

- i. The gaming conducted at each gaming table in the casino and casino simulcasting facility and the activities in the casino and casino simulcasting facility pits;
 - ii. The gaming conducted at the slot machines in the casino;
 - iii. The operations conducted at and in the cashiers' cage, any satellite cage, and each office ancillary thereto;
 - iv. The operations conducted at and in the slot booths;
 - v. The operations conducted at automated coupon redemption machines;
 - vi. The operations conducted in the simulcast counter;
 - vii. The count processes conducted in the count rooms in conformity with N.J.A.C. 19:45-1.33 and 19:45-1.43;
 - viii. The movement of cash, gaming chips and plaques, drop boxes, slot cash storage boxes, slot drop boxes, and slot drop buckets in the establishment;
 - ix. The entrances and exits to the casino, casino simulcasting facility and the count rooms;
 - x. The gaming and operations associated with the conduct of keno; and
 - xi. Such other areas as the Commission designates.
2. Video units for taping the closed-circuit signal produced by any camera of the system. At a minimum, each such unit shall:
 - i. Be capable of superimposing the time and date of the recording on each video tape used with the unit; and
 - ii. Enable the operator of the unit, through the use of a meter, counter or other device, or by a method approved by the Commission, to identify the point on such tape at which a particular event was recorded;
 3. Audio capability in the soft count room;
 4. One or more monitoring rooms in the establishment which, through the surveillance department employees or agents assigned thereto by the casino licensee, shall constantly monitor the activities in the casino, the casino simulcasting facility and elsewhere in the establishment where CCTV coverage is available, and which:
 - i. May be used as necessary by the inspectors and agents of the Commission and Division; and
 - ii. Each such room shall contain, as required by the Commission, adequate equipment and supplies for the effective performance of the activities to be conducted therein; and

5. All closed circuit cameras shall be equipped with lenses of sufficient magnification to allow the operator to clearly distinguish the value of the gaming chips and playing cards.

(c) Adequate lighting shall be present in all areas, including gaming tables and pits, where closed circuit camera coverage is required to enable clear camera coverage. The coverage shall be of sufficient quality to produce clear video tape and still picture reproductions.

(d) Each casino licensee shall maintain a surveillance log of all surveillance activities in the monitor room. The log shall be maintained by monitor room personnel and shall be stored securely, in a manner approved by the Commission, within the surveillance department in accordance with the retention schedule set forth in N.J.A.C. 19:45-1.8(c)2iii. At a minimum, the following information shall be recorded in a surveillance log:

1. Date and time each surveillance commenced;
2. The name and license credential number of each person who initiates, performs, or supervises the surveillance;
3. Reason for surveillance, including the name, if known, alias or description of each individual being monitored, and a brief description of the activity in which the person being monitored is engaging;
4. The times at which each video or audio tape recording is commenced and terminated;
5. The time at which each suspected criminal offense is observed, along with a notation of the reading on the meter, counter or device specified in (b)2ii above that identifies the point on the video tape at which such offense was recorded;
6. Time of termination of surveillance;
7. Summary of the results of the surveillance; and
8. A complete description of the time, date and, if known, the cause of any equipment or camera malfunctions, and the time at which the security department was apprised of the malfunction in accordance with the casino licensee's internal controls submitted pursuant to N.J.A.C. 19:45-1.3(a)3.

(e) The surveillance log shall be available for inspection at any time by Commission or Division agents.

(f) All closed circuit T.V. tapes which are determined by Commission or Division agents to be of potential evidentiary value shall be stored pursuant to Commission or Division directives.

(g) Surveillance department employees or agents of the licensee assigned to monitor the activities shall be independent of all other departments. In addition to any other restrictions contained in the Act and the rules promulgated

thereunder, no present or former surveillance department employee shall accept employment as a casino key employee or casino employee with the same casino hotel or prospective casino hotel in which the surveillance department employee was previously employed or within any other casino hotel or prospective casino hotel whose surveillance department is under the operational control of the same person who controlled the surveillance department in which the surveillance department employee had been previously employed, unless one year has passed since the former surveillance department employee worked in the surveillance department. Notwithstanding the foregoing, the Commission may, upon the filing of a written petition, waive this restriction and permit the employment of a present or former surveillance department employee in a particular position after consideration of the following factors:

1. Whether the former surveillance department employee will be employed in a department or area of operation that the surveillance department does not monitor;

2. Whether the surveillance and security systems of the casino licensee will not be jeopardized or compromised by the employment of the former surveillance department employee in the particular position; and

3. Whether the former surveillance department employee's knowledge of the procedures of the surveillance department would not facilitate the commission by any person of irregularities or illegal acts or the concealment of any such actions or errors.

(h) Entrances to the closed circuit television monitoring rooms shall not be visible from the casino area or casino simulcasting facility.

(i) Each casino licensee shall prominently display a notice in each of its monitoring rooms that advises those present in the room that a casino licensee and its employees are obligated to cooperate with the Commission and the Division, and which notes with particularity those items enumerated in (a) above.

Experimental 90-day implementation pursuant to N.J.S.A. 5:12-69(e), (P.L. 1987 c.354), 5:12-70(f) and 5:12-100(e), effective April 11, 1988 (expires July 10, 1988).

See: 20 N.J.R. 769(a).

Amended by R.1988 d.387, effective August 15, 1988.

See: 20 N.J.R. 765(a), 20 N.J.R. 769(a), 20 N.J.R. 2090(a).

Added text to (b)1vi "slot cash storage boxes".

Amended by R.1991 d.381, effective August 5, 1991.

See: 23 N.J.R. 1302(a), 23 N.J.R. 2323(a).

Added "surveillance department" requirements.

In (g): added surveillance department employee provisions.

Amended by R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Simulcast provisions added.

Amended by R.1993 d.142, effective April 5, 1993.

See: 24 N.J.R. 278(a), 25 N.J.R. 1522(a).

Added surveillance department to title. Added new (b)1v.

Amended by R.1993 d.318, effective July 6, 1993 (operative October 15, 1993).

See: 25 N.J.R. 1503(b), 25 N.J.R. 2908(a).

Amended by R.1994 d.265, effective June 6, 1994.

See: 25 N.J.R. 5893(a), 26 N.J.R. 2463(a).

Amended by R.1995 d.231, effective May 1, 1995.

See: 27 N.J.R. 654(a), 27 N.J.R. 1815(a).

Amended by R.1995 d.285, effective June 5, 1995.

See: 26 N.J.R. 2218(a), 27 N.J.R. 2254(a).

19:45-1.11 Casino licensee's organization

(a) Each casino licensee's system of internal controls shall, in accordance with the provisions of N.J.A.C. 19:45-1.11A, include tables of organization. Each casino licensee shall be permitted, except as otherwise provided in this section and N.J.A.C. 19:53-1.13, to tailor its organizational structure to meet the needs or policies of its own particular management philosophy. The proposed organizational structure of each casino licensee shall be approved by the Commission in the absence of a conflict between the organizational structure and the criteria listed below, which criteria are designed to maintain the integrity of casino and casino simulcasting facility operations. Each casino licensee's tables of organization shall provide for:

1. A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility;

2. The segregation of incompatible functions so that no employee is in a position both to commit an error or to perpetrate a fraud and to conceal the error or fraud in the normal course of his or her duties;

3. Primary and secondary supervisory positions which permit the authorization or supervision of necessary transactions at all relevant times; and

4. Areas of responsibility which are not so extensive as to be impractical for one person to monitor.

(b) In addition to satisfying the requirements of (a) above, each casino licensee's system of internal controls shall include, at a minimum, the following departments and supervisory positions. Each of these departments and supervisors shall be required to cooperate with, yet perform independently of, all other departments and supervisors. Mandatory departments and supervisory positions are as follows:

1. A surveillance department supervised by a person referred to herein as the director of surveillance. The director of surveillance shall be subject to the reporting requirements specified in (c) below. The surveillance department shall be responsible for, without limitation, the following:

i. The clandestine surveillance of the operation and conduct of the table games;

ii. The clandestine surveillance of the operation of the slot machines and bill changers;

iii. The clandestine surveillance of the operation of the casino simulcasting facility;

iv. The clandestine surveillance of the operation of automated coupon redemption machines;

v. The clandestine surveillance of the operation of the cashiers' cage and satellite cages;

vi. The audio-video taping of activities in the count rooms;

vii. The detection of cheating, theft, embezzlement, and other illegal activities in the casino, casino simulcasting facility, count rooms, slot booths, and cashiers' cage;

viii. The detection of the presence in the establishment of any person who is required to be excluded pursuant to N.J.S.A. 5:12-71 or N.J.A.C. 19:48-1.7, or who may be excluded or ejected pursuant to N.J.S.A. 5:12-71.1, or of any person who is prohibited from entering a casino or a casino simulcasting facility pursuant to N.J.S.A. 5:12-119a;

ix. The video taping of illegal and unusual activities monitored;

x. Providing timely notification to appropriate supervisors, the Commission, and the Division upon detecting, and also upon commencing video or audio recording of, any person who is engaging in or attempting to engage in, or who is reasonably suspected of cheating, theft, embezzlement, or other illegal activities, including those activities prohibited in Article 9 of the Act;

xi. Providing timely notification to appropriate supervisors, the Commission and Division upon detecting, and also upon commencing video or audio recording of, any person who is required to be excluded pursuant to N.J.S.A. 5:12-71 or N.J.A.C. 19:48-1.7, or who may be excluded or ejected pursuant to N.J.S.A. 5:12-71.1, or any person who is prohibited from entering a casino or a casino simulcasting facility pursuant to N.J.S.A. 5:12-119(a);

xii. The communication in writing to the supervisor of the credit department or accurate and verifiable information which may be relevant in determining a patron's credit worthiness; and

xiii. The clandestine surveillance of all keno gaming and operations.

2. An internal audit department supervised by a person referred to herein as an audit department executive. The audit department executive shall be subject to the reporting requirements specified in (c) below. The internal audit department shall be responsible for, without limitation, the following:

i. The review and appraisal of the adequacy of internal control;

ii. The compliance with internal control procedures;

iii. The reporting of instances of noncompliance with the system of internal control;

iv. The reporting of any material weaknesses in the system of internal control; and

v. The recommendation of procedures to eliminate any material weaknesses in the system of internal control.

3. A management information system ("MIS") department supervised by a person referred to herein as an MIS department manager. The MIS department shall be responsible for the quality, reliability and accuracy of all computer systems used by the casino licensee in the conduct of casino and casino simulcasting facility operations including, without limitation, specification of appropriate computer software, hardware, and procedures for security, physical integrity, audit, and maintenance of:

i. Access codes and other data-related security controls used to insure appropriately limited access to computers and the system-wide reliability of data;

ii. Computer tapes, disks, or other electronic storage media containing data relevant to casino operations; and

iii. Computer hardware, communications equipment and software used in the conduct of casino operations.

4. A table games department supervised by a person referred to herein as a casino manager. The table games department may be responsible for the operation and conduct of the simulcast counter and the operation and conduct of keno and shall be responsible for the operation and conduct of the following games:

i. Craps;

ii. Blackjack;

iii. Baccarat;

iv. Roulette;

v. Big six;

vi. Minibaccarat;

vii. Red dog;

viii. Sic bo;

ix. Pai gow;

x. Pai gow poker;

xi. Poker, except as otherwise authorized by (f) below;

xii. Caribbean stud poker; and

xiii. Let it ride poker.

5. A slot department supervised by a person referred to herein as a slot department manager. The slot department may be responsible for the operation and conduct of the simulcast counter and the operation and conduct of keno and shall be responsible for the operation of slot machines and bill changers.

6. A credit department supervised by a person referred to herein as a credit manager. The credit department shall be responsible for the credit function including, without limitation, the following:

- i. The verification of patron credit references;
- ii. The establishment of patron credit limits;
- iii. The maintenance, review and update of the patron's credit files; and
- iv. The communication in writing of the names and addresses of patrons with newly approved credit limits to the supervisors of the security and surveillance departments on a daily basis in accordance with the casino licensee's approved procedures.

7. A security department supervised by a person referred to herein as a director of security. The security department shall be responsible for the overall security of the establishment including, without limitation, the following:

- i. The enforcement of the law;
- ii. The physical safety of patrons in the establishment;
- iii. The physical safety of personnel employed by the establishment;
- iv. The physical safeguarding of assets transported to and from the casino, casino simulcasting facility, slot, and cashiers' cage departments;
- v. The protection of the patrons' and the establishment's property from illegal activity;
- vi. The detainment of each individual as to whom there is probable cause to believe that he or she has engaged in or is engaging in conduct that violates N.J.S.A. 5:12-113 through 116, inclusive, for the purpose of notifying law enforcement or Commission authorities;
- vii. The control and maintenance of a system for the issuance of temporary license credentials and vendor access credentials;
- viii. The recordation of any and all unusual occurrences within the casino and casino simulcasting facility for which the assignment of a security department employee is made. Each incident, without regard to materiality, shall be assigned a sequential number and, at a minimum, the following information shall be recorded in indelible ink in a bound, laboratory-type notebook from which pages cannot be removed and each side of each page of which is sequentially numbered:

- (1) The assignment number;
- (2) The date;
- (3) The time;
- (4) The nature of the incident;

(5) The person involved in the incident; and

(6) The security department employee assigned;

ix. The communication in writing to the supervisor of the credit department of accurate and verifiable information which may be relevant in determining a patron's credit worthiness;

x. The identification and removal of any person who is required to be excluded pursuant to N.J.S.A. 5:12-71 or N.J.A.C. 19:48-1.7, or who may be excluded or ejected pursuant to N.J.S.A. 5:12-71.1, or of any person who is prohibited from entering a casino or a casino simulcasting facility pursuant to N.J.S.A. 5:12-119a; and

xi. The performance of all duties and responsibilities in accordance with the procedures and controls submitted and approved pursuant to N.J.A.C. 19:45-1.3(a)(3).

8. A casino accounting department supervised by a casino key employee holding a license endorsed with the position of controller. The supervisor of the casino accounting department may be responsible for the operation and conduct of the simulcast counter and, except as otherwise provided in (b)9 below, shall be responsible for the control and supervision of the cashiers' cage and any satellite cages. The casino accounting department shall be responsible for, without limitation, the following:

- i. Accounting controls;
- ii. The preparation and control of records and data;
- iii. The control of stored data, the supply of unused forms, and the accounting for and comparing of forms used in operating the casino and casino simulcasting facility; and
- iv. The cashiers' cage, which shall be supervised by a casino key employee. The supervisor of the cashiers' cage shall report to the supervisor of the casino accounting department and shall be responsible for the control and supervision of cage and slot cashiers, changepersons and casino clerks. The cashiers' cage may be separated into independent operations for table games and slot machines. If a casino licensee elects to operate both a table games cage and a slot machine cage, the provisions of N.J.A.C. 19:45-1.14(i) shall not apply so that the casino licensee must have a master coin bank, and each independent cage operation shall be supervised by a casino key employee and each cage manager shall report to the supervisor of the casino accounting department. The supervisor of an independent slot machine cage shall be responsible for the supervision of the master coin bank, slot cashiers, changepersons and coin impressment personnel. The supervisor of an independent table games cage shall be responsible for all remaining cashiers' cage functions. If a casino licensee elects to operate one or more satellite cages, each satellite cage shall be supervised by a casino key employee. The cashiers' cage shall be responsible for, without limitation, the following:

(1) The custody of currency, coin, patron checks, gaming chips and plaques, and documents and records normally associated with the operation of a cashiers' cage;

(2) The approval, exchange, redemption, and consolidation of patron checks received for the purposes of gaming;

(3) The receipt, distribution, and redemption of gaming chips and plaques; and

(4) Such other functions normally associated with the operation of a cashiers' cage.

9. Notwithstanding (b)8 above, a casino licensee which elects to operate independent table game and slot machine cages may, in its discretion, operate the independent slot machine cage as a separate department. If an independent slot machine cage is operated as a separate department, the provisions of N.J.A.C. 19:45-1.14(i) shall not apply so that the casino licensee must have a master coin bank, and the supervisor of the slot machine cage department shall report to a casino key employee approved by the Commission. The supervisor of a slot machine cage department shall be responsible for the supervision of the master coin bank, slot cashiers, changepersons and coin impressment personnel and may function simultaneously in one of the following additional areas: the simulcast counter manager pursuant to N.J.A.C. 19:45-1.21(l) or the keno manager pursuant to N.J.A.C. 19:45-1.12(j).

10. A keno department supervised by a casino key employee approved by the Commission, unless the casino licensee chooses not to offer the game of keno or to assign responsibility for the operation and conduct of keno to the table games department or the slot department.

(c) The supervisors of the surveillance and internal audit departments required by (b) above shall comply with the following reporting requirements:

1. Each supervisor shall report directly to the chief executive officer of the casino licensee regarding administrative matters and daily operations; provided, however, a casino licensee may allow each of these supervisors to report directly to a management executive of the licensee other than the chief executive officer if that executive reports directly to the chief executive officer.

2. Each supervisor shall report directly to one of the following persons or entities regarding matters of policy, purpose, responsibility and authority. The hiring, termination and salary of each supervisor shall also be controlled by one of the following persons or entities:

i. The independent audit committee of the casino licensee's board of directors;

ii. The independent audit committee of the board of directors of any holding company of the casino

licensee which has absolute authority to direct the operations of the casino licensee;

iii. The senior surveillance or internal audit executive of any holding company included in (c)2ii above if such executive reports directly to the independent audit committee of the board of directors of the holding company; or

iv. For casino licensees or holding companies which are not corporate entities, the non-corporate equivalent of any of the persons or entities listed in (c)2i through iii above.

(d) Each casino licensee shall designate compliance officers in conformity with the following:

1. The compliance officers shall:

i. Have the authority to direct the personnel in each department to comply with the Act, this chapter, and the directives of the Commission and Division; and

ii. Be available in the establishment at all times.

2. The names of personnel designated as compliance officers shall be filed with the Commission and Division on a schedule that indicates the time each such officer will be on duty in the establishment. Any changes of the names of the compliance officers or the time such officers will be on duty shall be immediately reported, in writing, to the Commission and Division.

(e) The casino licensee's personnel shall be trained in all internal and accounting control practices and procedures relevant to each employee's individual function. Special instructional programs shall be developed by the casino licensee in addition to any on-the-job instruction sufficient to enable all members of the departments required by this section to be thoroughly conversant and knowledgeable with the appropriate and required manner of performance of all transactions relating to their functions. A written description of all instructional and on-the-job training to be and being provided shall be submitted to the Commission for review.

(f) Notwithstanding the provisions of (b)4 above and N.J.A.C. 19:45-1.12, a casino licensee may operate and conduct the game of poker separately from the other table games. If a casino licensee elects to operate the game of poker as its own unit, the operation and conduct of poker shall be the responsibility of a casino key employee. The supervisor of the poker unit shall report directly to the casino manager or to a casino key employee in a direct reporting line above the casino manager as approved by the Commission.

Amended by R.1984 d.624, effective January 21, 1985.

See: 16 N.J.R. 2076(a), 17 N.J.R. 212(a).

Section substantially amended.

Amended by R.1986 d.212, effective June 16, 1986.

See: 17 N.J.R. 2969(a), 18 N.J.R. 1312(a).

(c)2 substantially amended.

Amended by R.1986 d.308, effective August 4, 1986.

See: 18 N.J.R. 1096(a), 18 N.J.R. 1614(b).

(c)4vi added.

Petition for Rulemaking: Casino organization.

See: 20 N.J.R. 1002(b).

Experimental 90-day implementation pursuant to N.J.S.A. 5:12-69(e), (P.L. 1987 c.354), 5:12-70(f) and 5:12-100(e), effective April 11, 1988 (expires July 10, 1988).

See: 20 N.J.R. 769(a).

Amended by: R.1988 d.387, effective August 15, 1988.

See: 20 N.J.R. 765(a), 20 N.J.R. 769(a), 20 N.J.R. 2090(a).

Added "or her" and "bill changers".

Amended by R.1990, d.222, effective May 7, 1990.

See: 21 N.J.R. 3446(a), 22 N.J.R. 1380(b).

In (c)7: added text to specify staff to whom the director of security shall report.

Amended by R.1991 d.381, effective August 5, 1991.

See: 23 N.J.R. 1302(a), 23 N.J.R. 2323(a).

General revision to organization rules, restructuring subsection of text. Text amended to reflect new structuring of departments and responsibilities. Deleted existing subsection (a), recodifying (b)-(g) as (a)-(f). Added (a)1-4 as new text. Deleted existing (c)2 and recodified (c)3 as (b)2. Revised (b)9 with new text regarding supervisor of the cashiers' cage. Added new (c)1-2 and new text to new subsection (f).

Amended by R.1991 d.532, effective November 4, 1991.

See: 23 N.J.R. 2231(a), 23 N.J.R. 3348(a).

Added "red dog" game to (b)4vii.

Amended by R.1991 d.616, effective December 16, 1991.

See: 23 N.J.R. 2922(a), 23 N.J.R. 3820(b).

Added new (b)4viii, sic bo.

Amended by R.1992 d.151, effective April 6, 1992.

See: 23 N.J.R. 3434(a), 24 N.J.R. 1376(a).

Added new text to (b)3 regarding a MIS system.

Amended by R.1992 d.406, effective October 19, 1992.

See: 24 N.J.R. 569(a), 24 N.J.R. 1517(a), 24 N.J.R. 3742(a).

Pai gow poker provisions added.

Amended by R.1992 d.411, effective October 19, 1992.

See: 24 N.J.R. 558(a), 24 N.J.R. 3753(a).

Pai gow added.

Amended by R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Simulcast provisions added.

Amended by R.1994 d.141, effective March 21, 1994.

See: 25 N.J.R. 5906(a), 26 N.J.R. 1380(a).

Amended by R.1994 d.221, effective May 2, 1994.

See: 26 N.J.R. 784(a), 26 N.J.R. 1852(a).

Amended by R.1994 d.265, effective June 6, 1994.

See: 25 N.J.R. 5893(a), 26 N.J.R. 2463(a).

Temporary Amendment: Double Down Stud.

See: 26 N.J.R. 4445(a).

Amended by R.1995 d.285, effective June 5, 1995.

See: 26 N.J.R. 2218(a), 27 N.J.R. 2254(a).

Amended by R.1995 d.306, effective June 19, 1995.

See: 27 N.J.R. 1162(a), 27 N.J.R. 2455(a).

Amended by R.1995 d.430, effective August 7, 1995.

See: 27 N.J.R. 1767(b), 27 N.J.R. 2967(a).

Added Caribbean stud poker game at (b)4xii.

Amended by R.1995 d.469, effective August 21, 1995.

See: 27 N.J.R. 1788(a), 27 N.J.R. 3225(a).

Excepted certain operations from the application of N.J.A.C. 19:45-1.14(i).

Amended by R.1995 d.534, effective October 2, 1995.

See: 27 N.J.R. 2119(a), 27 N.J.R. 3795(b).

Amended by R.1995 d.652, effective December 18, 1995.

See: 27 N.J.R. 3595(b), 27 N.J.R. 5043(a).

Case Notes

Casino Control Act does not confer private cause of action in favor of losing players. *Miller v. Zoby*, 250 N.J.Super. 568, 595 A.2d 1104 (A.D.1991).

Credit transaction may not be bifurcated with casino personnel receiving payment of counter check at off-site location and counter check then being released when funds are received at cashiers' cage. *Petition of Adamar of New Jersey, Inc.*, 222 N.J.Super. 464, 537 A.2d 704 (A.D.1988).

Commission need not accept relationship between casino applicant and parent company in licensing determination; licensing requirement of "meaningful contribution" to training program invalid as vague and as improper rulemaking. *In re Application of Playboy-Elsinore Associates*, 203 N.J.Super. 477 (App.Div.1985).

No "state action" involved in search of casino patron and drug seizure; implication of exclusionary rule. *State v. Sanders*, 185 N.J.Super. 258 (App.Div.1982).

Violations; corporate responsibility; penalties. *Div. of Gaming Enforcement v. Sterr*, 8 N.J.A.R. 449 (1986).

19:45-1.11A Jobs compendium submission

(a) Each casino licensee and applicant for a casino license shall, pursuant to N.J.S.A. 5:12-70(j) and 99a(2) and (3), prepare and maintain a jobs compendium consistent with the requirements of this section detailing job descriptions and lines of authority for all personnel engaged in the operation of the hotel and casino. Unless otherwise directed by the Commission, a jobs compendium shall be submitted to the Commission for approval at least six months prior to the projected date of issuance of a certificate of operation. The Commission shall review each jobs compendium and shall determine whether the job descriptions and tables of organization contained therein conform to the licensing or registration and chain-of-command requirements of the Act and the Commission's regulations. If the Commission finds any insufficiencies, it shall specify the same in writing to the casino licensee or applicant, who shall make appropriate alterations. When the Commission determines a submission to be adequate with respect to licensing or registration and chain-of-command, it shall notify the casino licensee or applicant accordingly. No casino licensee shall commence gaming operations unless and until its jobs compendium is approved by the Commission.

(b) A jobs compendium shall include the following sections, in the order listed:

1. An alphabetical table of contents listing the position title and job code for each job description included in (b)3 below and the page number on which the corresponding job description may be found;

2. A table of organization for each department and division illustrating by position title direct and indirect lines of authority within the department or division. Each page of a table of organization shall specify the following:

- i. The date of its submission;

- ii. The date of the previously submitted table of organization which it supersedes; and

- iii. A unique title or other identifying designation for that table of organization.

3. A description of each employee position which accurately corresponds to the position title as listed in the table of organization and as listed in the table of contents. Each position description shall be listed on a separate page, organized by departments or divisions, and shall include, at a minimum, the following:

- i. Position title and corresponding department;
- ii. Salary range;
- iii. Job duties and responsibilities;
- iv. Detailed descriptions of experiential or educational requirements;
- v. Projected number of employees in the position;
- vi. Equal employment opportunity class or subclass;
- vii. Proposed registration or license endorsement consistent with the requirements of the Act and the Commission's rules;
- viii. The date of submission of each employee position job description and the date of any prior job description it supersedes; and
- ix. The date of submission and page number of each table of organization on which the employee position title is included.

(c) Except as otherwise provided in (d) below, any proposed amendment to a previously approved jobs compendium shall be submitted to and approved by the Commission before such amendment is implemented by the casino licensee. Unless otherwise directed by the Commission, any amendment required to be preapproved pursuant to this subsection shall be submitted to the Commission at least 60 days prior to the proposed effective date of the amendment and shall contain, at a minimum:

1. A detailed cover letter listing by department each position title to which modifications are being proposed and a brief summary of all changes which are being proposed to the jobs compendium since the last amendment was submitted, including instructions regarding any changes in page numbers; and
2. The actual text of the proposed changes to the information required by (b) above contained on pages which may be used to substitute for those sections of the jobs compendium previously approved by the Commission.

(d) The following amendments to an approved jobs compendium may be implemented without the prior approval of the Commission, provided that the amendments are immediately recorded in the jobs compendium maintained by the casino licensee on its premises and a summary of each amendment and the date of implementation with corresponding job descriptions is filed with the Commission no later than five business days subsequent to the date of implementation:

1. Amendments to casino hotel registrant position descriptions for positions which report to casino hotel employee registrant position titles. Such amendments may be implemented by a casino licensee without the prior approval of the Commission; provided, however, this subsection shall not apply to casino hotel employee registrant position titles which are departmental or divisional supervisory positions;

2. Amendments to individual job descriptions required by (b)3ix above;

3. Amendments to position titles;

4. Revised page numbers;

5. Amendments to job codes required by (b)1 above;

6. Amendments to the experiential or educational requirements of (b)3iv above;

7. Cost of living salary increases; and

8. Amendments to the projected number of employees in any position other than casino key employee position titles.

(e) Notwithstanding any other requirement of this section, each casino shall submit a complete and up-to-date jobs compendium to the Commission 18 months after its receipt of a certificate of operation and every two years thereafter, unless otherwise directed by the Commission.

(f) Whenever required by this section, a casino licensee shall file three copies of a jobs compendium and three copies of an amendment to a jobs compendium with the Commission. A casino license applicant shall file four copies of a jobs compendium with the Commission and one copy with the Division. Each copy shall be in a format prescribed by the Commission, including a cover indicating the name of the casino licensee or applicant, the date of the submission and the label "Jobs Compendium Submission" or "Jobs Compendium Amendment" as appropriate.

New Rule, R.1986 d.240, effective July 7, 1986.

See: 17 N.J.R. 2747(a), 18 N.J.R. 1402(c).

Petition for Rulemaking: Job descriptions.

See: 20 N.J.R. 1002(c).

Amended by R.1989 d.169, effective March 20, 1989.

See: 20 N.J.R. 3120(b), 21 N.J.R. 780(a).

(b)2: deleted requirement concerning number of persons employed and added "date of submission" language. (b)3: added "at a minimum" to "Each job description . . ." and deleted iv and v. Existing vi through x redesignated iv through viii; added ix. (c)1: added "changes in page numbers" requirement; in (c)2, (b) above was (b)3 above. Added new (d) and changed existing (d) to (d)1, with changes; added (d)2.

Amended by R.1990 d.523, effective November 5, 1990.

See: 22 N.J.R. 2253(a), 22 N.J.R. 3391(b).

Deleted requirement that a casino licensee file job compendium with Division of Gaming Enforcement.

Administrative Correction to section heading.

See: 25 N.J.R. April 5, 1993.

Amended by R.1994 d.140, effective March 21, 1994.

See: 26 N.J.R. 114(a), 26 N.J.R. 1379(a).

19:45-1.12 Personnel assigned to the operation and conduct of gaming and slot machines

(a) Each casino licensee shall be required to employ the personnel herein described in the operation of its casino and casino simulcasting facility, regardless of the position titles assigned to such personnel by the casino licensee in its approved jobs compendium. Functions described in this section shall be performed only by persons holding the appropriate license required by the casino licensee's approved jobs compendium to perform such functions, or by persons holding the appropriate license required by the casino licensee's approved jobs compendium to supervise persons performing such functions, and subject to the limitations imposed by N.J.A.C. 19:45-1.11(a). Each casino licensee shall at all times maintain a level of staffing which ensures the proper operation and effective supervision of all table games in the casino and casino simulcasting facility.

(b) The following personnel shall be used to operate the table games in an establishment:

1. Casino clerk shall be the person located at a desk in the pit to prepare documentation required for the operation of table games including, without limitation, Requests for Fills, Requests for Credits, and Counter Checks.

2. Dealers shall be the persons assigned to each craps, baccarat, blackjack, roulette, minibaccarat, red dog, sic bo, big six, pai gow, pai gow poker, caribbean stud poker, let it ride poker and poker table to directly operate and conduct the game.

3. Stickperson shall be the dealer assigned to each craps table to control the dice and may be responsible for the proposition wagers made at the craps table.

4. Boxperson shall be the first level supervisor assigned the responsibility of directly participating in and supervising the operation and conduct of the craps game.

5. Floorperson shall be the second level supervisor assigned the responsibility for directly supervising the operation and conduct of a craps game, and the first level supervisor assigned the responsibility for directly supervising the operation and conduct of a baccarat, blackjack, roulette, sic bo, minibaccarat, red dog, pai gow, pai gow poker, big six, caribbean stud poker, let it ride poker or poker game.

6. Pit boss shall be the third level supervisor assigned the responsibility for the overall supervision of the operation and conduct of a craps game and the second level supervisor assigned the responsibility for the overall supervision of the operation and conduct of a blackjack, roulette, minibaccarat, big six, sic bo, red dog, pai gow, pai gow poker, caribbean stud poker, let it ride poker or baccarat game.

7. Poker shift supervisor shall be licensed as a casino key employee and shall be the supervisor assigned and present during a shift with the responsibility for directly supervising all activities related to the operation and conduct of poker.

8. Casino shift manager shall be the supervisor assigned to each shift with the responsibility for the supervision of table games conducted in the casino and casino simulcasting facility. In the absence of the casino manager and the assistant casino manager, should the establishment have an assistant casino manager, the casino shift manager shall have the authority of a casino manager.

9. Casino manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of casino licensee's table games including, without limitation, the hiring and terminating of all casino personnel, and the creation of high employee morale and good customer relations, all in accordance with the policies and practices established by the casino licensee's board of directors or non-corporate equivalent.

(c) Each casino licensee shall maintain the following standard levels of staffing:

1. One casino clerk shall be assigned to not more than 24 gaming tables;

2. One dealer shall be assigned to each blackjack, roulette, minibaccarat, sic bo, red dog, pai gow, pai gow poker, big six, caribbean stud poker, let it ride poker and poker table;

3. Three dealers shall be assigned to each craps and baccarat table;

4. One boxperson shall be assigned to each craps game;

5. One floorperson shall supervise:

- i. Not more than four blackjack, roulette, pai gow poker, minibaccarat, sic bo, red dog, caribbean stud poker, let it ride poker or big six tables, or any combination thereof; or

- ii. Not more than two craps tables; or

- iii. Not more than one baccarat or pai gow table; or

- iv. As to the game of poker:

- (1) If the poker shift supervisor is supervising only poker tables, not more than eight poker tables or, if no floorperson assigned to poker by a casino licensee has any responsibilities for seating players, not more than 10 poker tables; or

- (2) If the poker shift supervisor is supervising both poker tables and table games other than poker, not more than four poker tables;

Coin vaults may have single lock, in place of double locks.
Amended by R.1993 d.37, effective January 19, 1993.
See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Satellite cage requirements added at (b).
Amended by R.1993 d.319, effective July 6, 1993.
See: 25 N.J.R. 1673(a), 25 N.J.R. 2911(a).
Amended by R.1994 d.265, effective June 6, 1994.
See: 25 N.J.R. 5893(a), 26 N.J.R. 2463(a).
Amended by R.1994 d.504, effective October 3, 1994.
See: 26 N.J.R. 2872(a), 26 N.J.R. 3253(a), 26 N.J.R. 4089(a).
Amended by R.1995 d.469, effective August 21, 1995.
See: 27 N.J.R. 1788(a), 27 N.J.R. 3225(a).
Added (i).
Amended by R.1996 d.122, effective March 4, 1996.
See: 27 N.J.R. 1775(a), 28 N.J.R. 1399(a).

19:45-1.14A Simulcast counter

(a) The casino simulcasting facility shall contain a physical structure known as a simulcast counter to house the casino pari-mutuel cashiers and to serve as the central location in the casino simulcasting facility for the following:

1. The custody of the simulcast counter inventory including, without limitation, currency and coin and the forms and documents normally associated with the operation of a simulcast counter;
2. The receipt of currency, coin, gaming chips, coupons and slot tokens for simulcast wagering; and
3. Such other functions normally associated with the operation of a simulcast counter.

(b) The simulcast counter shall be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein; such design and construction shall, at a minimum, include the following:

1. One or more numbered pari-mutuel windows, each of which shall contain a pari-mutuel machine and a cashier's drawer, in which shall be deposited all currency, coins, gaming chips, slot tokens, coupons and duplicate slips evidencing exchanges with the cashiers' cage, satellite cage or simulcast vault, or a self-service pari-mutuel machine;
2. A work area containing at least one remote management console ("RMC") and terminal to generate reports on pari-mutuel wagering, which shall be used only by the simulcast shift supervisor or above, and casino pari-mutuel cashiers, who shall only be allowed access under the direct supervision of the simulcast supervisor or above; and
3. A simulcast vault, which shall be secured by a lock, the key to which shall be maintained and controlled by the simulcast shift supervisor or above, and which shall contain a supply of currency and coin under the control of a simulcast shift supervisor or above to be utilized for the pari-mutuel window inventories and to replenish the pari-mutuel window inventories, when necessary.

(c) The simulcast counter may be contiguous to a satellite cage or keno booth, with ingress and egress thereto, provided that the simulcast counter and satellite cage or keno booth are functionally segregated.

(d) A casino simulcasting facility may contain one or more ancillary simulcast counters to house casino pari-mutuel cashiers. An ancillary simulcast counter shall comply with all of the provisions of N.J.A.C. 19:55-4.4 and (a) and (b) above; provided however, that the requirements of a separate facsimile machine, direct dial-up telephone line, RMC, simulcast vault and simulcast shift supervisor for the ancillary simulcast counter, or any of them, may be waived if, considering, among any other relevant factors, the number of pari-mutuel windows in the ancillary simulcast counter, the proximity of the ancillary simulcast counter to the simulcast counter, and the span of authority and responsibility of the supervisor, the Commission determines that any such requirement is not necessary to the maintenance of adequate supervision of the simulcast wagering operations.

New Rule, R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Amended by R.1994 d.33, effective January 18, 1994 (operative February 22, 1994).

See: 25 N.J.R. 4737(a), 26 N.J.R. 489(a).

Amended by R.1995 d.652, effective December 18, 1995.

See: 27 N.J.R. 3595(b), 27 N.J.R. 5043(a).

19:45-1.15 Accounting controls for the cashiers' cage, satellite cages, master coin bank and coin vault

(a) The assets for which the general cashiers are responsible shall be maintained on an imprest basis. At the end of each shift, the cashiers assigned to the outgoing shift shall record on a Cashiers' Count Sheet the face value of each cage inventory item counted and the total of the opening and closing cage inventories and shall reconcile the total closing inventory with the total opening inventory.

(b) At the opening of every shift, in addition to the imprest funds normally maintained by the general cashiers, each casino licensee shall have on hand in the cage or readily available thereto, a reserve cash bankroll in a minimum amount approved by the Commission.

(c) Except as otherwise authorized by N.J.A.C. 19:45-1.14(i), the cashiers' cage and any satellite cage shall be physically segregated by personnel and function as follows:

1. General cashiers shall operate with individual imprest inventories of cash and, at the discretion of the casino licensee, slot tokens, and such cashiers' functions shall include, but are not limited to, the following:
 - i. Receive cash, cash equivalents, patron checks, gaming chips, complimentary cash gifts, casino checks, casino affiliate checks, annuity jackpot trust checks, slot tokens and gaming plaques from patrons for check consolidations, total or partial redemptions or substitutions;

- ii. Receive gaming chips, slot tokens and prize tokens from patrons in exchange for cash;
 - iii. Receive cash, cash equivalents, casino checks, casino affiliate checks and annuity jackpot trust checks from patrons in exchange for currency, slot tokens or coin;
 - iv. Receive gaming checks for non-gaming purposes from patrons in exchange for cash;
 - v. Receive cash, cash equivalents, casino checks, casino affiliate checks, annuity jackpot trust checks, slot tokens, prize tokens and gaming chips from patrons in exchange for Customer Deposit Forms;
 - vi. Receive gaming plaques from patrons in exchange for cash or Customer Deposit Forms in accordance with an approved system of accounting as required by N.J.A.C. 19:46-1.2(e);
 - vii. Receive Customer Deposit Forms from patrons in exchange for cash or slot tokens;
 - viii. Receive coupons from patrons in exchange for currency, slot tokens or coin, in conformity with N.J.A.C. 19:45-1.46(j);
 - ix. Receive checks from check cashiers to be returned to patrons for check redemptions, partial redemptions, consolidations or substitutions;
 - x. Receive Wire Transfer Acknowledgment Forms in accordance with N.J.A.C. 19:45-1.24A for the purpose of completing Customer Deposit Forms;
 - xi. Receive from check, chip bank, master coin bank and reserve cash cashiers documentation with signatures thereon, required to be prepared for the effective segregation of functions in the cashiers' cage;
 - xii. Receive Voucher forms in accordance with N.J.A.C. 19:45-1.9A for the processing of travel expense reimbursements;
 - xiii. Exchange Slot Counter Checks in accordance with N.J.A.C. 19:45-1.25A;
 - xiv. Prepare Jackpot Payout Slips in accordance with N.J.A.C. 19:45-1.40;
 - xv. Prepare Hopper Fill Slips in accordance with N.J.A.C. 19:45-1.41;
 - xvi. Receive slot tokens from, and transmit slot tokens and prize tokens to, the master coin bank in exchanges supported by proper documentation; and
 - xvii. The preparation of forms for the completion of payments for table game progressive payout wagers pursuant to N.J.A.C. 19:45-1.52.
2. Check cashiers (also known as "check bank cashiers") shall not have access to cash, gaming chips and plaques, except in accordance with (d) below, and such cashiers' functions may include the following:
- i. Receive the original and redemption copies of Counter Checks and Slot Counter Checks;
 - ii. Receive from general cashiers checks accepted for total or partial Counter Check and Slot Counter Check redemptions;
 - iii. Receive checks from general cashiers for Counter Check and Slot Counter Check consolidations;
 - iv. Receive personal checks from general cashiers for Counter Check and Slot Counter Check substitutions;
 - v. Prepare bank deposit slips or supporting documentation for checks to be deposited;
 - vi. Receive Wire Transfer Acknowledgment Forms in accordance with N.J.A.C. 19:45-1.24A for the purpose of redeeming Counter Checks and Slot Counter Checks or accepting payment on returned Counter Checks and Slot Counter Checks; and
 - vii. Receive from general, chip bank and reserve cash cashiers documentation with signatures thereon, required for the effective segregation of functions in the cashiers' cage.
3. Chip bank cashiers shall not have access to currency or cash equivalents but shall operate with a limited inventory of \$0.50 and \$0.25 cent coins which may only be used to facilitate odds payoffs or vigorish bets, except in accordance with (d) below. Such cashiers' functions may include the following:
- i. Receive gaming chips and coin removed from gaming tables from a security department member in exchange for the issuance of a Credit;
 - ii. Receive gaming plaques removed from gaming tables from a security department member in exchange for the issuance of a Credit in accordance with an approved system of accounting as required by N.J.A.C. 19:46-1.2(e);
 - iii. Receive Requests for Fills in exchange for the issuance of a Fill, the disbursal of gaming chips and coin to a security department member and the disbursal of gaming plaques to a security department member in accordance with an approved system of accounting as required by N.J.A.C. 19:46-1.2(e);
 - iv. Receive gaming chips from general cashiers and main bank cashiers in exchange for proper documentation;
 - v. Receive from general, check bank and reserve cash cashiers documentation with signatures thereon, required for the effective segregation of functions in the cashiers' cage; and
 - vi. Such other functions as approved by the Commission.

4. Reserve cash ("main bank") cashiers' functions shall include, but are not limited to, the following:

i. Receive cash, cash equivalents, issuance copies of Slot Counter Checks, original copies of Jackpot Payout Slips, personal checks received for non-gaming purposes, slot tokens, prize tokens, gaming chips and plaques from general cashiers in exchange for cash;

ii. Receive cash from the coin and currency count rooms;

iii. Receive checks and supporting documentation from check cashiers for deposit if such deposit is not made by the check cashier;

iv. Prepare the overall cage reconciliation and accounting records;

v. Prepare the daily bank deposit for cash and checks;

vi. Issue, receive and reconcile imprest funds used by slot attendants;

vii. Exchange currency for coupons and currency from slot attendants;

viii. Receive from general, chip and check bank cashiers, documentation with signatures thereon, required to be prepared for the effective segregation of functions in the cashiers' cage;

ix. Be responsible for the reserve cash bankroll;

x. Receive gaming chips, slot tokens and coupons from the simulcast vault or casino pari-mutuel cashiers; and

xi. Exchange currency, coin, slot tokens, gaming chips and coupons with the keno booth in exchange for proper documentation;

xii. Perform the functions enumerated in (c)5 below of master coin bank cashiers, but only to the extent that the casino licensee has obtained, pursuant to N.J.A.C. 19:45-1.14(i), prior Commission approval to operate its cashiers' cage without the master coin bank specified by N.J.A.C. 19:45-1.14(b);

xiii. Receive unsecured currency from slot supervisors or casino accounting supervisors pursuant to N.J.A.C. 19:45-1.42; and

xiv. Prepare Unsecured Bill Changer Currency Reports in accordance with N.J.A.C. 19:45-1.42(f).

5. Master coin bank cashiers' function shall include, but are not limited to, the following:

i. Receive currency, coin, slot tokens, prize tokens, gaming chips, and coupons from slot cashiers in exchange for proper documentation;

ii. Receive coin and slot tokens from the hard count room;

iii. Provide slot cashiers with currency, coin, prize tokens and slot tokens in exchange for proper documentation;

iv. Issue, receive and reconcile imprest funds used by slot attendants;

v. Exchange currency for coupons and currency from slot attendants;

vi. Prepare the daily bank deposit of excess cash and coins;

vii. Prepare Jackpot Payout Slips in accordance with N.J.A.C. 19:45-1.40;

viii. Prepare Hopper Fill Slips in accordance with N.J.A.C. 19:45-1.41;

ix. Receive slot tokens and prize tokens from, and transmit slot tokens to, general cashiers in exchanges supported by proper documentation; and

x. Exchange currency, coin, slot tokens, gaming chips and coupons with the keno booth in exchange for proper documentation.

(d) Notwithstanding the requirements of N.J.A.C. 19:45-1.15(c) or any other Commission rule to the contrary, a casino licensee may consolidate the functions of the chip bank cashier with the functions of the check cashier, upon Commission approval of the casino licensee's internal control procedures for the consolidated cashier functions.

(e) Signatures attesting to the accuracy of the information contained on the Cashiers' Count Sheet shall be, at a minimum, of the following cashiers after preparation of the Cashiers' Count Sheet:

1. The general cashiers assigned to the incoming and outgoing shifts;

2. The check cashiers assigned to the incoming and outgoing shifts;

3. The chip bank cashiers assigned to the incoming and outgoing shifts;

4. The reserve cash cashiers assigned to the incoming and outgoing shifts;

5. The master coin bank cashiers assigned to the incoming and outgoing shifts; and

6. The slot cashiers assigned to the incoming and outgoing shifts.

(f) At the end of each gaming day, at a minimum, a copy of the Cashiers' Count Sheets and related documentation

shall be forwarded to the accounting department for agreement of opening and closing inventories, agreement of amounts thereon to other forms, records, and documents required by this chapter, agreement of transportation reimbursement disbursements with supporting documentation and recording of transactions.

(g) Coin vaults authorized pursuant to N.J.A.C. 19:45-1.14(e) shall be under the control of the casino accounting department. The storage of coin, prize tokens or slot tokens in, or the removal of coin, prize tokens or slot tokens from, any coin vaults shall be properly documented, and the amount of coin, prize tokens and slot tokens in each coin vault shall be reconciled at the end of each gaming day.

(h) At least 10 percent of all bags of coins or slot tokens counted and bagged by each slot cashier, master coin bank cashier or main bank cashier outside of the count room shall be randomly selected and recounted by a slot cashier supervisor or cage supervisor, as applicable, through the use of a weighing device or a counting device. Unless otherwise approved by the Commission, the recount shall be performed prior to the end of the cashier's shift and shall be recorded on supporting documentation in a manner approved by the Commission. In the alternative, a casino licensee may develop internal control procedures as approved by the Commission which ensure that at least 10 percent of all bags of coins or slot tokens counted and bagged by each slot cashier, master coin bank cashier or main bank cashier outside of the count room shall be randomly selected and recounted. If a discrepancy greater than plus or minus \$1.00 for any denomination of bagged coins or greater than plus or minus one token for bagged slot token denominations of \$25.00 and below is found during the weighing of the sample bag, then the sample bag shall be opened and recounted by a counting machine provided, however, for slot token denominations greater than \$25.00, any discrepancy shall require a recount. Notwithstanding the foregoing, a representative of the Commission may direct a slot cashier, master coin bank cashier or main bank cashier to weigh or recount any bag of coins or slot tokens prepared outside of the count room on a random basis.

Amended by R.1982 d.171, effective June 7, 1982 (operative, July 15, 1982).

See: 13 N.J.R. 534(b), 14 N.J.R. 582(a) or 848(b).

(b)1vii added and vii and viii renumbered as viii and ix.

Amended by R.1982 d.329, effective October 4, 1982.

See: 14 N.J.R. 708(a), 14 N.J.R. 1101(c).

Added new vi to (b) and recodified old vi-ix as vii-x. Added new ii to (b)3 and recodified old ii as new iii and added disbursement of gaming plaques.

Amended by R.1989 d.233, effective May 1, 1989.

See: 20 N.J.R. 3012(a), 21 N.J.R. 1152(b).

Added new subparagraph x to (b)1 and recodified old x as xi.

Added new subparagraph vi to (b)2 and recodified old vi as vii.

Amended by R.1989 d.611, effective December 18, 1989.

See: 21 N.J.R. 2953(a), 21 N.J.R. 3931(b).

Added (b)1xii; in (d), added "agreement of transportation reimbursement disbursements . . . documentation".

Amended by R.1991 d.229, effective May 6, 1991.

See: 22 N.J.R. 3205(a), 23 N.J.R. 1455(a).

Added new (b)1xiii; new (b)5 and (c)5-6. Added references to "Slot Counter Checks" throughout.

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

In (d): Stylistic revisions.

Amended by R.1992 d.233, effective June 1, 1992.

See: 23 N.J.R. 3085(a), 24 N.J.R. 2078(a).

Added new subsection (b), recodifying existing (b) as (c) and adding text as (e)4vii. Recodified existing (c)-(d) as (d)-(e), with no change in text. Added new subsection (f).

Amended by R.1992 d.258, effective June 15, 1992.

See: 24 N.J.R. 932(a), 24 N.J.R. 2296(b).

In (b)1, added new 1xiv. In (b)4i, added "original copies of Jackpot Payout Slips" to text. In (b)5, added new 5v.

Amended by R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Satellite cage added; simulcast provisions added.

Amended by R.1993 d.319, effective July 6, 1993.

See: 25 N.J.R. 1673(a), 25 N.J.R. 2911(a).

Temporary Amendment: Caribbean Stud Poker.

See: 26 N.J.R. 3464(a).

Amended by R.1994 d.504, effective October 3, 1994.

See: 26 N.J.R. 2872(a), 26 N.J.R. 3253(a), 26 N.J.R. 4089(a).

Temporary Amendment: Double Down Stud.

See: 26 N.J.R. 4445(a).

Amended by R.1995 d.40, effective January 17, 1995.

See: 26 N.J.R. 3825(a), 27 N.J.R. 382(b).

Amended by R.1995 d.285, effective June 5, 1995.

See: 26 N.J.R. 2218(a), 27 N.J.R. 2254(a).

In (c)1 added a new xv and recodified the existing xv as xvi; and in (c)5 added a new viii, recodified the existing viii as ix and added a new x.

Amended by R.1995 d.351, effective July 3, 1995.

See: 27 N.J.R. 1172(a), 27 N.J.R. 2597(a).

Amended by R.1995 d.430, effective August 7, 1995.

See: 27 N.J.R. 1767(b), 27 N.J.R. 2967(a).

Added receipt of casino checks, and annuity jackpot trust checks to cashier's functions.

Amended by R.1995 d.466, effective August 21, 1995.

See: 27 N.J.R. 2113(a), 27 N.J.R. 3219(a).

Added (c)1xvi.

Amended by R.1995 d.469, effective August 21, 1995.

See: 27 N.J.R. 1788(a), 27 N.J.R. 3225(a).

Added reference to N.J.A.C. 19:45-1.14(i) in (c) and added (c)4xi and (c)4xii.

Amended by R.1995 d.620, effective December 4, 1995.

See: 27 N.J.R. 3307(a), 27 N.J.R. 4909(a).

Amended by R.1995 d.653, effective December 18, 1995.

See: 27 N.J.R. 3598(a), 27 N.J.R. 5044(a).

Amended by R.1996 d.110, effective February 20, 1996.

See: 27 N.J.R. 3923(a), 28 N.J.R. 1224(b).

Amended by R.1996 d.157, effective March 18, 1996.

See: 27 N.J.R. 4170(a), 28 N.J.R. 1557(b).

Case Notes

Casino Control Act does not confer private cause of action in favor of losing players. *Miller v. Zoby*, 250 N.J.Super. 568, 595 A.2d 1104 (A.D.1991).

Credit transaction may not be bifurcated with casino personnel receiving payment of counter check at off-site location and counter check then being released when funds are received at cashiers' cage. *Petition of Adamar of New Jersey, Inc.*, 222 N.J.Super. 464, 537 A.2d 704 (A.D.1988).

Regulatory purpose to require all credit transactions be administered through cashier's cage: regulation requiring casino clerk to conduct credit transactions valid. *Playboy-Elsinore Associates v. Strauss*, 189 N.J.Super. 185 (Law Div.1983).

iv. The casino supervisor assigned to the gaming table upon receipt of the gaming chips, coins and plaques at such table.

(n) Upon meeting the signature requirements as described in (m) above, the security department member that transported the gaming chips, coins and plaques and the original and duplicate copies of the Fill to the table shall observe the immediate placement by the dealer or boxman of the duplicate Fill and the duplicate Request in the drop box attached to the gaming table to which the gaming chips, coins and plaques were transported and return or observe the return of the original Fill to the chip bank where the original Fill and Request shall be maintained together and controlled by employees independent of the casino department.

(o) The original and duplicate void Fills, the original Request, and the original Fill, maintained and controlled in conformity with (n) above, shall be forwarded using one of the following alternatives:

1. Alternative I: Forwarded to the count team for agreement with the duplicate Fill and duplicate Request removed from the drop box after which the original and duplicate Request and the original and duplicate Fill shall be forwarded to the accounting department for agreement, on a daily basis, with the triplicate or stored data.

2. Alternative II: Forwarded to the accounting department for agreement, on a daily basis, with the duplicate Fill and duplicate Request removed from the drop box and the triplicate or stored data.

19:45-1.23 Procedure for removing gaming chips, coins and plaques from gaming tables

(a) A Request for Credit ("Request") shall be prepared by a casino supervisor, or a casino clerk, to authorize the preparation of a Credit Slip ("Credit") for the removal of gaming chips, coins and plaques from gaming tables to the cashiers' cage. The Request shall be a two-part form, at a minimum, and access to such form shall, prior to use, be restricted to casino supervisors and casino clerks.

(b) On the original and the duplicate Request, the following information, at a minimum, shall be recorded:

1. The date and time, or shift, of preparation;
2. The denomination of gaming chips, coins and plaques to be removed from the gaming table;
3. The total amount of each denomination of gaming chips, coins and plaques to be removed from the gaming table;
4. The game and table number from which the gaming chips, coins and plaques are to be removed; and
5. The signature of the casino supervisor and dealer or boxman assigned to the gaming table from which the gaming chips, coins and plaques are to be removed.

(c) Immediately upon preparation of a Request and transfer of gaming chips, coins and plaques to a security department member, a casino supervisor shall obtain on the duplicate the signature of the security department member to which the gaming chips and plaques were transferred and the dealer or boxman shall place the duplicate Request in public view on the gaming table from which the gaming chips, coins and plaques were removed and such Request shall not be removed until a Credit is received from the chip bank at which time the Request and Credit are deposited in the drop box.

(d) The original Request shall be transported directly to the cashiers' cage by the security department member who shall at the same time transport the gaming chips, coins and plaques removed from the gaming table.

(e) A Credit shall be prepared by a chip bank cashier or, if computer prepared, by a chip bank cashier, a casino supervisor, or a casino clerk whenever gaming chips, coins and plaques are returned from the gaming tables to the cashiers' cage.

(f) Credits shall be serially prenumbered forms, each series of Credits shall be used in sequential order, and the series numbers of all Credits received by a casino shall be accounted for by employees with no incompatible functions. All original and duplicate void Credits shall be marked "VOID" and shall require the signature of the preparer.

(g) For establishments in which Credits are manually prepared, the following procedures and requirements shall be observed:

1. Each series of Credits shall be a three-part form, at a minimum, and shall be inserted in a locked dispenser that will permit an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser, and that will discharge the original and duplicate while the triplicate remains in a continuous, unbroken form in the dispenser.

2. Access to the triplicates shall be maintained and controlled at all times by employees responsible for controlling and accounting for the unused supply of Credits, placing Credits in the dispensers, and removing from the dispensers, each day, the triplicates remaining therein. These employees shall have no incompatible functions.

(h) For establishments in which Credits are computer prepared, each series of Credits shall be a two-part form, at a minimum, and shall be inserted in a printer that will: simultaneously print an original and a duplicate and store, in machine-readable form, all information printed on the original and duplicate; and discharge in the cashiers' cage the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Credit.

(i) On originals, duplicates, and triplicates, or in stored data, the preparer shall record, at a minimum, the following information:

1. The denomination of the gaming chips, coins and plaques being returned;
2. The total amount of each denomination of gaming chips, coins and plaques being returned;
3. The total amount of all denominations of gaming chips, coins and plaques being returned;
4. The game and table number from which the gaming chips, coins and plaques are being returned;
5. The date and shift during which the removal of gaming chips, coins and plaques occurs; and
6. The signature of the preparer or, if computer prepared, the identification code of the preparer.

(j) The time of preparation of the Credit shall be recorded, at a minimum, on the original and duplicate upon preparation.

(k) Signatures attesting to the accuracy of the information contained on the Credits shall be, at a minimum, of the following personnel at the following times:

1. The original and the duplicate:
 - i. The chip bank cashier upon preparation;
 - ii. The security department member returning the gaming chips, coins and plaques to the cashier's cage;
 - iii. The dealer or boxman assigned to the gaming table upon receipt at such table from the security department member; and
 - iv. The casino supervisor assigned to the gaming table upon receipt at such table.

(l) Upon meeting the signature requirements as described in (k) above, the security department member returning the original and duplicate copies of the Credit to the gaming table or the pit clerk receiving the original and duplicate copies of the credit at the gaming table, through a pneumatic tube system, shall observe the immediate placement by the dealer or boxman of the duplicate Credit and Request in the drop box attached to the gaming table from which the gaming chips, coins and plaques were removed. The security department member or the pit clerk shall expeditiously return the original Credit to the chip bank where the original Credit and Request shall be maintained and controlled by employees independent of the casino department.

(m) The original and duplicate of void Credits and the original Request and Credit, maintained and controlled in conformity with (l) above, shall be forwarded using one of the following alternatives:

1. Alternative I: Forwarded to the count team for agreement with the duplicate Credit and the duplicate Request removed from the drop box, after which the Requests and the original and duplicate Credit shall be forwarded to the accounting department for agreement, on a daily basis, with the triplicate or stored data.

2. Alternative II: Forwarded to the accounting department for agreement, on a daily basis, with the duplicate Credit and the Request removed from the drop box and the triplicate or stored data.

19:45-1.24 Procedure for acceptance, accounting for and redemption of patron cash deposits

(a) Whenever a patron requests a casino licensee to hold his or her cash, cash equivalent, casino check, casino affiliate check, annuity jackpot trust check, complimentary cash gift, slot tokens, prize tokens, gaming chips or plaques for subsequent use, the patron shall deliver the cash, cash equivalent, casino check, casino affiliate check, annuity jackpot trust check, complimentary cash gift, slot tokens, prize tokens, gaming chips or plaques to a general cashier who, after converting any of those non-cash items into cash, shall deposit the cash for credit to the patron cash deposit account established for that patron pursuant to this section.

(b) A file for each patron shall be prepared manually or by computer prior to the acceptance of a cash deposit from a patron by a general cage cashier and such file shall include, at a minimum, the following:

1. The name of the patron;
2. The date and amount of each cash deposit initially accepted from the patron;
3. The date and amount of each check initially accepted from the patron, as a draw against a cash deposit;
4. The date and amount of each cash deposit redemption.

(c) All information recorded on the customer deposit file shall be in accordance with the licensee's system of internal accounting controls submitted to the Commission.

(d) A general cashier accepting a deposit shall prepare a Customer Deposit Form and other necessary documentation evidencing such receipt.

(e) Customer Deposit Forms shall be serially prenumbered, each series of Customer Deposit Forms shall be used in sequential order, and the series numbers of all Customer Deposit Forms shall be accounted for by employees with no incompatible functions. All original, and duplicate void Customer Deposit Forms shall be marked "VOID" and shall require the signature of the preparer.

(f) For establishments in which Customer Deposit Forms are manually prepared, a prenumbered two-part form, at a minimum, shall be used.

(g) For establishments in which Customer Deposit Forms are computer-prepared, each series of Customer Deposit Forms shall be a two-part form, at a minimum, and shall be inserted in a printer that will: simultaneously print an original and duplicate and store, in machine readable form, all information printed on the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Customer Deposit Form.

(h) On the original and duplicate of the Customer Deposit Form, or in stored data, the general cashier shall record, at a minimum, the following information:

1. The name of the patron making the deposit;
2. The total amount being deposited (numerical total and written amount);
3. The date of deposit;
4. The signature of the general cashier or, if computer prepared, the identification code of the general cashier;
5. Nature of the amount received (cash, cash equivalent, casino check, casino affiliate check, annuity jackpot trust check, complimentary cash gift, chips, plaques, slot tokens, prize tokens or wire transfer).

(i) After preparation of the Customer Deposit Form the general cashier shall obtain the patron's signature on the duplicate copy and shall distribute the copies in the following manner:

1. Original copy—given to the patron as evidence of the amount held on deposit by the casino;
2. Duplicate copy—forwarded along with any other necessary documentation to the check cashier who shall maintain the documents.

(j) A patron shall be allowed to use the deposit by supplying information required by the casino to verify his or her identification.

1. The pit clerk, general cashier or slot cashier shall ascertain, from the cashiers' cage, the amount of the patron deposit available and request the amount the patron wishes to use against this balance. The pit clerk shall prepare a Counter Check in compliance with N.J.A.C. 19:45-1.25 or a general cashier or slot cashier shall prepare a Slot Counter Check in compliance with N.J.A.C. 19:45-1.25A with the exception that the words "Customer Deposit Withdrawal" shall be recorded on the Counter Check or Slot Counter Check in place of the name of the patron's bank.

(k) Distribution of the Counter Checks shall comply with N.J.A.C. 19:45-1.25 and distribution of Slot Counter Checks shall comply with N.J.A.C. 19:45-1.25A.

(l) The patron's deposit balance shall be immediately reduced by amounts equal to the Counter Checks issued in

the pit or Slot Counter Checks issued in the slot area or at the casino cage.

(m) A patron may obtain a refund of his or her deposit or any unused portion of a deposit by requesting the refund from a general cashier and returning his or her copy of the Customer Deposit Form. The general cashier shall verify the customer's identification and shall:

1. Verify the unused balance with the check cashier;
2. Have the patron sign the original of the Customer Deposit Form;
3. Prepare necessary documentation evidencing such refund, which documentation may include a counter check or any other document which contains the following information:
 - i. Date and shift of preparation;
 - ii. Amount refunded;
 - iii. Type of refund made (cash, check or wire transfer);
 - iv. Patron's name; and
 - v. Signature of the general cashier preparing such documentation.

(n) The general cashier shall forward the original Customer Deposit Form along with any other necessary documentation to the Check Cashier who shall compare the patron's signatures and maintain the documents.

(o) The check cashier shall return the original copies of the Counter Check(s) to the general cashier who shall return it to the patron and refund the unused balance of the deposit to the patron at which time the general cashier shall maintain the original copy of the Customer Deposit Form along with any other necessary documentation to evidence such refund.

(p) A log of all customer deposits received and returned, shall be prepared manually or by computer on a daily basis, by check cashiers and such log shall include, at a minimum, the following:

1. The balance of the Customer Deposits on hand in the cashiers' cage at the beginning of each shift;
2. For Customer Deposits received and refunded:
 - i. The date of the Customer Deposit or refund;
 - ii. Customer Deposit Number;
 - iii. The name of the patron; and
 - iv. The amount of the Customer Deposit or refund.
3. The balance of the Customer Deposits on hand in the cashiers' cage at the end of each shift.

(q) The balance of the Customer Deposits on hand in the cashiers' cage at the end of each shift shall be recorded as an outstanding liability and accounted for by the check cashier.

Amended by R.1981 d.272, effective August 6, 1981.

See: 13 N.J.R. 47(c), 13 N.J.R. 541(a).

(b): new text substituted for old.

(b)-(p) renumbered as (c)-(q) without change in text.

Amended by R.1981 d.437 effective November 16, 1981.

See: 13 N.J.R. 534(b), 13 N.J.R. 848(b).

Amended by R.1982 d.189, effective June 21, 1982.

See: 14 N.J.R. 381(a), 14 N.J.R. 664(c).

(b)1: deleted "accompanied . . . credentials".

Petition for Rulemaking: Acceptance of cash equivalents.

See: 20 N.J.R. 824(b).

Amended by R.1989 d.233, effective May 1, 1989.

See: 20 N.J.R. 3012(a), 21 N.J.R. 1152(b).

Added "wire transfer" to (h)5 and (m)3.

Amended by R.1991 d.229, effective May 6, 1991.

See: 22 N.J.R. 3205(a), 23 N.J.R. 1455(a).

In subsections (j) and (k), added references to "Slot Counter Checks in compliance with N.J.A.C. 19:45-1.25A." In (l), added text regarding issuance of Slot Counter Checks.

Amended by R.1992 d.234, effective June 1, 1992.

See: 24 N.J.R. 933(a), 24 N.J.R. 2079(a).

At (m)3: added new text qualifying that documentation may include "a counter check or any other document which contains the following information . . ."

Amended by R.1994 d.471, effective September 19, 1994.

See: 26 N.J.R. 2212(a), 26 N.J.R. 3891(c).

Amended by R.1994 d.504, effective October 3, 1994.

See: 26 N.J.R. 2872(a), 26 N.J.R. 3253(a), 26 N.J.R. 4089(a).

Amended by R.1995 d.466, effective August 21, 1995.

See: 27 N.J.R. 2113(a), 27 N.J.R. 3219(a).

Added casino checks and annuity jackpot trust checks in (a) and (h)5.

Amended by R.1995 d.620, effective December 4, 1995.

See: 27 N.J.R. 3307(a), 27 N.J.R. 4909(a).

Case Notes

Taxpayer did not realize income when gambling debt was forgiven. *Zarin v. C.I.R.*, 1990, 916 F.2d 110.

Casino Control Act does not confer private cause of action in favor of losing players. *Miller v. Zoby*, 250 N.J.Super. 568, 595 A.2d 1104 (A.D.1991).

19:45-1.24A Procedures for accepting, verifying and accounting for wire transfers; wire transfer fees

(a) A casino licensee may, in accordance with the rules of the Commission, accept a wire transfer of funds to enable the following:

1. Establishment of a cash deposit pursuant to N.J.S.A. 5:12-101b and N.J.A.C. 19:45-1.24;

2. Redemption of an outstanding Counter Check or Slot Counter Check pursuant to N.J.S.A. 5:12-101c and N.J.A.C. 19:45-1.26 and 1.27; or

3. Payment of a returned Counter Check or Slot Counter Check pursuant to N.J.S.A. 5:12-101e and N.J.A.C. 19:45-1.29.

(b) Any wire transfer of funds authorized by this section shall be transferred to and deposited in the casino licensee's approved operating account in a New Jersey bank. The casino licensee shall require its bank to notify the casino licensee of the receipt and deposit of the wire transfer by transmitting the information required in (c)2 through 6 below by one or more of the following methods:

1. Direct telephone notification between the casino licensee's bank and a cage employee, which notification shall be recorded in the Wire Transfer Log in accordance with (c)6 below;

2. Direct hard copy (printed) communication sent by the casino licensee's bank to the casino licensee, which document shall be dated, time-stamped and signed by the cage employee receiving the notification, and forwarded to the accounting department as supporting documentation in accordance with (g) below; or

3. Direct computer access by the casino licensee to the wire transfer transaction as it is credited to its operating account at its bank, which transaction shall be printed from the computer screen and dated, time-stamped and signed by the cage employee receiving the notification, and forwarded to the accounting department as supporting documentation in accordance with (g) below.

(c) Upon notification in accordance with (b) above that a wire transfer of funds has been credited to the casino licensee's operating account, the cage employee who received the notice shall record, at a minimum, the following information in the notification section of a Wire Transfer Log maintained in the main bank of the cashiers' cage:

1. A sequential wire transfer number which shall be generated by the casino licensee;

2. The date and time of the notification;

3. The name of the casino licensee's bank to which the funds were transferred;

4. The actual amount of funds transferred to the operating account of the casino licensee, stated in numbers and words;

5. The name of the patron for whose benefit the funds were transferred;

6. The method authorized under (b) above by which the casino licensee was notified of the receipt of the wire transfer and, if by telephone, the name and title of the person at the casino licensee's bank who made the telephone call; and

7. The signature of the cage employee receiving and recording the information required by this subsection.

(g) At the end of the gaming day, the accounting department shall compare the duplicate and triplicate copies of the Wire Transfer Request Form to the original.

New Rule, R.1989 d.233, effective May 1, 1989.

See: 20 N.J.R. 3012(a), 21 N.J.R. 1152(b).

Amended by R.1994 d.504, effective October 3, 1994.

See: 26 N.J.R. 2872(a), 26 N.J.R. 3253(a), 26 N.J.R. 4089(a).

19:45-1.25 Procedure for exchange of checks submitted by gaming or simulcast wagering patrons; repurchase of cash equivalents

(a) Except as otherwise provided in this section, no casino licensee or any person licensed under the Casino Control Act, and no person acting on behalf of or under any arrangement with a casino licensee or other person licensed under the Casino Control Act, shall:

1. Cash any check, make any loan, or otherwise provide or allow to any person any credit or advance of anything of value or which represents value to enable any person to take part in gaming or simulcast wagering activity as a player; or

2. Release or discharge any debt which is uncollectible, either in whole or in part, which represents any losses incurred by any player in gaming or simulcast wagering activity without maintaining a written record of the deposit, check return and collection efforts as required by N.J.A.C. 19:45-1.28 and 19:45-1.29; or

3. Make any loan which represents any losses incurred by any player in gaming or simulcast wagering activity without receiving from said player in exchange therefore, a check in the amount of said loan, which check shall conform with the Casino Control Act and these regulations.

(b) No casino licensee or any person licensed under the Act, and no person acting on behalf of or under any arrangement with a casino licensee or other person licensed under the Act, may accept a check, other than a recognized travelers' check or other cash equivalent, a casino check, a casino affiliate check, or an annuity jackpot trust check from any person to enable such person to take part in gaming or simulcast wagering activity as a player, or may give cash or cash equivalents in exchange for such check unless the requirements of this section and N.J.A.C. 19:45-1.26, 19:45-1.27, 19:45-1.28, and 19:45-1.29 concerning check cashing, redeeming, consolidating, collecting and recording procedures are observed by the casino licensee and its employees and agents. For purposes of this chapter: the term "check" when used in connection with an exchange, redemption, substitution or consolidation by a patron shall mean any draft drawn by the patron which is a "cash item" as defined in Regulation J of the Board of Governors of the Federal Reserve System, 12 C.F.R. 210.2(e), and which is drawn on an account maintained in a "depository institution" as defined in Section 19(b) of the Federal Reserve Act, 12 U.S.C. §461(b), including share drafts and drafts

drawn on negotiable order of withdrawal accounts or similar accounts; the term "checking account" shall mean any account on which a "check" is drawn; and the term "bank" shall include any "depository institution" as defined in 12 U.S.C. §461(b). For purposes of this chapter, a check received from a person by cage cashiers may be presumed by the casino licensee not to be exchanged to enable such person to take part in gaming activity as a player, if the casino licensee shall cause to be posted at each general cashier station in the cashiers' cage a conspicuous sign that reads:

"By law, personal checks cannot be exchanged for currency or coin to be used for gaming or simulcasting wagering purposes."

(c) All checks sought to be exchanged in a casino by a patron shall be:

1. Drawn on a bank and payable on demand;
2. Drawn for a specific amount;
3. Made payable to the casino licensee; and
4. Currently dated, but not post dated.

(d) All checks sought to be exchanged at the cashiers' cage shall be:

1. Presented directly to the general cashier who shall:
 - i. Restrictively endorse the check "for deposit only" to the casino licensee's bank account;
 - ii. Initial the check;
 - iii. Date and time stamp the check;
 - iv. Record the junket number, if applicable;
 - v. Immediately exchange the check for currency and coin in an amount equal to the amount for which the check is drawn, not to exceed two hundred dollars (\$200.00) per patron per day, if such check is exchanged for the purpose of nongaming; and
 - vi. Forward redemption, consolidation and substitution checks to the Check Cashier and all non-gaming checks to the main bank cashier.

(e) Cash equivalents, casino checks, casino affiliate checks and annuity jackpot trust checks shall only be accepted at the cashiers' cage by general cashiers.

1. Prior to the acceptance of any cash equivalent from a patron, the general cashier shall determine the validity of such cash equivalent by performing the necessary verification for each type of cash equivalent and such other procedures as may be required by the issuer of such cash equivalent. Prior to the acceptance of any casino check, casino affiliate check or an annuity jackpot trust check from a patron, the general cashier shall comply with the requirements of (f) below.

2. In order to ensure the patron's identity, prior to the acceptance of a cash equivalent made payable to a presenting patron, a casino check, a casino affiliate check or an annuity jackpot trust check, the general cashier shall be required to examine the patron's identification credentials or verify that the patron's signature recorded on the cash equivalent, casino check, casino affiliate check or the annuity jackpot trust check and the patron's physical description agree with the information recorded in the patron's credit file prepared pursuant to N.J.A.C. 19:45-1.27. Each casino licensee shall maintain documentation supporting that examination or verification.

3. Any cash equivalent other than a travelers check or credit card and any casino check, casino affiliate check or annuity jackpot trust check which is accepted from a patron by a general cashier shall be:

i. Endorsed in blank by the patron (but in the case of a cash equivalent, only if the cash equivalent is made payable to the presenting patron); and

ii. Except as otherwise provided in (e)4ii below, restrictively endorsed "For Deposit Only" to the bank account of the casino licensee immediately upon acceptance by the general cashier and deposited no later than the next banking day following the date of the transaction.

4. A casino licensee may, in its discretion, allow a patron who has exchanged a cash equivalent (other than a travelers check or credit card) for currency, coin or a Customer Deposit Form to repurchase the cash equivalent for an equal amount of cash, gaming chips, plaques or slot tokens prior to the deposit of the cash equivalent by the casino licensee. If a casino licensee agrees to provide a patron with this repurchase option, the general cashier shall, prior to acceptance of the cash equivalent:

i. Immediately determine the validity of the cash equivalent by performing the verification required in (e)1 above; and

ii. In lieu of complying with the requirements of (e)3ii above, comply with the approved internal control procedures of the casino licensee for the processing of such transactions, which procedures shall include, at a minimum, the following:

(1) The creation of an audit trail which shall assure that no single employee is in a position to convert the cash equivalent to his or her personal use without detection;

(2) The establishment of a definite time limit on the repurchase rights of the patron, which time limit shall be no later than the end of the fifth calendar day following the date of acceptance of the cash equivalent; and

(3) Upon expiration of the time limit required by (e)4ii(2) above, the immediate restrictive endorsement of the cash equivalent "For Deposit Only" to the bank account of the casino licensee, and the deposit of the cash equivalent by no later than the next banking day.

(f) Prior to the acceptance of any casino check, casino affiliate check or annuity jackpot trust check from a patron, a general cashier shall determine the validity of such check by contacting the New Jersey casino licensee which issued the check or by confirming, in a manner approved by the Commission, the issuance of the check by the casino licensee affiliate or the annuity jackpot trust, as the case may be, and verifying the following information:

1. The date of the check;
2. The check number;
3. The name of the payee appearing on the check;
4. The amount of the check; and
5. That the check represents:
 - i. The return of a patron's deposit money;
 - ii. The redemption of the casino licensee's gaming chips; or
 - iii. The winnings from slot machine or keno payoffs;
 - iv. The winnings from simulcast wagering;
 - v. The winnings from table game progressive payouts;
 - vi. An annuity jackpot payment by an annuity jackpot trust pursuant to N.J.A.C. 19:45-1.40B; or
 - vii. A casino affiliate check.

(g) Each casino licensee shall maintain a casino check log and an annuity jackpot trust check log.

1. The general cashier of the casino licensee accepting a casino check or casino affiliate check shall document the verifications performed in (f) above in the casino check log and shall also record therein his or her name and license number and:

i. For a casino check, the name of the cashier providing such information and the date and time the information was obtained; or

ii. For a casino affiliate check, the name of the employee at the casino licensee affiliate providing such information, and the date and time the information was obtained.

2. The general cashier of the casino licensee accepting an annuity jackpot trust check shall document the verifications performed in (f) above in the annuity jackpot trust check log, and shall record therein the manner in which the information was obtained, including, if applicable, the name of any person providing the information and the date and time the information was obtained.

3. A general cashier of the New Jersey casino which issue a casino check shall provide the information required by (f) above to the casino licensee accepting such check, and shall indicate that verification was requested by notating in the casino check log the following information:

- i. The date and time of the request;
- ii. The name of the casino requesting the information;
- iii. The name of the general cage cashier making the request;
- iv. The check number;
- v. The date of the check;
- vi. The name of the payee appearing on the check; and
- vii. The reason for the check as either:
 - (1) The return of a patron's deposit money;
 - (2) The redemption of the casino licensee's gaming chips;
 - (3) The winnings from slot machine payoffs;
 - (4) The winnings from simulcast wagering; or
 - (5) The winnings from table game progressive payouts; or
 - (6) A casino affiliate check.

4. Each casino licensee shall, upon request, provide to any other casino licensee a list, updated as necessary, of the name of each affiliate of that casino licensee which holds a gaming license in any jurisdiction, and the name and telephone number of a person at each such affiliate who can verify the issuance of a casino affiliate check by that affiliated casino.

(h) Prior to acceptance of a travelers check from a patron, the general cashier shall verify its validity by:

1. Requiring the patron to countersign the travelers check in his or her presence;
2. Comparing the countersignature with the original signature on the travelers check;
3. Examining the travelers check for any other signs of tampering, forgery or alteration; and

4. Performing any other procedures which the issuer of the travelers check requires in order to indemnify the acceptor against loss.

(i) A person may obtain cash at the cashiers' cage or slot booth to be used for gaming purposes by presenting a recognized credit card to a general cashier or slot cashier. Prior to the issuance of cash to a person, the general cashier or slot cashier shall verify through the recognized credit card company the validity of the person's credit card or shall verify through a recognized electronic funds transfer company which, in turn, verifies through the credit card company the validity of the person's credit card and shall obtain approval for the amount of cash the person has requested. The general cashier or slot cashier shall then prepare such documentation as required by the casino licensee to evidence such transactions and to balance the imprest fund prior to the issuance of the cash.

(j) The following procedures and requirements over Counter Checks shall be observed:

1. Counter Checks shall be serially prenumbered forms; each series of Counter Checks shall be used in sequential order, and the series numbers of all Counter Checks received by a casino licensee shall be accounted for by employees with no incompatible functions. The original and all copies of void Counter Checks shall be marked "VOID" and shall require the signature of the casino clerk.

2. For establishments in which Counter Checks are manually prepared:

i. Each series of Counter Checks shall be a five-part form, at a minimum, which consists of an original, a redemption copy, an accounting copy, an issuance copy and acknowledgment copy and shall be attached in a book that will permit an individual slip in the series and its copies to be written upon simultaneously, while still contained in the book, and that will allow the removal of the original and all duplicate copies.

ii. Access to the Counter Checks shall be maintained and controlled at all times by the casino clerks responsible for controlling of and accounting for the unused supply of Counter Checks, and the preparation of Counter Checks for a patron's signature.

3. For establishments in which Counter Checks are computer prepared, each series of Counter Checks shall be a four-part form, at a minimum, which consists of an original, a redemption copy, an issuance copy and accounting copy and shall be inserted in a printer that will: simultaneously print an original and duplicates and store, in machine readable form, all information printed on the original and duplicates; and discharge the original and duplicates. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Counter Check.

(k) For each Counter Check exchanged at a gaming table, the casino clerk shall:

1. Verify the patron's identity by either:

i. Obtaining the patron's signature, on a form, which signature shall be compared to the original signature; or a computer generated facsimile thereof, contained within the patron's credit file. The casino clerk shall sign the form indicating that the signature of the patron on the form appears to agree with the signature on his credit file. Such form shall be attached to the accounting copy of the Counter Check exchanged by the patron prior to forwarding it to the accounting department in conformity with (p) below.

(1) After the patron's identity has been verified by the casino clerk as required above, the requirements for subsequent verification of the patron's identity during the same shift and in the same gaming pit may be satisfied by that casino clerk signing a form attesting to the patron's identity before each subsequent Counter Check is exchanged. The form shall include the patron's name and the serial number of the initial Counter Check exchanged by the patron. Such form shall be attached to the accounting copy of the Counter Check prior to forwarding it to the accounting department in conformity with (p) below; or

ii. Obtaining the attestation of a casino supervisor as to the identity of the patron. The casino supervisor shall sign a form attesting to the patron's identity and shall record his license number thereon. Such form shall be attached to the accounting copy of the Counter Check exchanged by the patron prior to forwarding it to the accounting department in conformity with (p) below.

2. Determine the patron's remaining credit limit from the cashiers' cage.

3. Prepare the Counter Check for a patron's signature by recording, at a minimum, on the face of the original and all duplicates of the Counter Check, with the exception of the acknowledgment copy which shall only have recorded on it the game and table number, or in stored data, the following information:

i. The name of the patron exchanging the Counter Check;

ii. The name of the patron's bank (required on the original copy only);

iii. The current date and time;

iv. The amount of the Counter Check expressed in numerals;

v. The game and table number;

vi. The signature of the casino supervisor authorizing acceptance of the check; and

vii. The signature of the preparer or, if computer prepared, the identification code of the preparer.

4. Place an impression on the back of the original Counter Check a restrictive endorsement "for deposit only" to the casino licensee's bank account.

5. Present the original and all duplicate copies of the Counter Check to the patron for signature.

6. Receive the signed Counter Check directly from the patron; the issuance copy, which is the equivalent of a Check Credit Slip, of the Counter Check shall be immediately and directly given to the dealer or boxman. In no instance shall the chips or plaques be given to the patron prior to the receipt of the issuance copy of the Counter Check by the dealer or boxman.

i. The original, redemption, and acknowledgment copies of the Counter Check shall be expeditiously transported to the cashiers' cage where the original and redemption copies shall be maintained and controlled by the Check Bank Cashier;

ii. The accounting copy of the Counter Check shall be maintained and controlled at all times by the casino clerk; and

iii. The issuance copy of the Counter Check shall be deposited by the dealer or boxman in the drop box immediately after the issuance of chips or plaques to the patron.

(l) For establishments in which the Chip Bank Cashier receives the original, redemption and acknowledgment copies of the Counter Check the Chip Bank Cashier shall sign and time stamp the acknowledgment copy of the Counter Check and expeditiously return it to the casino clerk via a security department member or pneumatic tube system and shall transfer the original and redemption copies of the Counter Check to the Check Cashier in return for properly signed documentation.

(m) For establishments in which the Check Cashier receives the original, redemption and acknowledgment copies of the Counter Check directly from the casino clerk, whether through the use of the pneumatic tube system or transported by a security department member the Check Cashier shall:

1. Sign and time stamp the acknowledgment copy and shall transmit it to the casino clerk via a security department member or pneumatic tube system, and shall maintain the original and redemption copies of the Counter Check.

(n) The acknowledgment copy of the Counter Check returned to the casino clerk shall be agreed to the accounting copy and maintained and controlled by the casino clerk.

(o) If the total amount of chips or plaques possessed by a patron exceeds \$500, the casino licensee shall request the patron to apply all chips or plaques in his possession to the redemption of Counter Checks or Slot Counter Checks exchanged for purposes of gaming prior to exchanging such chips or plaques for cash or prior to departing from the casino or casino simulcasting facility areas.

(p) At the end of each gaming day, at a minimum, the following procedures and requirements shall be observed:

1. The original and all copies of void Counter Checks and the accounting and acknowledgment copies of the Counter Check shall be forwarded by a representative of the accounting or security department to the accounting department for agreement, on a daily basis, with the issuance copy of the Counter Check removed from the drop box or stored data.

2. The redemption copy of a Counter Check maintained and controlled in conformity with (k)6i above shall be forwarded to the accounting department subsequent to the redemption, consolidation or deposit of the original Counter Check for agreement with the accounting and issuance copies of the Counter Check or stored data.

Amended by R.1981 d.437, effective November 16, 1981.
See: 13 N.J.R. 534(b), 13 N.J.R. 848(b).

(d)iv.: Added \$200.00 check limit per patron per day.
Added (e) and (f); renumbered (e)-(k) as (g)-(m).

Amended by R.1984 d.624, effective January 21, 1985 (operative September 30, 1985).

See: 16 N.J.R. 2076(a), 17 N.J.R. 212(a), 17 N.J.R. 1917(b).

(h) and (l) substantially amended.

Operative date changed from July 20, 1985.

Amended by R.1985 d.41, effective February 19, 1985.

See: 16 N.J.R. 3302(b), 17 N.J.R. 480(c).

(e) amended.

Amended by R.1986 d.77, effective April 7, 1986.

See: 17 N.J.R. 2245(a), 18 N.J.R. 706(b).

New (f)-(h) added; old (f)-(m) now (i)-(p).

Petition for Rulemaking: Verification procedures to be followed by the Casino prior to the acceptance of recognized travelers checks from a casino patron.

See: 20 N.J.R. 1489(a).

Amended by R.1988 d.304, effective July 5, 1988.

See: 20 N.J.R. 51(a), 20 N.J.R. 1572(a).

Added (e)1 concerning cashing of travelers checks.

Amended by R.1990 d.2, effective January 2, 1990.

See: 21 N.J.R. 2954(a), 22 N.J.R. 63(a).

In (f)5: deleted "either" from phrase and added new 5iii.

Amended by R.1991 d.229, effective May 6, 1991.

See: 22 N.J.R. 3205(a), 23 N.J.R. 1455(a).

In (j)3, revised text read "accounting" copy; in (o), added "Slot Counter Checks."

Amended by R.1991 d.231, effective May 6, 1991.

See: 22 N.J.R. 3711(a), 23 N.J.R. 1463(a).

In (e): added text providing casino licensees with an additional method to verify patron identification."

Amended by R.1991 d.300, effective June 17, 1991.

See: 23 N.J.R. 397(a), 23 N.J.R. 1964(a).

In (i): added options of slot booth and slot cashier.

Amended by R.1991 d.301, effective June 17, 1991.

See: 23 N.J.R. 191(a), 23 N.J.R. 1963(b).

In (b): added rule text to describe expanded check exchanges procedures.

Amended by R.1992 d.13, effective January 6, 1992.

See: 23 N.J.R. 3087(a), 24 N.J.R. 110(a).

Added new (h)7iii; winnings from slot machine payoffs.

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

In (d)1.v.: added text defining "day" as used in subparagraph; in (p): stylistic revisions.

Amended by R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Simulcast provisions added.

Temporary Amendment: Caribbean Stud Poker.

See: 26 N.J.R. 3464(a).

Amended by R.1994 d.473, effective September 19, 1994.

See: 26 N.J.R. 2216(a), 26 N.J.R. 3893(a).

Administrative Correction.

See: 26 N.J.R. 4216(a).

Temporary Amendment: Double Down Stud.

See: 26 N.J.R. 4445(a).

Amended by R.1995 d.285, effective June 5, 1995.

See: 26 N.J.R. 2218(a), 27 N.J.R. 2254(a).

Amended by R.1995 d.430, effective August 7, 1995.

See: 27 N.J.R. 1767(b), 27 N.J.R. 2967(a).

Added (f)5v and (g)2vii(5).

Amended by R.1995 d.466, effective August 21, 1995.

See: 27 N.J.R. 2113(a), 27 N.J.R. 3219(a).

Added casino checks and annuity jackpot trust checks in (b) and (e) through (g); added winnings from table game progressive payouts at (f)5v and (g)3vii(5); and renumbered existing (g)3 as (g)2 and inserted new (g)2.

Amended by R.1995 d.620, effective December 4, 1995.

See: 27 N.J.R. 3307(a), 27 N.J.R. 4909(a).

Case Notes

Taxpayer did not realize income when gambling debt was forgiven.
Zarin v. C.I.R., 1990, 916 F.2d 110.

Regulation requiring on back of original countercheck a restrictive endorsement "for deposit only" to casino licensee's bank account does not require depository bank's name. *GNOC, Corp. v. Endico, C.A.2 (N.Y.)* 1989, 876 F.2d 1076.

Common-law contract defenses of incapacity, duress, and unconscionability exist, in action to have casino markers declared void. *Lomona-co v. Sands Hotel Casino and Country Club*, 259 N.J.Super. 523, 614 A.2d 634 (L.1992).

Casino Control Act does not confer private cause of action in favor of losing players. *Miller v. Zoby*, 250 N.J.Super. 568, 595 A.2d 1104 (A.D.1991).

Casino operator's write-off of patron's indebtedness as bad debt without reasonable attempt to collect was properly disallowed. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D. 1991).

Commission did not violate procedural due process when it considered regulations not cited in complaint. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Credit transaction may not be bifurcated with casino personnel receiving payment of counter check at off-site location and counter check then being released when funds are received at cashiers' cage. *Petition of Adamar of New Jersey, Inc.*, 222 N.J.Super. 464, 537 A.2d 704 (A.D.1988).

Check not dated. *Resorts Intern. Hotel, Inc. v. Salomone*, 178 N.J. Super. 598, 429 A.2d 1078 (App. Div., 1981).

Former regulation concerning procedure for casino clerk exchange of counter checks at gaming tables valid. *Playboy-Elsinore Associates v. Strauss*, 189 N.J.Super. 185 (Law Div.1983).

19:45-1.25A Procedure for exchange of slot counter checks by slot patrons

(a) A casino licensee may offer credit to slot patrons pursuant to N.J.A.C. 19:45-1.27. Slot Counter Checks may be prepared by slot cashiers at slot booths and coin redemption locations and by general cashiers at the cashiers' cage in exchange for which patrons may receive any combination of coin, currency or slot tokens. For casino licensees which issue credit to slot players, the following procedures and requirements over Slot Counter Checks shall be observed:

1. Slot Counter Checks shall be serially prenumbered forms. Each series of Slot Counter Checks shall be used in sequential order; however, nothing in this subsection shall preclude a casino licensee from issuing Slot Counter Checks from the same numbering sequence used for the issuance of Counter Checks pursuant to N.J.A.C. 19:45-1.25. The series numbers of all Slot Counter Checks shall be accounted for by employees with no incompatible functions.

i. The original and all copies of voided Slot Counter Checks shall be marked "VOID" and shall require the signature of the preparer.

2. For establishments in which Slot Counter Checks are manually prepared:

i. Each series of Slot Counter Checks shall be a five-part form, at a minimum, which consists of an original, a redemption copy, an accounting copy, an issuance copy and acknowledgement copy and shall be attached in a book that will permit an individual slip in the series and its copies to be written upon simultaneously, while still contained in the book, and that will allow the removal of the original and all duplicate copies.

ii. Access to the Slot Counter Checks shall be maintained and controlled at all times by the general cashier or slot cashier responsible for control of and accounting for the unused supply of Slot Counter Checks, and the preparation of Slot Counter Checks for a patron's signature.

3. For establishment in which Slot Counter Checks are computer prepared, each series of Slot Counter Checks shall be a four-part form, at a minimum, which consists of an original, a redemption copy, an issuance copy and accounting copy and shall be inserted in a printer that will: simultaneously print an original and duplicates; store, in machine readable form, all information printed on the original and duplicates; and discharge the original and duplicates. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Slot Counter Check.

(b) For each Slot Counter Check exchanged, in accordance with (a) above, the general cashier or slot cashier shall:

1. Verify the patron's identity by either:

i. Obtaining, at a minimum, the amount of the requested Slot Counter Check and the patron's signature on a form, which signature shall be compared to the original signature, or a computer generated facsimile thereof, contained within the patron's credit file. The general cashier or slot cashier shall sign the form indicating that the signature of the patron on the form appears to agree with the signature on his or her credit file. Such form shall be attached to the accounting copy of the Slot Counter Check exchanged by the patron and deposited into a locked accounting box for forwarding to the accounting department in conformity with (h) below.

(1) After the patron's identity has been verified by the general cashier or slot cashier as required above, the requirements for subsequent verification of the patron's identity may be satisfied by that general cashier or slot cashier signing a form attesting to the patron's identity before each subsequent Slot Counter Check is exchanged. The form shall include the patron's name and the serial number of the initial Slot Counter Check exchanged by the patron. Such form shall be attached to the accounting copy of the Slot Counter Check and deposited into a locked accounting box for forwarding to the accounting department in conformity with (h) below; or

ii. Obtaining the attestation of a slot supervisor as to the identity of the patron. The slot supervisor shall sign a form attesting to the patron's identity and shall record his or her license number thereon and the amount requested by the patron. Such form shall be attached to the accounting copy of the Slot Counter Check exchanged by the patron and deposited into a locked accounting box for forwarding to the accounting department in conformity with (h) below;

2. Determine the patron's remaining credit limit either from a check bank cashier or from a computer terminal located in an area as approved by the Commission;

3. Prepare the Slot Counter Check for the patron's signature by recording, at a minimum, on the face of the original and all duplicates of the Slot Counter Check, with the exception of the acknowledgement copy which shall only have recorded on it the location of preparation, or in stored data, the following information:

i. The name of the patron exchanging the Slot Counter Check;

ii. The name of the patron's bank (required on the original copy only);

iii. The current date and time;

iv. The amount of the Slot Counter Check expressed in numerals;

(e) Any payment received pursuant to this section that the drawer directs be deposited in a cash deposit account pursuant to (d)3 above shall be deposited by the casino licensee in accordance with the requirements of N.J.A.C. 19:45-1.24 except that, if the drawer is not present in the casino hotel:

1. The Customer Deposit Form may be prepared without the patron's signature on the duplicate copy;
2. The original of the Customer Deposit Form shall be mailed to the drawer in accordance with N.J.A.C. 19:45-1.26(h)2; and
3. After the payment is deposited in the patron cash deposit account, it shall only be used by or refunded to the drawer in accordance with N.J.A.C. 19:45-1.24 and, if applicable, N.J.A.C. 19:45-1.24B.

(f) If a patron check is dishonored by the drawer's bank upon presentation for payment and returned to the casino licensee, any payments received pursuant to this section, including payments that have been transferred to a patron cash deposit account pursuant to (d)3 above, that have not been returned to the drawer shall be used to reduce the amount to be collected from the drawer or to be deemed uncollectible pursuant to the provisions of N.J.A.C. 19:45-1.29.

(g) Except as otherwise provided in this section, any payment authorized by this section shall be made for the sole benefit of the drawer. No junket representative, junket enterprise or employee or agent of a junket enterprise shall, and no casino licensee or employee or agent of a casino licensee shall, except as specifically authorized by the rules of the Commission, make a payment for the benefit of the drawer of a patron check pursuant to this section. No casino licensee, or employee or agent thereof, shall require the drawer of a patron check to make, or to have some other person make, the payments authorized by this section as a pre-condition to initially approving or subsequently increasing a credit limit for the drawer or for any other reason whatsoever.

New Rule, R.1995 d.40, effective January 17, 1995.
See: 26 N.J.R. 3825(a), 27 N.J.R. 382(b).

19:45-1.27 Procedures for granting credit, and recording checks exchanged, redeemed or consolidated

(a) A credit file for each patron shall be prepared by a general cage cashier or credit department representative with no incompatible functions either manually or by computer prior to the casino licensee's approval of a patron's credit limit. All patron credit limits and changes thereto shall be supported by the information contained in the credit file. Such file shall contain a credit application form upon which shall be recorded, at a minimum, the following information provided by the patron:

1. The patron's name;

2. The address of the patron's residence;
3. The number of years at that address;
4. The telephone number at the patron's residence;
5. Employment information including:
 - i. The name of the patron's employer, or an indication of self employment or retirement;
 - ii. Type of business;
 - iii. The patron's position;
 - iv. Number of years employed;
 - v. The patron's business address; and
 - vi. The patron's business telephone number.
6. Banking information including:
 - i. The name and location of the patron's bank; and
 - ii. The account number of the patron's personal checking account upon which the patron is individually authorized to draw and upon which all Counter Checks, Slot Counter Checks and all checks used for substitution, redemption or consolidation will be drawn. Checking accounts of sole proprietorships shall be considered as personal checking accounts. Partnership or corporate checking accounts shall not be considered personal checking accounts.
7. The credit limit requested by the patron;
8. The name of each casino where the patron has a casino credit limit;
9. The approximate amount of all other outstanding indebtedness;
10. The amount and source of income and assets in support of the requested credit limit; and
11. The patron's signature indicating acknowledgement of the following statement, which shall be included at the bottom of every credit application form containing the information required to be submitted by the patron pursuant to this subsection: "I certify that I have reviewed all of the information provided above and that it is true and accurate. I authorize (insert the name of the casino licensee) to conduct such investigations pertaining to the above information as it deems necessary for the approval of my credit limit. I am aware that this application is required to be prepared by the regulations of the Casino Control Commission and I may be subject to civil or criminal liability if any material information provided by me is willfully false."

(b) A general cage cashier or credit department representative with no incompatible functions shall record the following information in the credit file prior to the casino licensee's approval of a patron's credit limit:

1. A physical description of the patron which shall include, but not be limited to, the following:

- i. Date of birth;
- ii. Height;
- iii. Weight;
- iv. Hair color; and
- v. Eye color.

2. The type of identification credentials examined containing the patron's signature and whether said credentials included a photograph or general physical description of the patron; and

3. The signature of the general cage cashier or credit department representative with no incompatible functions indicating that the signature of the patron in the credit file appears to agree with the signature on the identification credentials presented by the patron and that the physical description of the patron appears to agree with the patron's actual appearance. The date and time of the signature of the general cage cashier or credit department representative with no incompatible functions shall be recorded either mechanically or manually contemporaneously with the transaction.

(c) Prior to the casino licensee's approval of the patron's credit limit, a credit department representative with no incompatible functions shall:

- 1. Verify the address of the patron's residence;
- 2. Verify the patron's current casino credit limits and outstanding balances which shall include the following:
 - i. The date the patron's credit account was established;
 - ii. The amount of the current approved credit limit at each casino; and
 - iii. The current balance and status of the patron's credit account at each casino including checks deposited by New Jersey casino licensees that have not yet cleared the bank and derogatory information. ("Derogatory" is defined as patron credit accounts partially or completely uncollectible, checks returned unpaid by the patron's bank, settlements, liens, judgments, and any other credit problems of the patron);
- 3. Verify the patron's outstanding indebtedness;
- 4. Verify the patron's personal checking account information which shall include, but not be limited to, the following:
 - i. Type of account (personal or sole proprietorship);
 - ii. Account number;
 - iii. Date the account was opened;

iv. Average balance of the account for the last twelve months, if available (if this information is not available, then this shall be noted in the credit file);

v. Current balance in the account if available (if this information is not available then this shall be noted in the credit file);

vi. Whether the patron can sign individually on the account;

vii. Name and title of the person supplying the information; and

5. Verify that the patron's name is not designated on the master list of persons who have voluntarily requested suspension of credit privileges pursuant to N.J.A.C. 19:45-1.27A.

(d) All verifications performed by the credit department in (c) above together with accurate and verifiable information received from the security and surveillance departments pursuant to N.J.A.C. 19:45-1.11(c) shall be recorded in the credit file and accompanied by the signature of the credit department representative who performed the required verifications or filed the relevant information. The date and time of the signature of the credit department representative shall be recorded either mechanically or manually contemporaneously with the transaction. The casino licensee's credit department shall fulfill the requirements of (c) above as follows:

1. Verification of the address of the patron's residence, as required by (c)1 above, shall be satisfied by confirming the patron's address with a credit bureau or bank. If neither of these sources has the patron's address on file or will not provide the information, the licensee may use an alternative source which shall not include any identification credentials required in (b) above or other documentation presented by the patron at the casino. The casino shall record the source of verification and the method by which such verification was performed in the patron's credit file. Verification of the patron's address may be performed telephonically.

2. Verification of the patron's current casino credit limits and outstanding balances, as required by (c)2 above, shall be performed through a casino credit bureau and, if appropriate, through direct contact with other casinos. The casino licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If no casino credit information relating to the patron is available from these sources, this shall be noted in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee requests written documentation of all such information as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

3. Verification of the patron's outstanding indebtedness, as required by (c)3 above, shall be performed by contacting a consumer credit bureau which is reasonably likely to possess information concerning the patron, to the extent such consumer credit bureau is available, and a casino credit bureau to determine whether the applicant has any liabilities or if there is any derogatory information concerning the applicant's credit history. Such contact shall be considered a verification of the outstanding indebtedness provided by the patron. If such contact is not immediately possible, the casino licensee may use an alternative source which has made the required contact. The casino licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If either one or both of these credit bureaus do not have information relating to a patron's outstanding indebtedness this shall be recorded in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee requests written documentation of all information obtained as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

4. Verification of the patron's personal checking account information, as required by (c)4 above, shall be performed by the casino licensee or a bank verification service directly with the patron's bank. A bank verification service utilized by a casino licensee may make use of another bank verification service to make direct communication with the patron's bank. If such information is not immediately available, the casino licensee may use an alternative source. The casino licensee shall record the source of the verification and the method by which each verification was performed in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee or bank verification service requests written documentation of all information obtained as soon as possible and such written documentation is included in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained. No bank verification service may be used by a casino licensee or another bank verification service to perform the verifications required by this section unless the bank verification service has filed a completed application for an appropriate casino service industry license under N.J.S.A. 5:12-92 and N.J.A.C. 19:43. If a bank verification service is used as a primary source of verification, either directly by a casino licensee or by another bank verification service, each service and the licensee shall, in addition to complying with any other requirement imposed by this section, record the date that the patron's personal checking account information was obtained from the bank by the service.

(e) Any New Jersey casino licensee requesting information from another New Jersey casino licensee concerning a credit patron shall represent to the requested casino licensee that the patron has a credit line or has applied for credit and shall provide the patron's name, address of the patron's residence and the name and location of the patron's bank. Upon receipt of this information, the requested New Jersey casino licensee shall be required to furnish to the requesting New Jersey casino any information in its possession concerning a patron as required by (c) above.

(f) The credit limit, and any changes thereto, must be approved by any one or more of the individuals holding the job positions of credit manager, assistant credit manager, credit shift manager, credit executive, or a casino key employee in a direct reporting line above the casino manager or a credit committee composed of casino key employees which may approve credit as a group but whose members may not approve credit individually unless such person is included in the job positions referenced above. The approval shall be recorded in the credit file and shall include:

1. Any other information used to support the credit limit and any changes thereto, including the source of the information, if such information is not otherwise recorded pursuant to this section;
2. A brief summary of the key factors relied upon in approving or reducing the requested credit limit and any changes thereto;
3. The reason credit was approved if derogatory information was obtained during the verification process; and
4. The signature of the employee approving the credit limit. The date and time of the signature shall be recorded either mechanically or manually contemporaneously with the transaction.

(g) Prior to approving a credit limit increase, a representative of the casino licensee's credit department shall:

1. Obtain a written request from the patron which shall include:
 - i. Date and time of the patron's request;
 - ii. Amount of credit limit increase requested by the patron; and
 - iii. Signature of the patron.
2. Verify the patron's current casino credit limits and outstanding balances, as required by (c)2ii and (c)2iii above, unless such verification has been performed earlier that same gaming day;
3. Verify the patron's outstanding indebtedness and personal checking account information, as required by (c)3 and (c)4 above, unless such procedures have been performed within the previous 12 months;
4. Consider the patron's player rating based on a continuing evaluation of the amount and frequency of

play subsequent to the patron's initial receipt of credit. The patron's player rating shall be readily available to representatives of the casino licensee's credit department prior to their approving a patron's request for a credit limit increase.

5. For table game play, the information for the patron's player rating shall be recorded on a player rating form by casino department supervisors or put directly into the licensee's computer system pursuant to an approved submission and shall include, but not be limited to, the following:

- i. Patron's name;
- ii. Game and table number;
- iii. Average bet;
- iv. Approximate length of time played;
- v. Rating as determined by supervisor or approved computer system;
- vi. Signature and license number of the casino supervisor responsible for providing the patron's player rating information; and
- vii. Date of observations.

6. For slot play, the information for the patron's player rating shall be recorded on a player rating form by slot department supervisors, or put directly into the casino licensee's computer system pursuant to an approved submission, or generated by insertion of a card, by a patron, into a card reader attached to a slot machine. Such ratings shall include, but not be limited to, the following:

- i. The patron's name;
- ii. A designation indicating it is for slots;
- iii. The rating as determined by a supervisor or an approved computer system;
- iv. The signature and license number of the slot supervisor responsible for providing the patron's player rating information; if manually prepared; and
- v. The date of play.

7. Include the information and documentation required by (g)1 through 3 above and the patron's player rating indicated at the time the credit increase is approved in the patron's credit file.

(h) Credit limit increases may be approved without performing the requirements of (g)2 and (g)3 above if the increases are temporary and are noted as being for this trip only (TTO) in the credit file. Temporary increases shall be limited to two during any thirty day period and the total amount of the temporary increases during that period shall not exceed ten percent of the currently approved credit limit.

(i) The casino licensee's credit department shall:

1. Comply with the requirements of either (i)2 or 3 below whenever:

- i. A patron's credit file has been inactive for a 12 month period; or
- ii. A patron has failed to completely pay off his credit balance at least once within a six month period; or
- iii. A check is returned to any casino by a patron's bank; or
- iv. Any information is received by a casino licensee's credit department which reflects negatively on the patron's continued creditworthiness; or
- v. The information in the patron's credit file, as required by (c)1 through (c)4 above, has not been verified for a 12-month period.

2. Reverify the patron's address, current casino credit limits, outstanding balances, outstanding indebtedness, and personal checking account information, as required by (c)1 through (c)4 above.

3. Suspend the patron's credit privileges. If a patron's credit privileges have been suspended, the procedures required by (c)1 through (c)4 above shall be performed before that patron's credit privileges are reinstated; provided, however, if the suspension is the result of the requirement of 1.iii. above, the casino licensee may alternatively reinstate the patron's credit privileges by complying with the requirements of (j) below.

4. Verify the information required by (a)2 and (a)6 above, in accordance with the procedures in (d) above, whenever the casino licensee has reason to believe that this information has changed.

(j) Notwithstanding any other provision of this section to the contrary, a casino licensee may approve, restore or increase a credit limit for a patron prior to the completion of the verifications that are otherwise required, provided that:

1. The casino licensee complies with the requirements of N.J.S.A. 5:12-101(k);

2. Any patron check accepted prior to the completion of all verifications required pursuant to this section shall not be:

- i. Deducted from gross revenue pursuant to N.J.S.A. 5:12-24 if such check subsequently proves to be uncollectible, even if the casino licensee completes all of the required verifications prior to the deposit or presentment of the check;

ii. Included in the "Provision for Uncollectible Patron Checks" pursuant to N.J.A.C. 19:54-1.6(a)2; and

3. The casino licensee shall specify in its internal controls the manner in which any patron check that is accepted pursuant to N.J.S.A. 5:12-101(k) shall be identified.

(k) Any patron having a check returned to any casino unpaid by the patron's bank shall have his credit privileges suspended at all New Jersey casino licensees until such time as the returned check has been paid in full or the reason for the derogatory information has been satisfactorily explained. All derogatory information concerning a patron's credit account shall be reported by each casino licensee on a daily basis to a casino credit bureau used by New Jersey casino licensees. Each New Jersey casino licensee shall request written documentation of any derogatory information pertaining to its patrons to be reported to that casino licensee on a daily basis by a casino credit bureau used by New Jersey casino licensees. All documentation obtained from the casino credit bureau shall be maintained in the patron's credit file. Any casino licensee desiring to continue the patron's credit privileges on the basis of a satisfactory explanation having been obtained for the returned check may do so if the licensee records the explanation for its decision in the credit file before accepting any further checks from the patron along with the signature of the credit department representative accepting the explanation.

(l) All transactions affecting a patron's outstanding indebtedness to the casino licensee shall be recorded in chronological order in the patron's credit file and credit transactions shall be segregated from the safekeeping deposit transactions. The following information shall be included:

1. The date, amount and check number of each Counter Check or Slot Counter Check initially accepted from the patron;
2. The date, amount and check number of each consolidation check and the check numbers of the checks returned to the patron;
3. The date, method, amount and check number of each redemption transaction and the check number of the redeemed check returned to the patron;
4. The date, amount and check number of each substitution transaction and the check number of the check returned to the patron;
5. The date, amount and check number of each check deposited;
6. The date, amount and check number of each check returned to the casino licensee by the patron's bank and the reason for its return;
7. The outstanding balance after each transaction; and
8. The date, amount and check number of any checks which have been partially or completely written off by the

casino licensee and a brief explanation of the reason for such write off.

(m) A log of all Counter Checks and Slot Counter Checks exchanged and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a daily basis, by check cashiers and such log shall include, at a minimum, the following:

1. The balance of the checks on hand in the cashier's cage at the beginning of each shift;
2. For checks initially accepted and for checks received for consolidation, redemption or substitution;
 - i. The date of the check;
 - ii. The name of the drawer of the check;
 - iii. The amount of the check;
 - iv. The Counter Check or Slot Counter Check serial number(s) for Counter Check(s) and Slot Counter Check(s) received; and
 - v. An indication as to whether the check was initially accepted or received in a redemption, consolidation or substitution.
3. For checks deposited, redeemed by patrons for cash, cash equivalents, complimentary cash gifts, gaming chips and plaques, or any combination thereof, consolidated or replaced:
 - i. The date on which the check was deposited, redeemed, consolidated or replaced;
 - ii. The name of the drawer of the check;
 - iii. The amount of the check;
 - iv. The Counter Check and Slot Counter Check serial number(s) for Counter Check(s) and Slot Counter Check(s) deposited, redeemed, consolidated or replaced; and
 - v. An indication as to whether the check was deposited, redeemed, consolidated or replaced.
4. The balance of the checks on hand in the cashiers' cage at the end of each shift.

(n) A list of all Counter Checks and Slot Counter Checks on hand, and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a monthly basis, at a minimum, and shall include the following:

1. The date of the check;
2. The name of the drawer of the check;
3. The amount of the check; and
4. The Counter Check and Slot Counter Check serial number(s) for Counter Check(s) and Slot Counter Checks received.

(o) At the end of each gaming day, at a minimum, the following procedures shall be performed:

1. The daily total of the amounts of checks initially recorded as described in (l) 2 above shall be agreed to the daily total of Counter Checks and Slot Counter Checks issued;

2. The daily total of the checks indicated as deposited on the log required by (l) 3 above shall be agreed by employees with no incompatible functions to the bank deposit slips corresponding to such check; and

3. The balance required by (l) 4 above shall be agreed to the total of the checks on hand in the cashiers' cage.

(p) All information recorded in the credit file shall be in accordance with the licensee's system of internal accounting control submitted to the Commission.

Amended by R.1981 d.437, eff. November 16, 1981.

See: 13 N.J.R. 534(b), 13 N.J.R. 848(b).

(d)7 added.

Renumbered 7-14 as 8-15 without change in text.

New Rule, R.1985 d.229, effective May 20, 1985 (operative December 1, 1985).

See: 17 N.J.R. 181(a), 17 N.J.R. 1327(a).

Old section "Procedure for recording checks exchanged, redeemed or consolidated" has been repealed and this new rule adopted.

Correction: (a)8—"and the amount of the credit limit and outstanding balance" was not deleted in adoption.

See: 17 N.J.R. 1673(c).

Amended by R.1985 d.493, effective October 7, 1985 (operative December 1, 1985).

See: 17 N.J.R. 1254(a), 17 N.J.R. 2456(a).

New subsection (i); (k)8; and (p).

Extension of operative date: Operative date for R.1985 d.229 and d.493 has been extended to March 1, 1986.

See: 17 N.J.R. 2914(c).

Petition for rulemaking: Petitioner filed request for amendments to section.

See: 18 N.J.R. 114(b).

Amended by R.1986 d.36, effective February 18, 1986 (operative March 1, 1986).

See: 17 N.J.R. 2970(a), 18 N.J.R. 428(b).

(p) substantially amended.

Amended by R.1986 d.365, effective September 8, 1986.

See: 18 N.J.R. 935(b), 18 N.J.R. 1839(b).

Substantially amended (d).

Amended by R.1990 d.362, effective August 6, 1990.

See: 22 N.J.R. 162(a), 22 N.J.R. 2342(d).

In (d)4, added bank verification service may use another verification service to communicate with patron's bank.

Amended by R.1991 d.229, effective May 6, 1991.

See: 22 N.J.R. 3205(a), 23 N.J.R. 1455(a).

In (g), revised text to add new paragraph 5, beginning with "For table game play . . ."; Added new paragraph 6 and recodified existing 5 and new 7. Added reference to "Slot Counter Checks" throughout section.

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

In (n): stylistic revisions.

Amended by R.1992 d.153, effective April 6, 1992.

See: 23 N.J.R. 3434(b), 24 N.J.R. 1377(a).

Added new (c)5 regarding patron's name verification.

Amended by R.1992 d.157, effective April 6, 1992.

See: 24 N.J.R. 178(a), 24 N.J.R. 1378(a).

Added new subparagraph (i)4. Deleted subsection (p), because of expiration of 1986 phase-in period.

Amended by R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

"Casino licensee" substituted for "casino" and "licensee."

Amended by R.1994 d.222, effective May 2, 1994.

See: 26 N.J.R. 912(a), 26 N.J.R. 1852(b).

Amended by R.1994 d.471, effective September 19, 1994.

See: 26 N.J.R. 2212(a), 26 N.J.R. 3891(c).

Amended by R.1995 d.466, effective August 21, 1995.

See: 27 N.J.R. 2113(a), 27 N.J.R. 3219(a).

Added (j).

Amended by R.1996 d.11, effective January 2, 1996.

See: 27 N.J.R. 3770(b), 28 N.J.R. 180(a).

In (g)3 and (i)1i substituted "12 months" for "six months".

Case Notes

Casino Control Act does not confer private cause of action in favor of losing players. *Miller v. Zoby*, 250 N.J.Super. 568, 595 A.2d 1104 (A.D.1991).

Commission did not violate procedural due process when it considered regulations not cited in complaint. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Extending credit to patron in substantial debt to casino and to other casinos violated regulations. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulation by failing to explain in patron's credit file why credit was extended despite receipt of derogatory information. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulation by sending debt collection statements directly to its vice-president instead of to patron and failing to report immediately checks returned for insufficient funds. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulations by reinstating patron's credit despite derogatory information. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Former regulation contained no bar to extension of personal credit line by casino against a corporate account; no evidence of casino bad faith through regulatory violation as regulation in effect at time of transaction not violated. *Schaps v. Bally's Park Place, Inc.*, 58 B.R. 581 (E.D.Pa.1986).

19:45-1.27A Patron request for suspension of credit privileges

(a) Any person may voluntarily suspend his or her credit privileges at all licensed casinos by submitting a written request to the Commission in accordance with this section.

1. Such request may be submitted in person at the offices of the Casino Control Commission, Employee License Information Unit, Arcade Building, 2nd Floor, Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey, or at the Commission inspector's booth at any licensed casino. Any person requesting suspension of credit privileges in person shall present valid identification credentials containing the person's signature and either a photograph or a general description of that person.