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CASINO CONTROL ACT (CHAPTER 33A)

CASINO CONTROL (ADVERTISING) REGULATIONS 2010

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In exercise of the powers conferred by section 200(2)(j) 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:

Citation and commencement

1. These Regulations may be cited as the Casino Control (Advertising) Regulations 2010 and shall come into operation on 12th February 2010.

Definitions

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

“casino advertisement” means any writing, object, still or moving visual image or message or audible message, or any combination of them, which —

(a) contains any express or implied inducement, suggestion or request to visit any casino;

(b) expressly or impliedly leads to, induces, urges, promotes or encourages the playing of any game in any casino;

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(c) being designed to publicise or to promote the casino or the playing of any game in the casino, mentions, illustrates or depicts —

(i) any brand name, trade mark or service mark of a casino;

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(ii) any pictorial device commonly associated with any brand name, trade mark or service mark of a casino; or

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(iii) any pictorial representation, or any brand name, trade mark or service mark, of a game which may be played or gaming equipment which may be used in a casino; or

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(d) publicises a casino promotion;

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“casino promotion” means —

(a) any membership or loyalty programme by which —

(i) points, credits or rewards may be earned from the playing of any game in a casino; or

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- (ii) points, credits or rewards may be redeemed within the casino premises (whether for the playing of any game or otherwise);
 - (b) any contest, lucky draw or tournament in which —
 - (i) a prize may be won directly or indirectly as a result of visiting any casino or playing any game in a casino; or
 - (ii) a prize may be redeemed on or used for the playing of any game in a casino;
 - (c) the offering of any transportation or other amenity or service which gives publicity to, or otherwise promotes or is intended to promote —
 - (i) the visiting of any casino; or
 - (ii) the playing of any game in any casino; or
 - (d) any other activity, programme, service or incentive (other than the winnings from a game), or any combination of them, which gives publicity to, or otherwise promotes or is intended to promote —
 - (i) the visiting of any casino; or
 - (ii) the playing of any game in any casino;

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“Changi Airport” means the area declared as Changi Airport under the Civil Aviation Authority of Singapore (Changi Airport) Notification 2009 (G.N. No. S 293/2009);

“designated tourist attraction” means a place designated as a tourist attraction and listed on the official website of the Authority at <http://www.cra.gov.sg> as such;

“distribute” includes delivering or sending to any person, or leaving on any premises or vehicle;

“printed notice” means any handbill, circular, brochure, pamphlet, map or other like document;

“publish”, in relation to a casino advertisement, means —

- (a) publish the advertisement in a newspaper, magazine, journal, periodical, directory or other printed publication or printed notice or on any object;
- (b) disseminate the advertisement by radio, television or other mass medium;
- (c) disseminate the advertisement by the public exhibition or broadcast of a photograph, slide, film, video recording, audio recording or other recording of images or sound;
- (d) publish or disseminate the advertisement electronically, including (but not limited to) publishing the advertisement on the Internet or in any way that renders it accessible from the Internet;
- (e) publicly exhibit the advertisement in, on, over or under any building, place, vehicle, vessel, train, aircraft or in the air; or
- (f) make known the advertisement to the public or a section thereof in any other manner or by any other means;

“Singapore Tourism Board” means the Singapore Tourism Board established under the Singapore Tourism Board Act (Cap. 305B);

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“tourist” means an individual who is —

- (a) neither a Singapore citizen nor a permanent resident of Singapore within the meaning of section 116(9) of the Act; and
- (b) on a short-term visit to Singapore principally for recreation, pleasure or business.

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No publication or distribution of casino advertisement or carrying out of casino promotion except with prior approval

3.—(1) No person referred to in paragraph (2) shall —

- (a) publish or cause to be published in Singapore a casino advertisement;
- (b) distribute or cause to be distributed in Singapore any printed notice, printed publication or object which he knows or reasonably ought to know contains a casino advertisement; or
- (c) carry out or offer, or cause to be carried out or offered, a casino promotion in Singapore,

except with the prior approval of the Authority and in accordance with the manner of publication, distribution, carrying out or offering of the casino advertisement or casino promotion (including any deviation) which has been approved by the Authority and any conditions of such approval.

(2) Paragraph (1) applies to the following persons:

- (a) a casino operator;
- (b) a licensed junket promoter;
- (c) a licensed special employee;
- (d) an applicant for a casino licence, a junket promoter's licence or a special employee licence during the period that the application is under consideration and has not been determined; and
- (e) any person acting on behalf of, under any arrangement with, or with the consent of, a person referred to in sub-paragraph (a), (b), (c) or (d).

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Application for approval of casino advertisement or casino promotion

3A.—(1) An application for approval under regulation 3(1) shall be made in such form as the Authority may provide and shall be accompanied by —

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- (a) a copy or detailed description of the casino advertisement or casino promotion and the date, time, place and mode in which it is to be published, distributed, carried out or offered, as the case may be;
 - (b) if the casino advertisement consists of an object, a sample or a photograph of the object;
 - (c) if the casino advertisement or casino promotion is to be published, distributed, carried out or offered by or on behalf of a casino operator, a statement by the person in charge of the compliance function of the casino operator that the proposed publication or distribution of the casino advertisement or carrying out or offering of the casino promotion is a permitted form of advertising or promotion under regulation 4; and
 - (d) such other documents as the Authority may require to determine the application.

(2) The application shall be submitted to the Authority at least 21 days before the proposed date of the publication or distribution of the casino advertisement or carrying out or offering of the casino promotion, or within such shorter period as the Authority may allow in any particular case.

(3) The Authority may refuse to consider any application under paragraph (1) which is incomplete.

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Approval for deviations

3B.—(1) Any person who intends to publish or distribute a casino advertisement or carry out or offer a casino promotion which deviates in any manner from the manner of publication, distribution, carrying out or offering which has been approved by the Authority in respect of that casino advertisement or casino promotion, as the case may be, must apply to the Authority for approval of the proposed deviation at least 21 days before the date of the proposed deviation, or within such shorter period as the Authority may allow in any particular case.

(2) Every application for approval under paragraph (1) shall contain —

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- (a) the details of and reasons for the proposed deviation; and
 - (b) if the casino advertisement or casino promotion is or is to be published, distributed, carried out or offered by or on behalf of a casino operator, a statement by the person in charge of the compliance function of the casino operator that the publication or distribution of the casino advertisement or carrying out or offering of the casino promotion after the proposed deviation remains a permitted form of advertising or promotion under regulation 4.

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Permitted advertising and promotion

4.—(1) Regulation 3(1) does not apply to —

- (a) the making or exhibition of any directional sign;
- (b) the use of any brand name, trade mark or service mark of a casino for the purpose of promoting or identifying any goods or services unconnected with the casino which are manufactured, distributed, marketed or provided by the casino operator;
- (c) the publication or dissemination of any interview or media release which —
 - (i) complies with regulation 5(2)(a) to (e); and
 - (ii) has been approved under regulation 5(1)(a), unless the person publishing or disseminating the interview or media release has been informed by the person giving it that it is impracticable in the circumstances to obtain such approval; or

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- (d) the public acknowledgment of any donation to or sponsorship of any cause or event, or of any subscription to a product or service, which —
 - (i) complies with regulation 6(2)(a) to (d); and
 - (ii) has been approved under regulation 6(1)(a), unless the person acknowledging the donation, sponsorship or subscription has been informed by the person who

made or carried out the donation, sponsorship or subscription that it is impracticable in the circumstances to obtain such approval.

[S 627/2011 wef 25/11/2011]

(e) [Deleted by S 627/2011 wef 25/11/2011]

(f) [Deleted by S 627/2011 wef 25/11/2011]

(g) [Deleted by S 627/2011 wef 25/11/2011]

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(1A) The Authority may approve the publication or distribution of a casino advertisement or the carrying out or offering of a casino promotion in any of the following forms:

- (a)* the publication or distribution of any printed publication whose principal market is not Singapore;
- (b)* the publication or distribution of a limited advertisement in any of the circumstances referred to in paragraph (2);
- (c)* the publication, or the rendering accessible of a casino advertisement on or from an Internet website of the casino operator if, and only if —
 - (i)* the advertisement does not contain anything that can reasonably be regarded as being directed primarily at or having particular appeal to persons resident in Singapore; and
 - (ii)* the advertisement is a limited advertisement;
- (d)* the carrying out or offering of a casino promotion directed primarily at tourists;
- (e)* doing any of the following within the casino premises:
 - (i)* publishing a casino advertisement which is not visible or perceptible to persons outside the casino premises;
 - (ii)* distributing any printed notice or printed publication which contains a casino advertisement, or any object which is a casino advertisement by virtue of

paragraph (c) of the definition of “casino advertisement”;

- (iii) carrying out or offering any casino promotion, including any casino promotion where points, credits or rewards may be redeemed outside the casino premises.

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(2) The circumstances referred to in paragraph (1A)(b) are —

- (a) the exhibition of a limited advertisement on a billboard or signboard placed within the premises of Changi Airport or within the premises of a tourist information centre managed or approved by the Singapore Tourism Board;
- (b) the publication of a limited advertisement in a printed notice or printed publication that can reasonably be regarded as directed primarily at or as having particular appeal to tourists;

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- (c) the distribution of a printed notice or printed publication referred to in sub-paragraph (b) containing a limited advertisement —
- (i) within any designated site;
- (ii) within any hotel registered as such under the Hotels Act (Cap. 127);
- (iii) within the premises of Changi Airport;
- (iv) within the premises of a tourist information centre managed or approved by the Singapore Tourism Board; or
- (v) within the premises of a designated tourist attraction;
- (d) the distribution by a person of a printed notice which contains, or the sending by electronic means of, a limited advertisement to another person outside Singapore or whom the first-mentioned person reasonably believes —
- (i) to be a tourist; or

- (ii) to be a premium player or to have a valid annual membership of a casino under section 116(1)(b) of the Act.

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- (e) *[Deleted by S 627/2011 wef 25/11/2011]*

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(3) In paragraphs (1A) and (2), “limited advertisement” means a casino advertisement that, in the opinion of the Authority, complies with all of the following requirements:

- (a) the advertisement contains factual information only;
- (b) the factual information in the advertisement is accurate and capable of being substantiated, and would not, whether by itself or by the deliberate omission of material information, reasonably result in a person being deceived or misled;

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- (c) the advertisement does not contain any information on the games played in a casino, the playing of games in a casino or the winnings of patrons of a casino, including any testimonial from any patron on his winnings from playing any game in a casino; and
- (d) the advertisement does not contain any express or implied inducement, suggestion or encouragement to play any game in a casino.

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(4) Without prejudice to paragraph (1A), the Authority may, in its discretion, approve —

- (a) the publication or distribution of a casino advertisement; or
- (b) the carrying out or offering of a casino promotion,

which does not fall within one of the forms of advertising or promotion under paragraph (1A).

[S 627/2011 wef 25/11/2011]

Prohibited advertising

4A. Notwithstanding anything in regulation 3 or 4, no person referred to in regulation 3(2) shall publish, distribute or cause to be

published or distributed outside any casino premises any information on —

- (a) any winnings by a patron of a casino; or
- (b) any patron who has won by playing any game or playing on a gaming machine in a casino.

[S 627/2011 wef 25/11/2011]

Interviews and media releases

5.—(1) No person referred to in regulation 3(2) shall give an interview or media release to any print or broadcast media organisation which contains or operates as a casino advertisement, or could be reasonably construed as such, unless —

- (a) the prior approval of the Authority has been obtained for that interview or media release; or
- (b) if, in the circumstances, it is impracticable to obtain the prior approval of the Authority, the Authority is notified of the interview or media release as soon as practicable after it is given.

(2) Any person giving the interview or media release referred to in paragraph (1), and any casino operator or licensed junket promoter on whose behalf it is given, shall ensure that the interview or media release —

- (a) contains factual information only;
- (b) is accurate and capable of being substantiated, and would not, whether by itself or by the deliberate omission of material information, reasonably result in a person being deceived or misled;
- (c) is not designed to publicise or to promote the casino or the playing of any game in the casino;
- (d) does not mention, illustrate or depict —
 - (i) any brand name, trade mark or service mark of a casino or any pictorial device commonly associated therewith, unless the brand name, trade mark or

service mark of the casino is identical to that of the integrated resort of which the casino is a part; or

- (ii) any pictorial representation, or any brand name, trade mark or service mark, of a game which may be played or gaming equipment which may be used in a casino; and

- (e) does not publicise a casino promotion.

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Contributions to causes, etc.

6.—(1) No person referred to in regulation 3(2) shall donate to or sponsor any cause or event, or subscribe to any product or service unless —

- (a) the prior approval of the Authority has been obtained; or
- (b) if, in the circumstances, it is impracticable to obtain the prior approval of the Authority, the Authority is notified of the donation, sponsorship or subscription as soon as practicable after it is given.

(2) Any person giving the donation or sponsorship or making the subscription referred to in paragraph (1), and any casino operator or licensed junket promoter on whose behalf it is given or made, shall ensure that any public acknowledgment of the donation, sponsorship or subscription by the recipient does not —

- (a) contain any express or implied inducement, suggestion or request to visit a casino;
- (b) expressly or impliedly promote or encourage the playing of any game in a casino;
- (c) mention, illustrate or depict —
 - (i) any brand name, trade mark or service mark of a casino or any pictorial device commonly associated therewith, unless the brand name, trade mark or service mark of the casino is identical to that of the integrated resort of which the casino is a part; or

- (ii) any pictorial representation, or any brand name, trade mark or service mark, of a game which may be played or gaming equipment which may be used in a casino; or

(d) publicise any casino promotion.

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Approvals

7.—(1) Any approval granted under regulation 4(1A) or (4), 5(1) or 6(1) may be granted for such time and upon such conditions as the Authority may think fit.

[S 627/2011 wef 25/11/2011]

(2) Where any such person fails to comply with any condition imposed by the Authority under paragraph (1), the Authority may cancel the approval in relation to which that condition was imposed.

(3) *[Deleted by S 627/2011 wef 25/11/2011]*

Power to order withdrawal or rectification

8. Where it appears to the Authority that a person referred to in regulation 3(2) has published or distributed, or caused to be published or distributed, a casino advertisement or carried out or offered, or caused to be carried out or offered, a casino promotion in contravention of any provision of these Regulations or a condition imposed under regulation 7, the Authority may, whether or not it cancels any approval in relation to which that condition was imposed but after making due inquiry into the matter, direct the person to rectify, withdraw, remove or discontinue the advertisement or the casino promotion or cause the same to be altered, withdrawn, removed or discontinued, and that person shall comply with that direction.

[S 627/2011 wef 25/11/2011]

Offence

9. Any person who contravenes regulation 3(1), 4A, 5(1) or (2), 6(1) or (2) or 8 shall be guilty of an offence and shall be liable on conviction —

- (a) in the case of a casino operator, to a fine not exceeding \$100,000; or

(b) in any other case, to a fine not exceeding \$10,000.

[S 627/2011 wef 25/11/2011]

Made this 12th day of February 2010.

RICHARD MAGNUS
Chairman,
Casino Regulatory Authority
of Singapore.

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