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GAMBLING CONTROL ACT 2022

GAMBLING CONTROL (REMOTE GAMES OF CHANCE — 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:

Citation and commencement

1. This Order is the Gambling Control (Remote Games of Chance — Class Licence) Order 2022 and comes into operation on 15 August 2022.

Definitions

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

“arrangement” means a contract, an agreement, understanding or other arrangement of any kind, in writing;

“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;

“computer-generated image” means an image (including an image in the form of text) produced by use of a computer on a computer monitor, television screen, communication device or similar medium from electronically recorded data;

“end-user” means an end-user of an internet access service or electronic service or a social media service;

“game of chance” means a game of chance that is a computer program and any associated data, but excludes a gaming machine game;

“in-game microtransaction”, in relation to an interactive game, means any transaction which a player of the interactive game is encouraged to make or makes, when playing the interactive game so as to do all or any, or a combination of any, of the following:

- (a) to alter the player’s computer-generated image or visual representation within the interactive game;
- (b) to unlock a feature of or add new content to the interactive game;
- (c) to add to or enhance the entertainment value of the interactive game;
- (d) to ease the player’s progression in the interactive game (such as by assisting the player to accomplish a score, level or an achievement faster);

“interactive game” means a game, whether or not also a game of chance —

- (a) that offers a scoring system, a set of goals to achieve, a set of rewards, or a sense of interactive progression through the game’s content;
- (b) 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;

- (c) in which a player enters or takes any step in the game by means of a computer or communication device; and
- (d) that is primarily in the nature of entertainment, having regard to the general character of the game and the persons or class of persons to or amongst whom it is made available or published or is intended or likely to be made available or published;

“interactive game of chance” means an interactive game that is also a game of chance;

“token” means a unit of value that can be used to exchange for a chance to play an interactive game or acquire any goods, service or benefit.

Meaning of “free” interactive game

3.—(1) Subject to sub-paragraphs (2) and (3), in this Order, a player’s entitlement to or to play, or to continue to play, an interactive game of chance is not to be regarded as free of charge unless the player is not, and must not be, required to pay, and does not pay, any deposit, charge, commission or fee (in money, money equivalent or any thing else of value) —

- (a) whether directly or indirectly; and
- (b) whether or not the deposit, charge, commission or fee is claimed to be refundable,

for or in order to play, or to continue to play, or otherwise in connection with any in-game microtransaction when playing, the interactive game of chance.

(2) A player’s entitlement to or to play, or to continue to play, an interactive game of chance is still to be regarded as free of charge if the player —

- (a) is awarded, by or under the authority of a class licensee providing the remote gambling service using the interactive game of chance, a complimentary token the terms of which are all as follows:

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- (i) it is to be redeemable only at the request of the player;
 - (ii) no deposit, charge, commission or fee, in money, money equivalent or any thing else of value (whether directly or indirectly and whether or not the deposit, charge, commission or fee is claimed to be refundable) is required to be paid, and must not be paid, by the player for or in order to be awarded the complimentary token; and
- (b) redeems and exchanges the complimentary token for or in relation to any in-game microtransaction of the interactive game during gameplay.
- (3) A player of an interactive game of chance is not to be regarded as giving, or undertaking to give, any money or money equivalent or any thing else of value to enter or for, or to continue to play, the interactive game of chance just because the player pays any money or money equivalent or any thing else of value —
- (a) to download the interactive game of chance into his or her computer or communication device in order to play that game;
 - (b) to acquire any apparatus or equipment which is specially designed or adapted for use to play the interactive game of chance and without which that game cannot be played; or
 - (c) by way of a subscription in order to play or continue to play the interactive game of chance, being an amount that is not dependent on or connected with any element of chance comprised in or in playing that game.

Type 1 class licence

4.—(1) Unless exempt under section 128 of the Act, every person who provides at any time on or after 15 August 2022 in the course of business a remote gambling service —

- (a) that uses an internet access service or electronic service or a social media service to conduct gaming;

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- (b) that is for, or offers an opportunity to or otherwise facilitates, end-users to play (whether or not with other end-users) an interactive game of chance described in sub-paragraph (2) for a prize;
 - (c) that has a Singapore-customer link, or that conducts gaming in or from Singapore and has a foreign-customer link; and
 - (d) such that every player's entitlement to and to play, and to continue to play, the interactive game of chance using an internet access service or electronic service or a social media service is free of charge,

is subject by virtue of this paragraph to a Type 1 class licence in connection with the provision of such a remote gambling service.

(2) The interactive game of chance for the purposes of sub-paragraph (1) is an interactive game of chance —

- (a) that does not have any design element or game mechanic from or involve 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; and
- (b) that does not display to the player, or use in any computer-generated image produced in the course of playing the interactive game of chance, any image of a gambling article specified in the Second Schedule.

Conditions of Type 1 class licence

5. A class licensee by virtue of paragraph 4(1) is authorised to provide a remote gambling service involving an interactive game of chance described in paragraph 4(2), subject to the class licensee taking all reasonably practicable steps to satisfy the following conditions:

- (a) any information or material that gives publicity to, or otherwise promotes or is intended to promote the interactive game of chance or the service provided by

the class licensee, does not contain or refer in any way to any gambling article specified in the Second Schedule;

- (b) any complimentary token awarded by or under the authority of the class licensee to any player for or to play, or to continue to play, the interactive game of chance, is —
- (i) consumable and restricted to unique use by each individual player awarded; and
 - (ii) not transferable to anyone else.

Type 2 class licence

6.—(1) Unless exempt under section 128 of the Act, every person, other than a class licensee by virtue of paragraph 4(1), who provides at any time on or after 15 August 2022 in the course of business a remote gambling service —

- (a) that uses an internet access service or electronic service or a social media service to conduct gaming;
- (b) that is for, or offers an opportunity to or otherwise facilitates, end-users to play (whether or not with other end-users) an interactive game of chance described in sub-paragraph (2) for a prize; and
- (c) that has a Singapore-customer link, or that conducts gaming in or from Singapore and has a foreign-customer link,

is subject by virtue of this paragraph to a Type 2 class licence in connection with the provision of such a remote gambling service.

(2) The interactive game of chance for the purposes of sub-paragraph (1) is an interactive game of chance in which any prize that may be won, or any feature of the interactive game of chance that may be unlocked (in a randomised or partially randomised fashion) during gameplay, is —

- (a) one that is not money (but may be money equivalent or any thing else of value);

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- (b) one that may be won or acquired by a player of the interactive game of chance only by an in-game microtransaction during, or by playing, that game of chance; and
 - (c) designed primarily for use in another in-game microtransaction during —
 - (i) that same interactive game of chance; or
 - (ii) another interactive game that is related to the firstmentioned interactive game of chance.
- (3) In this paragraph and paragraph 7, an interactive game is related to another interactive game only if —
- (a) the copyright in the interactive games belong to the same person or persons;
 - (b) the firstmentioned interactive game is produced by the same person as the other interactive game; or
 - (c) the interactive games are first published, or are at any time made available, to end-users (who may or may not all be physically present in Singapore) as part of 2 or more separate remote gambling services provided in collaboration under an arrangement between the providers.
- (4) To avoid doubt, this paragraph applies whether or not a player's entitlement to or to play, or to continue to play, an interactive game of chance is free of charge.

Conditions of Type 2 class licence

7.—(1) A class licensee by virtue of paragraph 6(1) is authorised to provide a remote gambling service involving an interactive game of chance described in paragraph 6(2), subject to the class licensee taking all reasonably practicable steps to ensure that the class licensee does not, alone or under arrangement with any associate, also provide a service whereby —

- (a) any prize that may be won in the interactive game of chance;

(b) any feature of the interactive game of chance that may be unlocked (in a randomised or partially randomised fashion) during gameplay; or

(c) any complimentary token awarded by or under the authority of the class licensee to any player for or to play, or to continue to play, the interactive game of chance, is readily converted or made readily convertible into money or a money equivalent, or into any thing else of value except for use in an in-game microtransaction during that same interactive game of chance or another interactive game that is related to the firstmentioned interactive game of chance.

(2) For the purposes of this paragraph, a person, *A*, is an associate of another person, *B*, if —

- (a) *A* is a spouse of *B*;
- (b) *A* is a parent, step-parent, mother-in-law, father-in-law or remoter lineal ancestor of *B*;
- (c) *A* is a son, daughter, son-in-law, daughter-in-law, stepson, stepdaughter or a remoter issue of *B*;
- (d) *A* is a sibling, stepsibling, brother-in-law or sister-in-law of *B*;
- (e) *A* is an uncle, aunt, cousin, nephew or niece of *B*;
- (f) *A* is the partner of *B* in a partnership or limited liability partnership;
- (g) *A* is a corporation of which *B* is an officer;
- (h) *A* and *B* are officers of the same corporation;
- (i) *A* is an employee of *B*;
- (j) *A* and *B* are employees of the same employer;
- (k) *A* is a corporation the directors of which are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *B*;
- (l) *A* is a related corporation of *B* under section 6 of the Companies Act 1967; or

- (m) *A* is a person who is accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *B*.

Excluded gambling services

8. This Order does not apply to the provision of any gambling service covered by a class licence under the Gambling Control (Trade and Other Promotional Games and Lotteries — Class Licence) Order 2022 (G.N. No. S 660/2022).

FIRST SCHEDULE

Paragraph 4(2)(a)

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 Puluah 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.

FIRST SCHEDULE — *continued*

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.
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 4(2)(b) and 5(a)

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.

SECOND SCHEDULE — *continued*

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 15 August 2022.

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

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