

Private Lotteries (Amendment) Bill

Table of Contents

Bill No: 9/2006

Read the first time: 27th February 2006

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 New sections 2A and 2B

4 Amendment of section 3

5 Amendment of section 4

6 Amendment of section 5

7 Amendment of section 6

8 Amendment of section 7

9 Repeal and re-enactment of section 9

10 Amendment of section 10

11 Repeal and re-enactment of section 11

12 Repeal and re-enactment of section 13 and new section 13A

13 Repeal and re-enactment of section 14

14 Amendment of section 17

15 Related amendment to Betting and Sweepstake Duties Act

16 Related amendments to Inland Revenue Authority of Singapore Act

17 Savings

Explanatory Statement

Expenditure of Public Money

Private Lotteries (Amendment) Bill

Bill No. 9/2006

Read the first time on 27th February 2006.

An Act to amend the Private Lotteries Act (Chapter 250 of the 1985 Revised Edition) and to make related amendments to the Betting and Sweepstake Duties Act (Chapter 22 of the 1999 Revised Edition) and the Inland Revenue Authority of Singapore Act (Chapter 138A of the 1993 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Private Lotteries (Amendment) Act 2006 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Private Lotteries Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the definitions of “Commissioner” and “fruit machine” and substituting the following definitions:

““Commissioner” means the Commissioner of Betting Duties appointed under section 2B, and includes a Deputy Commissioner of Betting Duties and an Assistant Commissioner of Betting Duties appointed under that section;

“fruit machine” means any machine —

- (a) operated by the use of a coin, a token, a stored value card or any other thing; and
- (b) by the manipulation of which chances are given of obtaining prizes in money,

and includes a jackpot machine, but does not include any machine declared by the Minister for Home Affairs by order published in the *Gazette* not to be a fruit machine;”;
and

- (b) by deleting the definition of “private lottery” and substituting the following definitions:

““permit” means a permit granted under section 4;

“Permit Officer” means the Permit Officer appointed under section 2A, and includes a person appointed under that section to act in his place during his temporary absence and, except under section 11, an Assistant Permit Officer appointed under section 2A;

“private lottery” means a lottery in which tickets or chances are offered for sale only to members of a society which is established for purposes not connected with gaming, wagering or lotteries;”.

New sections 2A and 2B

3. The principal Act is amended by inserting, immediately after section 2, the following sections:

“Appointment of Permit Officer, etc.

2A.—(1) For the purposes of this Act, the Minister for Home Affairs may, by notification in the *Gazette*, appoint a Permit Officer and such number of Assistant

Permit Officers as he thinks fit.

(2) If the Permit Officer is temporarily absent or for any reason temporarily unable to perform his duties, the Minister for Home Affairs may appoint a person to act in the place of the Permit Officer during such period of absence from duty.

(3) The Permit Officer may, in writing, authorise any officer to perform or to assist in the performance of any duty imposed on or to exercise any power conferred upon the Permit Officer by this Act other than section 11.

Appointment of Commissioner, etc.

2B.—(1) For the purposes of this Act, the Minister for Finance may, by notification in the *Gazette*, appoint a Commissioner of Betting Duties and such number of Deputy Commissioners of Betting Duties and Assistant Commissioners of Betting Duties as he thinks fit.

(2) The Commissioner may, in writing, authorise any officer to perform or to assist in the performance of any duty imposed on or to exercise any power conferred upon the Commissioner by this Act.”.

Amendment of section 3

4. Section 3 of the principal Act is amended by deleting the word “Commissioner” and substituting the words “Permit Officer”.

Amendment of section 4

5. Section 4 of the principal Act is amended —

- (a) by deleting the word “Commissioner” in subsections (1) and (2) and in the section heading and substituting in each case the words “Permit Officer”;
- (b) by inserting, immediately after the word “prescribed” in subsection (3), the words “, and shall be accompanied by the prescribed fee”;
- (c) by inserting, immediately after subsection (3), the following subsection:

“(3A) The Permit Officer may require the applicant to furnish him with such additional information and documents as he may require.”; and

- (d) by deleting subsections (4) and (5) and substituting the following subsections:

“(4) The Permit Officer may, at any time, suspend for such period as he deems appropriate or revoke a permit granted under this

section.

(5) Any person who is aggrieved by a decision of the Permit Officer in refusing an application for a permit or suspending or revoking a permit may, within 14 days of being notified of that decision, appeal to the Minister for Home Affairs whose decision shall be final.”.

Amendment of section 5

6. Section 5 of the principal Act is amended —

- (a) by deleting the word “Commissioner” in subsections (1) and (2) and substituting in each case the words “Permit Officer”; and
- (b) by inserting, immediately after subsection (2), the following subsections:

“(3) The Permit Officer may at any time add to, vary or revoke any of the conditions imposed under subsection (1).

(4) The holder of a permit who is aggrieved by any condition imposed under subsection (1) or by the addition, variation or revocation of any condition under subsection (3) may, within 14 days of being notified of that decision, appeal to the Minister for Home Affairs whose decision shall be final.”.

Amendment of section 6

7. Section 6 of the principal Act is amended by deleting subsection (4).

Amendment of section 7

8. Section 7 of the principal Act is amended by deleting subsection (1) and substituting the following subsection:

“(1) There shall be charged —

- (a) a duty of 30% on the total amount raised from any private lottery (not being one that is conducted using a fruit machine) by the promoter of the private lottery, as shown in the account required to be made and as finally approved by the Commissioner under section 6; and
- (b) a duty of 12% on the total amount invested by players of each fruit machine (without any deduction of winnings paid out) in order to play it.”.