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CASINO CONTROL ACT
(CHAPTER 33A)

CASINO CONTROL (PATRON DISPUTE RESOLUTION)
REGULATIONS 2009

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In exercise of the powers conferred by sections 112 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 (Patron Dispute Resolution) Regulations 2009 and shall come into operation on 23rd September 2009.

Definitions

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

“appeal” means an appeal to the Authority under section 114 of the Act against a decision of the Patron Dispute Committee;

“counsel” means an advocate and solicitor of the Supreme Court or a foreign lawyer as defined under section 2 of the Legal Profession Act (Cap. 161);

“dispute” means a dispute between a casino operator and a patron of the casino as to alleged winnings, alleged losses or the manner in which a game is conducted;

“dispute resolution period” has the meaning ascribed to it in regulation 3;

“parties”, in relation to any proceedings for a reconsideration or an appeal in respect of a dispute, means the casino operator and the patron concerned in the dispute;

“Patron Dispute Committee” means the committee appointed by the Authority under section 112(4) of the Act to reconsider an inspector’s decision;

“reconsideration” means a reconsideration of an inspector’s decision.

PART II

RESOLUTION OF DISPUTES BY CASINO OPERATOR OR INSPECTOR

Dispute resolution period

3. Within 7 days from the date a dispute arises between a casino operator and any of its patrons (referred to in these Regulations as the dispute resolution period), the casino operator shall endeavour to resolve the dispute to the satisfaction of the patron and to pay the patron’s claim, where applicable.

When dispute is considered unresolved

4.—(1) A casino operator and a patron shall be taken to be unable to resolve a dispute to the satisfaction of the patron under section 111(1) of the Act, when —

- (a) the dispute remains unresolved at the expiry of the dispute resolution period; or
- (b) at any time before the expiry of the dispute resolution period, the casino operator and the patron agree that they are unable to resolve the dispute.

[S 56/2013 wef 31/01/2013]

(2) *[Deleted by S 56/2013 wef 31/01/2013]*

(3) *[Deleted by S 56/2013 wef 31/01/2013]*

(4) *[Deleted by S 56/2013 wef 31/01/2013]*

Payment of claim after decision by inspector

5.—(1) Where an inspector has made a decision under section 111(2) of the Act that payment should be made by either the casino operator or the patron, the party by whom payment is to be made shall pay the other party within a period of 30 days after the date of the inspector's decision, unless a request for reconsideration is made before the end of that period.

[S 56/2013 wef 31/01/2013]

(2) Any casino operator which fails to make payment within the time delimited under paragraph (1) shall be liable to disciplinary action under section 54 of the Act.

PART III**RECONSIDERATION OF INSPECTOR'S DECISION****Request for reconsideration**

6.—(1) Any request to the Authority for reconsideration of an inspector's decision under section 112(1) of the Act shall —

- (a) be in writing and set out the basis of the request; and
- (b) be made not later than 30 days after the date of the inspector's decision.

[S 56/2013 wef 31/01/2013]

(2) The Authority shall, without delay, refer a request made in accordance with paragraph (1) to a Patron Dispute Committee.

Appointment of Patron Dispute Committee

7.—(1) For the purposes of section 112(4) of the Act, the Authority shall appoint a committee to be known as the Patron Dispute Committee, comprising a chairman and such other members as the Authority may appoint from among persons who are not officers, employees or members of the Authority.

(2) A member of the Patron Dispute Committee shall be appointed on such conditions and for such term as the Authority may determine.

(3) The Authority may at any time revoke the appointment of the chairman or any member of the Patron Dispute Committee, and may

appoint any person to fill any vacancy which may arise in the Committee.

(4) The chairman shall preside at proceedings before a Patron Dispute Committee, but if the chairman is absent or otherwise unable to participate in the proceedings, the Authority may appoint another member of the Committee to preside at those proceedings.

(5) A quorum of the Patron Dispute Committee shall consist of 2 members.

(6) A decision of the Patron Dispute Committee may be made by a simple majority of the members present and voting at any proceedings, except that in the case of an equality of votes, the chairman or in his absence, the member presiding, shall have the casting vote.

(7) Where a member (including the chairman) of the Patron Dispute Committee is in any way, whether directly or indirectly, interested in any dispute, and the interest could conflict with the proper performance of the member's duties in relation to the dispute, the member shall immediately disclose the nature of his interest at any proceedings of the Committee for a reconsideration in respect of that dispute, and shall not participate in the reconsideration.

(8) For the purpose of determining whether there is a quorum under paragraph (5) for any proceeding for reconsideration, a member shall be treated as not being present at the proceedings if, under paragraph (7), he cannot participate in the reconsideration.

(9) The Authority may appoint a secretary to the Patron Dispute Committee and such other officers as may be required to enable the Patron Dispute Committee to carry out its functions under the Act.

Proceedings before Patron Dispute Committee

8.—(1) A Patron Dispute Committee shall consider every request referred to it under regulation 6(2) and, in relation to the dispute, shall determine whether payment should be made and by which party.

(2) All proceedings of the Patron Dispute Committee for reconsideration shall be conducted in an informal manner and held in private.

(3) The Patron Dispute Committee shall not be bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit.

(4) Except where the patron concerned in the dispute or the employee or officer authorised to represent the casino operator in the proceedings is himself a counsel, no party to any proceedings before a Patron Dispute Committee shall be represented by counsel.

(5) The Patron Dispute Committee shall give each party to the proceedings a reasonable opportunity to be heard (whether in person or otherwise) and shall consider any explanation so given.

(6) The Patron Dispute Committee may, in any proceedings by notice in writing, require any person to —

(a) answer questions or supply information; or

(b) produce any document, record, book of account or any other thing under his custody or control,

which may be relevant to the proceedings within the time specified in the notice.

(6A) The Patron Dispute Committee may direct any inspector to carry out any further investigation of the dispute and submit a report on his findings.

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(7) Where any person fails to provide the necessary information or documents within the time specified in the notice in paragraph (6), the Patron Dispute Committee may make its decision on the basis of the facts and information available to it.

(8) The Patron Dispute Committee may confirm, vary or reverse the inspector's decision.

(9) The decision of the Patron Dispute Committee shall be in writing and shall be served on the casino operator and the patron concerned.

Decisions by Patron Dispute Committee outside meetings

8A.—(1) Notwithstanding regulations 7 and 8, a Patron Dispute Committee may, if it thinks fit, deliberate on and make any decision by

the circulation of papers among all of the members of the Patron Dispute Committee.

(2) A member of the Patron Dispute Committee who is in any way, directly or indirectly, interested in any dispute, which interest could conflict with the proper performance of the member's duties in relation to the dispute —

(a) shall disclose the nature of his interest in writing to the chairman of the Patron Dispute Committee at the first opportunity after the relevant facts have come to his knowledge, which disclosure shall be recorded by the secretary of the Patron Dispute Committee; and

(b) shall not take part in the decision with respect to that dispute.

(3) A decision in writing made by a simple majority of the members of the Patron Dispute Committee for the time being entitled to take part in the decision in respect thereof shall be taken to be a decision of the Patron Dispute Committee, and shall be as valid and effectual as if it had been made at a meeting of the Patron Dispute Committee duly convened and held.

(4) Separate copies of a decision in writing may be distributed for signing by the members if the wording of the decision is identical in each copy.

(5) For the purpose of a decision under this regulation, the chairman and each member shall have the same voting rights as they have at any meeting of the Patron Dispute Committee.

(6) The decision of the Patron Dispute Committee shall be made when the last member thereof required for the majority signs and his decision is duly delivered to the secretary.

(7) The chairman may stipulate a period of time within which a decision must be made under this regulation.

(8) For the purposes of this regulation, papers, including disclosures and decisions, may be circulated among members or delivered to the secretary by hand or facsimile or electronic transmission of the information in the papers concerned.

[S 56/2013 wef 31/01/2013]

Record of proceedings to be kept

9.—(1) The record of every proceedings before the Patron Dispute Committee for a reconsideration shall include —

- (a) the name and particulars of the patron, the casino operator and any employee of the casino operator concerned;
- (b) the particulars of the inspector's decision to be reconsidered;
- (c) a summary of the evidence provided by the parties to the proceedings in sufficient detail to enable the Authority to comprehend the course of the proceedings;
- (d) any other information relevant to the decision of the Patron Dispute Committee; and
- (e) the decision reached by the Patron Dispute Committee and the reasons for its decision.

(2) The record of proceedings shall —

- (a) be signed by the chairman, or the member presiding, and the members of the Patron Dispute Committee who participated in the reconsideration; and
- (b) be submitted to the Authority.

(3) The secretary to the Patron Dispute Committee shall keep and maintain —

- (a) records of every request for reconsideration made under regulation 6;
- (b) all records of proceedings before the Patron Dispute Committee under these Regulations; and
- (c) where any appeal is made, the records of the decision of the Authority in each case.

(4) The casino operator and the patron concerned shall not be entitled to any copy of records made or kept under paragraph (1) or (3).

PART IV
APPEAL TO AUTHORITY

Appeal to Authority

10.—(1) An appeal to the Authority against a decision of the Patron Dispute Committee under section 114 of the Act shall —

- (a) be in writing and set out all the grounds for the appeal; and
- (b) be made not later than 30 days after the date the appellant is notified of the decision of the Patron Dispute Committee.

(2) The Authority may refuse to consider any appeal which fails to comply with paragraph (1).

Authority to consider appeal

11.—(1) When the Authority receives an appeal under regulation 10, the Authority shall —

- (a) notify the respondent in writing of the grounds of appeal of the appellant;
- (b) allow the respondent to submit a statement in reply to the grounds of appeal within such time as the Authority may specify; and
- (c) if, in the opinion of the Authority, the respondent's statement under sub-paragraph (b) contains matters not previously considered by the Patron Dispute Committee, allow the appellant to submit a further statement in reply to the respondent's statement within such time as the Authority may specify.

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(1A) Where the grounds of appeal or statements under paragraph (1) contain any matters not previously considered by the Patron Dispute Committee, the Authority may, before making its decision, call upon a Patron Dispute Committee to give its opinion thereon.

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(1B) The Patron Dispute Committee which gives its opinion on the matters referred to in paragraph (1A) need not comprise the same

members as the Patron Dispute Committee which made the decision being appealed against.

[S 56/2013 wef 31/01/2013]

(2) The Authority may confirm, vary or reverse the decision of the Patron Dispute Committee.

(3) The decision by the Authority shall be in writing and shall be served on the casino operator and patron concerned.

PART V

GENERAL PROVISIONS

Costs of proceedings

12. Each party to any proceedings before a Patron Dispute Committee or any appeal shall bear his own costs and expenses incurred as a result of or in relation to the proceedings or appeal.

Trivial, frivolous or vexatious applications

13. The Patron Dispute Committee or the Authority may at any time dismiss a request for reconsideration or an appeal, as the case may be, which it considers to be trivial, frivolous or vexatious.

Withdrawal of request for reconsideration or appeal

14. Where a request for reconsideration or an appeal is withdrawn before the conclusion of the reconsideration or of the appeal, the Patron Dispute Committee or the Authority, as the case may be, may, notwithstanding such withdrawal, continue with its consideration of the matter and make a decision in respect thereof.

Made this 15th day of September 2009.

RICHARD MAGNUS
Chairman,
Casino Regulatory Authority of
Singapore.

[CRA 25/4/2C V.2; AG/LEG/SL/33A/2006/13 Vol. 1]