

Casino Control (Patron Dispute Resolution) Regulations 2009

Table of Contents

Enacting Formula

Part I PRELIMINARY

1 Citation and commencement

2 Definitions

Part II RESOLUTION OF DISPUTES BY CASINO OPERATOR OR INSPECTOR

3 Dispute resolution period

4 When dispute is considered unresolved

5 Payment of claim after decision by inspector

Part III RECONSIDERATION OF INSPECTOR'S DECISION

6 Request for reconsideration

7 Appointment of Patron Dispute Committee

8 Proceedings before Patron Dispute Committee

8A Decisions by Patron Dispute Committee outside meetings

9 Record of proceedings to be kept

Part IV APPEAL TO AUTHORITY

10 Appeal to Authority

11 Authority to consider appeal

Part V GENERAL PROVISIONS

12 Costs of proceedings

13 Trivial, frivolous or vexatious applications

14 Withdrawal of request for reconsideration or appeal

No. S 432

CASINO CONTROL ACT (CHAPTER 33A)

CASINO CONTROL (PATRON DISPUTE RESOLUTION) REGULATIONS 2009

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 —