:
- (i) the details of the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery, including the time, date, location and method of the determination of every defined game or defined lottery in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery;

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- (ii) the distribution of all prizes to the prize-winners and the details of any unclaimed prizes and the manner in which they were dealt with;
 - (iii) a statement by a scrutineer mentioned in sub-paragraph (d);
- (d) to obtain a statement by the scrutineer of any defined game or defined lottery in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery certifying —
- (i) a scrutineer's witnessing the conduct of the defined game or defined lottery if that occurred;
 - (ii) the compliance by the class licensee with sub-paragraph (b);
 - (iii) the making by the class licensee of a record in accordance with sub-paragraph (c) in relation to the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery; and
 - (iv) the compliance by the class licensee with the prize-winner notification requirement in paragraph 12;
- (e) to make available in the period specified in sub-paragraph (c) all records required under that sub-paragraph for inspection by the Authority.

Prize-winner notification requirement

12.—(1) The prize-winner notification requirement in relation to the conduct of a cause-related game, cause-related lottery, trade promotion game or trade promotion lottery is the requirement —

- (a) to advise each prize-winner in any defined game or defined lottery in the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery (within 7 days after the determination of the results of the game or lottery) of the prize that the prize-winner has won; and

(b) to arrange without delay for the relevant prize to be given to each prize-winner.

(2) The prize-winner notification requirement does not apply if the cause-related game, cause-related lottery, trade promotion game or trade promotion lottery is entirely an instant lottery.

FIRST SCHEDULE

Paragraph 2(1)

PROHIBITED GAME, METHOD, DEVICE, SCHEME, OR COMPETITION

1. The game of Pai Kow or Pan Tiong.
2. The game of Tien Kow.
3. The game of Tau Ngau.
4. The game of Chap Ji Kee Panjang.
5. The game of Fan Tan or Thuahn.
6. The game of Belankas.
7. The game of Mahjong.
8. The game of Roulette.
9. The game of Rajah Kena.
10. The game of Tikam Tikam.
11. The game of Three Cards or Pa Kau or Sam Cheong or Daun Tiga.
12. The game of Pair.
13. The game of Poker.
14. The game of Twenty-one or Blackjack or Pontoon or Yee Sap Yat or Ji It Tiam or Dua Puluh Satu.
15. The game of Fishing or Ang Tiam or Tiew Yue.
16. The game of Five Cards or Tan.
17. The game of Si-Ki-Phuay or Si Ki Pi.
18. The game of See Goh Lak.
19. The game of Tai Sai or Sic Bo or Big Small.
20. The game of Hoo, Hey, How.
21. The game of Soo Sik or See Sek or Si Se Pai.

FIRST SCHEDULE — *continued*

22. The game of Eight and Nine or Head and Tail or Blue and Red.
23. The game of Dou Tai Chi or Chor Dai Di or Big Two.
24. The game of Baccarat.
25. The game of Craps.
26. The game of Casino War.
27. The game of Mini Dice.
28. The game of Dragon Tiger.
29. The game of Dueling 8's 21.
30. The game of Megalink Bullseye.
31. The game of Three Pictures.
32. The game of 2 Card Action.
33. Any game, device, scheme or competition, which relies on the results of 4D, TOTO, Singapore Sweep and any horse race (inclusive of both physical and simulated horse races held locally and overseas).

SECOND SCHEDULE

Paragraphs 6(b), 8(b) and 9

IMPERMISSIBLE GAMBLING ARTICLES

1. Dominoes.
2. A Belankas Top or Four-sided Top.
3. Mahjong Tiles.
4. English Playing Cards.
5. A Hoo, Hey, How Dice.
6. Four Colours Cards or Soo Sik Pai.
7. Roulette Wheel.
8. Chap Ji Kee Tiles.
9. A gaming machine.
10. Any list, card, ticket, voucher or other document issued or otherwise used by any licensee in the conduct of a lottery.
11. Blue and Red Dice or Eight and Nine Dice.

Made on 2 August 2022.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

[MHA/112/2/00107; AG/LEGIS/SL/116C/2020/4 Vol. 1]

(To be presented to Parliament under section 129 of the Gambling Control Act 2022).