



7 February 2014

Ministry of Home Affairs  
28 Irrawaddy Road  
Singapore 329560  
[MHA\\_remotegambling\\_consultation@mha.gov.sg](mailto:MHA_remotegambling_consultation@mha.gov.sg)

Dear Sir/Madam,

## **Comments on the Proposed Framework to Restrict Remote Gambling**

### **About the Asia Internet Coalition**

The Asia Internet Coalition (“AIC”) is an industry association formed by eBay, Facebook, Google, LinkedIn, Salesforce and Yahoo. The AIC seeks to promote the understanding and resolution of Internet policy issues in the Asia Pacific region.

### **Summary**

As an industry association representing global internet players, the AIC aims to be a relevant partner to the Singapore Government as it reviews and develops regulations and measures to control the problem of Remote Gambling. Members of the AIC are committed to comply with all applicable laws and regulations in all jurisdictions that members operate in, and will not knowingly facilitate or support online gambling in Singapore where it is illegal.

As a general comment to the proposed framework, we express our support for the Singapore Government to introduce new laws to restrict online gambling as a way to prevent criminal syndicates from using unregulated online gambling sites as a conduit for illegal activities. We also believe that a controlled and regulated environment will provide more protection for consumers than an uncontrolled and unregulated one.

### **General comments and suggestions:**

We are keen to work with the Singapore government to develop an online gambling framework that balances Singapore’s interests both socially and economically. It is from this perspective that the AIC offers its initial inputs to the proposed approach.

#### **1. The AIC does not support remote gambling where it is illegal and blocking is already enforced by member companies in Singapore.**

We understand that the Government is studying measures that can be taken against online gambling, to restrict access to, and patronage of, online gambling platforms, and intends to introduce three main measures to block access to remote gambling:

- (i) Block access to gambling websites
- (ii) Block payments to remote gambling operators and
- (iii) Prohibit advertisements promoting remote gambling.

As a rule of thumb, the AIC does not support or condone illegal activities. All member companies of the AIC exercise rigorous self-regulation and have clear internal policies to combat the misuse of their platforms and services.



Activities such as online gambling lack a consistent legal position globally, with some markets adopting an “open market approach” and others adopting a more limited regulatory regime or even a full-on ban. Member companies that dabble in this space have adopted clear guidelines and measures to ensure that their services are restricted to users in locations where the activity is legal and that these are operated within the parameters of the law.

For example while PayPal, an eBay Inc. company, allows gambling related payment processing for licensed gambling merchants in the UK to offer the service to UK users, the same service by the same merchant will be denied to a Singapore registered user. This is done by enforcing PayPal’s policy from both the merchant and consumer perspective. On top of requiring PayPal’s gambling merchants to have the necessary infrastructure to limit play only to people physically located within a particular jurisdiction block, PayPal also implements risk-mitigation and geo-location monitoring procedures to prevent use from an unauthorized location.

The same approach is also applicable to Internet advertising. For instance, Google restricts the promotion of offline gambling, online gambling, and gambling-related advertisements as part of its advertising policies. It imposes different requirements for advertising gambling-related products based on the country the advertising campaign is targeting, and has put in place processes to ensure compliance with the requirements. Specifically for Singapore, Google does not allow any gambling-related advertisements to be served to Singapore.

**2. Any laws introduced to empower enforcement against facilitators and intermediaries should require a clear intention of these parties to facilitate or assist the gambling site.**

We understand that the Singapore Government intends to give Law Enforcement Agencies the power to act against facilitators, intermediaries and providers of remote gambling services.

The AIC stresses that despite online intermediaries adopting appropriate and responsible payments and advertising models, and take active steps (as illustrated above) to prevent unauthorized access to remote gambling, they have little pre-emptive ability against a select number of users intent on circumventing the safeguards in place.

In the case of PayPal, which processes almost 8 million payments every day for more than 10 million merchants worldwide, there may be merchants that initially escape our policy and measures because they falsely declare their industry codes and hide their transactions under a different category. However, once a suspicious activity is flagged and notified, their accounts will be restricted or banned from using PayPal.

Therefore the AIC believes that any laws introduced should require a clear intention of the online intermediary to facilitate or assist the gambling site. The liabilities of online intermediaries should be appropriately limited as long as they exercise rigorous self-regulation, have clear internal policies to combat the misuse of their platforms and services and implement measures to block and take down any activities that are in violation of the law.

To that end, the AIC would like to suggest the inclusion of words implying active assistance of online gambling, such as “knowingly assists or facilitates” in the language of any draft law. The



AIC would also like to suggest that the draft law specifically exempts or excludes search engines. Search engines simply index websites on the Internet and provides results based on search terms that an user actively inputs into the search field. Having search engines remove or take down search results related to online gambling will hence be excessive as search engines are in no way a facilitator, intermediary nor provider of remote gambling services

**3. The AIC is supportive of the intention to support legislative boundaries with public education.**

The AIC supports the Singapore government's move to accompany legislative boundaries with stronger public education with regard to remote gambling and gambling simulation games. The AIC offers its full support to any public education efforts and would be open to partnering with the relevant stakeholders to ensure effective public education and outreach initiatives.

**Conclusion**

We are keen to work with the Singapore government to develop a framework that promotes Singapore's best interests both socially and economically. Should you have any queries or require any further information, please do not hesitate to contact [director@asiainternetcoalition.org](mailto:director@asiainternetcoalition.org).

Thank you.

Best wishes,

A handwritten signature in blue ink, appearing to read 'John Ure', with a horizontal line underneath.

Dr John Ure  
Executive Director  
Asia Internet Coalition