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CASINO CONTROL ACT (CHAPTER 33A)

CASINO CONTROL (JUNKETS) REGULATIONS 2009

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In exercise of the powers conferred by sections 110 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 (Junkets) Regulations 2009 and shall come into operation on 31st December 2009.

Definitions

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

“application” means an application for a junket promoter licence or a junket representative licence, and “applicant” shall be construed accordingly;

[S 106/2012]

“endorsement”, in relation to a junket promoter, means an endorsement by a casino operator of the junket promoter, in accordance with the requirements in regulation 6(1)(d);

[S 106/2012]

“junket agreement” means a contract or other arrangement that relates to the conduct of a junket;

“junket licensee” means the holder of a junket promoter licence or junket representative licence;

“junket representative” means an individual who is employed by a junket promoter to organise, promote or conduct a junket on behalf of the junket promoter;

“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;

[S 106/2012]

(b) any entitlement to receive any income derived from the business; or

[S 106/2012]

(c) any contribution to the capital of the business, whether by a loan or otherwise;

[S 106/2012]

“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 junket promoter or an applicant for a junket promoter 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 junket business of the licensed junket promoter or applicant.

[S 106/2012]

(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 junket business of the licensed junket promoter or applicant;
- (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 junket business of the licensed junket promoter or applicant;
- (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 junket business of the licensed junket promoter or applicant;
- (d) the degree of direct or indirect influence that the person has in the management or operation of the junket business of the licensed junket promoter or applicant;
- (e) any other matter that the Authority considers relevant.

[S 106/2012]

Persons required to hold junket promoter licence or junket representative licence

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

- (a) no body corporate shall organise, promote or conduct a junket in or with respect to any casino unless it holds a junket promoter licence from the Authority authorising it to do so in or with respect to that casino; and

[S 106/2012]

(b) no individual shall organise, promote or conduct a junket in or with respect to any casino unless he holds —

(i) a junket representative licence from the Authority authorising him to do so in or with respect to that casino, if he is employed to do so by a licensed junket promoter; or

[S 106/2012]

(ii) a junket promoter licence from the Authority authorising him to do so in or with respect to that casino, if he is acting on his own behalf.

[S 106/2012]

[S 106/2012]

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

(a) any licensed special employee of a casino operator who organises or promotes a junket in the performance of his duties for the casino operator by which he is employed;

(b) any person who receives a commission or other payment from the casino operator, or the person in charge of the 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 the casino operator, or the person in charge of the 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 a junket promoter licence.

(3) Notwithstanding paragraph (2), if, in the opinion of the Authority —

- (a) any person, by reason of his remuneration or functions in relation to any junket, should be licensed as a junket promoter or junket representative; or

[S 106/2012]

- (b) the commission or other payment received by any person forms part of a series of such commission or other payments that may reasonably be considered to have been arranged for the purpose of avoiding the requirement to be licensed as a junket promoter or junket representative,

[S 106/2012]

the Authority may, by a notice in writing given to the person, require that person to apply for the appropriate licence within the period specified in the notice.

(4) If the period specified in the notice for the making of an application expires with no application having been made by the person referred to in paragraph (3), the Authority may give a direction to any casino operator to cease any further arrangement or business association with that person from such date as may be specified in the direction, and the casino operator shall comply with such direction.

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

4. 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 3(2)(b) or (c).

Duty of casino operator in relation to unlicensed persons

5. A casino operator shall not allow a person —

- (a) who is not a licensed junket promoter endorsed by it or a licensed junket representative employed by a licensed junket promoter endorsed by it;

[S 106/2012]

- (b) who is not a person referred to in regulation 3(2); or

(c) who is suspended under regulation 34A or 37,

[S 106/2012]

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

PART II

APPLICATION FOR JUNKET PROMOTER LICENCE OR JUNKET REPRESENTATIVE LICENCE

Application for junket promoter licence

6.—(1) An application for a junket promoter 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 Schedule, which fee is not refundable;
- (b) the disclosure of corporate or individual information in the form provided by the Authority for the applicant and such associates of the 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 a junket agreement with the applicant;
- (d) an endorsement of the applicant in such form as the Authority may require, by each casino operator (or applicant for a casino licence) with which the applicant intends to enter into a junket agreement —
 - (i) stating that, having regard to the suitability of the applicant for the junket promoter licence, the casino operator (or applicant for a casino licence) is satisfied that entering into a junket agreement with the applicant will not affect the credibility, integrity and stability of its casino operations; and
 - (ii) accompanied by a due diligence report on the applicant by the casino operator (or applicant for a casino licence); and

[S 106/2012]

(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 a junket promoter licence received and considered by the Authority before the date of publication of the notice referred to in regulation 13(1B)(a), is refused on the ground stated in regulation 13(1A), the Authority shall refund the costs of investigation paid in respect of the application under paragraph (1), and any application made under regulation 7(1), without interest to the applicant.

[S 106/2012]

Application for junket representative licence

7.—(1) An application for a junket representative licence shall be made to the Authority by a licensed junket promoter (or an applicant for a junket promoter licence) on behalf of any person he or it intends to employ to organise, promote or conduct a junket.

(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 Schedule, which fee is not refundable;

(b) the disclosure of the individual information of the applicant for the junket 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 junket promoter licence or junket representative licence

8.—(1) No person shall be eligible to apply for or to hold a junket promoter licence or junket representative licence, if —

(a) in the case of an individual —

- (i) he is below the age of 21 years;
- (ii) he is the subject of an exclusion order under section 121, 122, 162 or 165 of the Act;
- (iii) he is excluded from any casino by virtue of section 165A of the Act; or
- (iv) he has been adjudicated a 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 junket promoter or licensed junket representative becomes ineligible to hold the licence under paragraph (1), the licence shall lapse.

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

(4) Any person who 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

9.—(1) On receiving an application for a junket promoter licence or junket 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 junket promoter or licensed junket 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 with a licensed junket promoter or licensed junket representative;
- (iii) any person who has a business association with the applicant or 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;

[S 106/2012]

(b) require the applicant or any person referred to in sub-paragraph (a) to —

- (i) 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

[S 106/2012]

- (ii) 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, finger prints and palm prints taken; and
- (d) send a copy of the application and of any such photograph, finger prints 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) any 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) any person from whom it requires a photograph, finger prints or palm prints under this regulation refuses to allow his photograph, finger prints or palm prints to be taken.

10. [*Deleted by S 106/2012*]

Change of particulars of application

11.—(1) If a change occurs in the information provided in or in connection with an application for a junket promoter licence or junket 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 9 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.

[S 106/2012]

(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 junket promoter

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

- (a) a junket promoter licence; or
- (b) a junket representative licence,

shall be borne by the junket promoter making the application, whether the application is made on his or its own behalf or on behalf of a junket representative he or it intends to employ.

(2) The Authority may, from time to time, give a written notice to the junket promoter making the application of the estimated costs of investigation and require the junket promoter 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 junket promoter; or
- (b) where the actual costs of investigation are higher than the amount paid under paragraph (2), by a written notice, require the junket promoter 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.

[S 106/2012]

Matters to be considered in determining applications for junket promoter

13.—(1) The Authority shall consider whether to grant an application for a junket promoter 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;
- (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 junket promoter and the services of persons who have sufficient experience in the management and operation of a junket promoter;
- (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;

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- (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.

(1A) For the purposes of section 110(2) of the Act, the Authority shall not grant a junket promoter 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 junket promoter licences in force exceeding such maximum number of junket promoter licences as the Authority has, in the public interest, determined for that casino.

[S 106/2012]

(1B) If the Authority determines that the maximum number of junket promoter 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.

[S 106/2012]

(2) The Authority shall determine the application by either issuing a junket promoter 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.

Matters to be considered in determining applications for junket representative

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

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- (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 a junket 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) A junket promoter licence or junket representative licence may be granted subject to such conditions as the Authority may impose from time to time.

(1A) A junket promoter licence or junket 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 junket promoter, or the junket promoter employing the junket representative, as the case may be.

[S 106/2012]

(1B) Without prejudice to the generality of paragraph (1), the Authority may impose conditions for the purposes of —

- (a) restricting the classes of persons —
 - (i) to whom a licensed junket promoter or licensed junket representative may promote a junket; or

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- (ii) whom a licensed junket promoter or licensed junket representative may allow to participate in a junket; or
 - (b) containing and controlling the potential of a junket business to cause harm to minors, vulnerable persons and society at large.

[S 106/2012]

(2) A condition of a licence may be amended or revoked by the Authority, whether of its own motion or on the application of the licensed junket promoter or licensed junket representative.

(3) The Authority shall allow the licensed junket promoter or licensed junket 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 junket licensee) and must consider any submission so made.

(4) The Authority shall notify the junket licensee concerned of any addition, amendment or revocation of a condition of the junket promoter licence or junket representative licence, as the case may be.

Licence not transferable

16. Every junket promoter licence and junket representative licence shall not be transferable.

Validity period of junket promoter licence

17.—(1) A junket promoter 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 8(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 regulation 37.

(2) Where a junket promoter's licence expires or lapses under paragraph (1)(b), the junket promoter shall, within 14 days after the

date on which the licence expires or lapses, return the licence to the Authority.

[S 106/2012]

Validity period of junket representative licence

18.—(1) A junket 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 8(2) or paragraph (2) or is cancelled under regulation 37.

[S 106/2012]

(2) A junket representative licence lapses when —

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

[S 106/2012]

[S 106/2012]

(3) Where a junket representative's licence expires or lapses under paragraph (2), the junket representative shall, within 14 days after the date on which the licence expires or lapses, return the licence to the Authority.

[S 106/2012]

Withdrawal of endorsement by casino operator

19.—(1) A casino operator —

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

(2) Where a casino operator withdraws its endorsement of a junket promoter —

- (a) under paragraph (1)(a), the licence of that junket promoter, and every junket representative employed by that junket promoter, shall lapse with respect to the casino of the casino operator withdrawing its endorsement and any other casino in respect of which the junket promoter licence has been granted; and
- (b) under paragraph (1)(b), the licence of that junket promoter, and every junket representative employed by that junket promoter, 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) be by a notice in writing (referred to in this regulation as a notice of withdrawal) given to the junket promoter, 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 junket promoter 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 junket promoter as the Authority may consider necessary, and the casino operator shall comply with such request.

[S 106/2012]

Renewal of licence

20.—(1) Regulations 6 to 14 shall apply, with the necessary modifications and subject to this regulation, to an application for renewal of a junket promoter licence or junket representative licence.

(2) An application for renewal of a junket promoter licence or junket representative licence must be —

- (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 Schedule.

(3) If an application to renew a junket promoter licence or junket 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 Schedule.

Loss, etc., of junket promoter licence or junket representative licence

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

Surrender of junket licence

21A.—(1) Subject to paragraph (2), a junket licensee may surrender his or its junket licence by giving notice in writing to the Authority and returning the junket licence.

(2) A junket licensee against whom disciplinary proceedings are instituted under regulation 37 shall not, without the permission of the Authority, surrender his or its junket licence during the interval before the disciplinary proceedings are concluded.

[S 106/2012]

PART III

DUTIES OF LICENSED JUNKET PROMOTERS AND LICENSED
JUNKET REPRESENTATIVES

Address for service

22. Every licensed junket promoter shall give to the Authority an address in Singapore at which summonses, notices and other documents may be served on the licensed junket promoter and on any licensed junket representative employed by him or it.

Duties of licensed junket promoter to provide information, etc.

23.—(1) Every licensed junket promoter 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 junket promoter to employ licensed junket representatives

24. A licensed junket promoter shall not employ or use the services of a person to organise, promote or conduct a junket within any casino premises unless that person is the holder of a valid junket representative licence.

Duties of licensed junket promoter in relation to licensed junket representative

25.—(1) Every licensed junket promoter must comply with the following duties in relation to the licensed junket representatives in his or its employ:

- (a) notify the Authority in writing when any licensed junket representative has ceased 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;
- (b) submit to the Authority a list of the licensed junket 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 any or all of the licensed junket representatives as the Authority may specify; and
 - (ii) produce such records relevant to any or all of the licensed junket 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 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

26.—(1) A licensed junket promoter must notify the Authority of such changes as the Authority may, by notice in writing, require in relation to —

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

(2) A licensed junket 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 junket promoter in relation to giving of credit

27. No licensed junket promoter may give credit to his or its junket players except in accordance with the requirements of the Act and regulations relating to the giving of credit.

Records to be kept of junket

28.—(1) A licensed junket promoter must keep a record of every junket 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 junket player on the junket:
 - (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 junket players;
- (c) the names and licence numbers of the licensed junket representatives, if any, accompanying the junket players;

[S 106/2012]
- (d) the amount and type of any commission, rebate or complimentary given to each junket player; and

[S 106/2012]

- (e) such other information as the Authority may specify by notice in writing to the licensed junket promoter in any particular case.

[S 106/2012]

[S 106/2012]

(2) The licensed junket promoter 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 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

29. Every licensed junket promoter shall ensure that every record relating to his or its operations as a junket promoter, 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;
- (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 junket promoter in any particular case, allow; and
- (c) is available for inspection by an inspector at any time during that period.

[S 106/2012]

Special audit

29A.—(1) The Authority may, at any time by a notice in writing —

- (a) require a licensed junket promoter to appoint a special auditor to review or investigate the licensed junket promoter'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 junket promoter 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.

[S 106/2012]

Identification to be worn while in casino premises

30. Every licensed junket promoter and licensed junket 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.

30A.—(1) Subject to paragraph (2), no licensed junket promoter shall share with any person who is not a licensed junket promoter or a licensed junket representative, all or part of any commission or other payment received by or due to the licensed junket promoter from a casino operator, or the person for the time being in charge of the casino, for the organisation, promotion or conduct of a junket.

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

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- (a) a fixed amount not calculated by reference to the turnover of play or net win of the junket player; and
- (b) paid in accordance with such requirements as the Authority may specify by notice in writing to the licensed junket promoter.
- (3) Every —
- (a) licensed junket promoter 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 be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 12 months or to both.

[S 106/2012]

Licensed junket promoter and licensed junket representative liable to disciplinary action

31. Any licensed junket promoter or licensed junket representative who or which fails to comply with any duty or requirement imposed on the licensed junket promoter or licensed junket representative under this Part (except regulation 30A) shall be liable to disciplinary action under regulation 37.

[S 106/2012]

PART IV

SUPERVISION AND CONTROL OF LICENSED JUNKET PROMOTERS AND ASSOCIATED PERSONS

Directions to licensed junket promoter

32.—(1) The Authority may give to a licensed junket promoter a written direction that relates to the organising, promoting or conducting of junkets and the licensed junket promoter shall comply with the direction as soon as it takes effect.

(2) The direction takes effect when the direction is given to the licensed junket promoter 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 junket promoter to adopt, vary, cease or refrain from any practice in respect of the conduct of junkets.

(4) A direction under this regulation shall not be inconsistent with the Act or the conditions of the junket promoter licence.

(5) Any licensed junket promoter who or which fails to comply with a direction under this regulation shall be liable to disciplinary action under regulation 37.

(6) Where a licensed junket promoter 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 junket promoter's suitability, etc.

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

(a) the licensed junket promoter is a suitable person to continue to hold the junket promoter licence; and

(b) the junket promoter 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

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

(a) an associate, or a person likely to become an associate, of a licensed junket promoter; 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 junket promoter —

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- (a) is not of good repute, having regard to character, honesty and integrity;
 - (b) is not of sound and stable financial background; or
 - (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.

(3) A licensed junket promoter shall notify the Authority in writing that a person is likely to become an associate of the licensed junket promoter as soon as practicable after the licensed junket promoter 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 junket promoter or the first-mentioned person's association with the licensed junket promoter, 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 junket promoter 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 junket promoter 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 junket promoter 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 junket promoter as the Authority requests.

(9) If the Authority determines that an associate of a licensed junket promoter 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 junket promoter, 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 junket promoter is unsuitable to be concerned in or associated with the business of the licensed junket promoter; or
- (b) the associate continues with the conduct referred to in paragraph (9),

the Authority may, by notice in writing, direct the licensed junket promoter to take all reasonable steps to terminate the association and the licensed junket promoter shall comply with the direction within 14 days or any longer period agreed with the Authority.

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

Suspension of licence pending disciplinary action

34A.—(1) In any case where —

(a) the Authority has been informed that a licensed junket promoter or licensed junket representative 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 junket representative, an offence arising out of or in connection with the employment of the licensed junket representative under the Act; or

(b) disciplinary proceedings under regulation 37 have been or will be commenced against a licensed junket promoter or licensed junket representative,

the Authority may suspend the junket licensee concerned, pending the conclusion of any inquiry or disciplinary proceedings against the junket licensee under regulation 37, if the Authority thinks it necessary in the public interest that the junket licensee should immediately cease to conduct his or its junket business.

(2) Any junket 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.

[S 106/2012]

Disciplinary action against licensed junket promoter

35.—(1) In this regulation and regulation 37 —

“disciplinary action”, in relation to a licensed junket promoter, means one or more of the following:

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- (a) the cancellation or suspension of the junket promoter licence;
 - (b) the issuing of a letter of censure;
 - (c) the variation of any condition of the junket promoter 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 junket promoter, means any of the following grounds:

- (a) that the junket promoter licence was improperly obtained in that, at the time the junket promoter licence was granted, there were grounds for refusing it;
- (b) that the licensed junket promoter or an agent or employee of the licensed junket promoter has contravened a provision of the Act, regulations made thereunder or a condition of the junket promoter licence;
- (c) that the licensed junket promoter 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;

[S 106/2012]

- (d) that for any reason, the licensed junket promoter is, in the opinion of the Authority, no longer a suitable person to hold the junket promoter licence having regard to the matters in regulation 13.

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

(3) If any direction given under paragraph (2) is not complied with within the specified time, the Authority may, by giving written notice

to the licensed junket promoter, cancel, suspend or vary the terms of the junket promoter licence or impose a financial penalty not exceeding \$400,000 without affording the licensed junket promoter a further opportunity to be heard.

Disciplinary action against licensed junket representative

36.—(1) In this regulation and regulation 37 —

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

- (a) the issuing of a letter of censure to the licensed junket representative;
- (b) the variation of any condition of the junket representative licence;
- (c) the cancellation or suspension of the junket representative licence;
- (d) the cancellation of the junket representative licence and disqualification from obtaining or applying for a junket 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 junket representative:

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

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- (c) that the licensed junket representative has contravened any provision of the Act or these Regulations or a condition of his junket representative licence;
- (d) that the licensed junket 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;
- [S 106/2012]*
- (e) that for any reason, the licensed junket representative is, in the opinion of the Authority, no longer a suitable person to hold the junket representative licence having regard to the matters in regulation 14.

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

(3) If any direction given under paragraph (2) is not complied with within the specified time, the Authority may, by giving written notice to the licensed junket representative, cancel, suspend or vary the terms of the junket representative licence or impose a financial penalty not exceeding \$10,000 without affording the licensed junket representative a further opportunity to be heard.

Disciplinary proceedings against licensed junket promoter or licensed junket representative

37.—(1) The Authority may inquire into whether there are grounds for disciplinary action against a junket licensee.

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

[S 106/2012]

(3) The junket 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.

[S 106/2012]

(4) [Deleted by S 106/2012]

(5) [Deleted by S 106/2012]

(6) [Deleted by S 106/2012]

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

(8) The cancellation, suspension or variation of a junket promoter licence or junket representative licence takes effect when the notice under paragraph (7) is given or on a later date specified in the notice.

(9) If any junket licensee organises, promotes or conducts a junket —

(a) during the suspension of his or its junket promoter licence or junket representative licence under regulation 34A,

[S 106/2012]

(b) [Deleted by S 106/2012]

the Authority may, without affording the junket licensee a further opportunity to be heard, by written notice, impose a financial penalty on the junket licensee —

(i) not exceeding \$400,000, where the junket licensee is a licensed junket promoter; and

(ii) not exceeding \$10,000, where the junket licensee is a licensed junket representative,

for every day or part thereof that the organisation, promotion or conduct of any junket continues during the suspension of the junket promoter licence or junket representative licence or in contravention of the direction, as the case may be.

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

Effect of suspension

37A.—(1) During the period of suspension of a junket licence under regulation 37, the junket licensee shall be deemed not to be a licensed junket promoter or licensed junket representative, as the case may be.

(2) The Authority may, at any time, terminate or reduce the period of suspension of the junket licence.

[S 106/2012]

Return of junket licence on suspension or cancellation

37B.—(1) If a junket licence is suspended or cancelled, the junket licensee shall return the junket 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 junket 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.

[S 106/2012]

PART V

DUTIES OF CASINO OPERATORS IN RELATION TO JUNKETS AND JUNKET PROMOTERS

Junket agreements

38.—(1) A casino operator must not permit a junket to commence in its casino unless —

(a) a junket agreement that complies with paragraph (2) has been entered into by the casino operator and the licensed junket promoter organising, promoting or conducting the junket; and
[S 106/2012]

(b) the junket agreement has been lodged with the Authority at least 5 days before the commencement of the junket, or within such shorter period as the Authority may allow.

(2) A junket agreement must be in writing and include the following:

(a) the name of the casino operator;

(b) the name and licence number of the licensed junket promoter;

(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 junket promoter; and

(ii) the basis on which the commission or other payment is to be calculated;

(d) the duration of the junket agreement;

(e) the date on which the junket agreement was entered into;

[S 106/2012]

(f) the signatures of persons authorised to represent the parties to the agreement;

[S 106/2012]

(g) the terms of the provision of credit (if any) from the casino operator to the licensed junket promoter or any of its licensed junket representatives for the purpose of the junket; and

[S 106/2012]

(h) such other information as the Authority may specify by notice in writing to the casino operator.

[S 106/2012]

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

(4) The casino operator must notify the Authority of any change to —

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

not later than 3 days before the commencement of the first junket subject to the revised terms after the change, or within such shorter period as the Authority may allow.

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

(6) For the purposes of this regulation and regulation 39, a junket commences in a casino when junket players commence gaming in the casino on the junket.

Arrival report

39.—(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 junket 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 junket.

[S 106/2012]

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

- (a) the following information relating to each junket player on the junket:
 - (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 junket players and the proposed date and time of their departure from the casino at the conclusion of the junket; and
- (c) the names and licence numbers of the licensed junket representatives, if any, accompanying the junket 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 junket whose name is not in the arrival report under paragraph (1) as a junket player on that junket.

Directions to casino operator to provide information, etc.

40. The Authority may, by written direction, require a casino operator to notify the Authority of matters relating to any licensed junket promoter with which the casino operator has a junket agreement or to provide such information relevant to any junket as the Authority may specify, and the casino operator shall comply with such direction.

Identification passes to be issued by casino operator

41.—(1) A casino operator shall issue an identification pass of a type approved by the Authority to every licensed junket promoter (who is an individual) and licensed junket representative who is licensed to conduct junkets in its casino premises.

(2) An identification pass issued to a junket licensee under paragraph (1) shall contain —

- (a) the preferred name of the junket licensee to whom the identification pass is issued;
- (b) the full name of the licensed junket promoter or, in the case of a licensed junket representative, the licensed junket promoter by which he is employed;

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- (c) an identification number issued by the Authority to the junket licensee;
 - (d) a recent colour photograph of the junket 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

42. 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

43.—(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 junket, from performing that function if, on demand of the inspector —

- (a) the person fails to produce a valid junket promoter licence or valid junket 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 junket promoter or licensed junket representative.

(2) Any person who fails to comply with a direction of an inspector to stop performing the function of a junket promoter or junket 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

44. For the avoidance of doubt, nothing in these Regulations shall be construed so as to affect the validity or enforceability of any junket agreement or other contract or agreement to which a junket promoter or junket representative is a party, by reason only of a withdrawal of endorsement or suspension or cancellation of the junket promoter's or junket representative's licence.

[S 106/2012]

Casino operator liable to disciplinary action

45. Any casino operator which —

- (a) contravenes regulation 3(4), 4, 5 or 19(1)(a), (3), (4) or (5) or any regulation under Part V;
- (b) gives an endorsement of a junket promoter, 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 30A,

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

[S 106/2012]

THE SCHEDULE

Regulations 6(1)(a), 7(2)(a), 20(2)(b)
and (3) and 21

FEES

1. For an application for —

(a) a junket promoter licence	\$670
(b) a junket representative licence	\$320

2. For an application for renewal of —

(a) a junket promoter licence	\$550
(b) a junket representative licence	\$300

3. For a late application to renew —

THE SCHEDULE — *continued*

(a) a junket promoter licence	\$120
(b) a junket representative licence	\$20
4. For a replacement of a licence	\$10.

[S 466/2011]

Made this 30th day of December 2009.

RICHARD MAGNUS
Chairman,
Casino Regulatory Authority of
Singapore.

[CRA 20/4/10 V1; AG/LEG/SL/33A/2006/17 Vol. 1]