

1. The expiration of the three-day period; or
2. Receipt of written Commission approval for the change.

(c) The casino licensee that submitted an application governed by (a) above shall notify the Commission in writing upon final completion of any proposed change set forth in the application or any amendment thereto and for which the casino licensee is prepared to seek approval pursuant to (d) below; provided, however, that a notice shall be filed upon final completion of all proposed changes. A floor plan that depicts the actual changes made shall accompany the notice and be filed in the manner prescribed by N.J.A.C. 19:43-7.3(c). Each such floor plan shall be in a format consistent with N.J.A.C. 19:43-7.3 and, in addition to depicting the change that is made to the applicable items enumerated in N.J.A.C. 19:43-7.3(b), shall include updates, based on the actual changes made, for each item required to be included in the application pursuant to (a) above and described in the notice; provided, however, that a floor plan of the entire casino or casino simulcasting facility that depicts all changes proposed in the application and any amendment thereto shall accompany the notice of final completion.

(d) Promptly after the filing of a notice pursuant to (c) above, the Commission shall inspect the physical changes actually made to the casino, casino simulcasting facility and any restricted area to ensure that those changes conform to the floor plan accompanying the notice and the description previously submitted to the Commission, as modified by any properly filed amendments thereto. Following such inspection, the Commission shall notify the casino licensee in writing as to which physical change is approved and which is rejected, whereupon:

1. The casino licensee, in the event any change is rejected, shall either:
 - i. Correct any rejected change to conform with the floor plan accompanying the notice and the description previously submitted to the Commission, as modified by any properly filed amendments thereto, which correction shall be completed and inspected pursuant to this section;
 - ii. Submit for approval, pursuant to (a) above, a new application for the proposed change; or
 - iii. Take such other action as the Commission may direct to ensure that the currently approved floor plan accurately depicts the physical layout of the casino, the casino simulcasting facility, if any, and any restricted area; and
2. The operation certificate shall be amended to conform to each inspected and approved physical change.

(e) For purposes of this subchapter, a "business day" shall be a calendar day other than:

- i. A Saturday or Sunday; or
- ii. Any day on which the Commission's main offices are closed because of Federal, State or local holiday, inclement weather, or like circumstance.

Amended by R.1996 d.122, effective March 4, 1996.

See: 27 N.J.R. 1775(a), 28 N.J.R. 1399(a).

Amended by R.1998 d.164, effective April 6, 1998.

See: 29 N.J.R. 2632(a), 30 N.J.R. 1304(a).

In (a), inserted a reference to applications to conduct keno in public areas in the introductory paragraph, inserted a reference to public keno areas in 1, and inserted a reference to public keno areas which include keno booths or satellite booths in the introduction of 2.

19:43-7.7 Operation certificate; temporary amendments for alternate pit configurations

(a) Except as otherwise provided in this section or in N.J.A.C. 19:43-7.4(f), each casino licensee shall configure the pits in its casino or casino simulcasting facility, as to types, number and location of games, strictly in accordance with the floor plans approved by the Commission at the time the operation certificate originally was issued or as amended pursuant to N.J.A.C. 19:43-7.6.

(b) Each casino licensee may temporarily reconfigure one or more pits by filing with the Commission, at the office of its principal inspector in the establishment, an application for a temporary operation certificate to permit an alternate configuration for each pit specified in the application, which shall be filed at least three business days prior to implementing such alternate configuration. Within that three-day period the Commission shall notify the casino licensee whether the alternate configuration is approved or rejected.

(c) In accordance with the specific terms of any temporary operation certificate issued by the Commission, the casino licensee to which the temporary operation certificate is issued shall implement the alternate configuration for an initial period of no more than 30 consecutive days, renewable upon application to the Commission for one additional period of no more than 30 consecutive days, which shall immediately follow the conclusion of the initial period. Each such alternate pit shall not:

1. Exceed the dimensions approved for the pit that existed immediately prior to the reconfiguration; nor
2. Include any change requiring the approval of any Federal, State or local government building code official without having first obtained that approval and the approval of the Commission in accordance with N.J.A.C. 19:43-7.6.

(d) Each casino licensee shall obtain approval for any changes, other than those permitted by this section, to the configuration of the pits in its casino and casino simulcasting facility, if any, in accordance with N.J.A.C. 19:43-7.6.

(e) Each pit operating under an approved configuration shall have an electrical system, approved by the Commission, which enables a pit clerk or a pit supervisor to transmit

a signal that is audibly and visually reproduced in each of the following locations whenever there is an emergency in the pit:

1. The monitoring rooms required by N.J.A.C. 19:45-1.10; and
2. The casino security department.

Amended by R.1996 d.122, effective March 4, 1996.
See: 27 N.J.R. 1775(a), 28 N.J.R. 1399(a).

19:43-7.8 Access to public and restricted areas

(a) No casino licensee shall permit any person to have access to any restricted area in its establishment unless such access is permitted in accordance with the casino licensee's internal controls.

(b) Each casino licensee may deny or limit access to any public areas in order to preserve the policies of the Act, including, but not limited to, the following:

1. Persons excluded or excludable under N.J.S.A. 5:12-71 and N.J.A.C. 19:48, or 5:12-71.1;
2. Employees of casino licensees prohibited from wagering at any game or on casino simulcasting under N.J.S.A. 5:12-100n and N.J.A.C. 19:55-2.8;
3. Underage persons prohibited from gaming and simulcast wagering under N.J.S.A. 5:12-119a and N.J.A.C. 19:42-5.9;
4. Persons seeking to play the game of blackjack to whom the provisions of N.J.A.C. 19:47-2.3(j) apply; and
5. Players required by a casino licensee to leave the game of poker under N.J.A.C. 19:47-14.16.

(c) Nothing in this section shall limit the authority of Commission members or employees and Division employees or agents from obtaining access to restricted areas during the performance of their respective duties and responsibilities in accordance with the Act and the rules of the Commission.

Amended by R.1996 d.69, effective February 5, 1996.
See: 27 N.J.R. 3916(a), 28 N.J.R. 897(a).
Amended by R.1999 d.72, effective March 1, 1999.
See: 30 N.J.R. 1396(a), 31 N.J.R. 672(a).
In (b), deleted a former 6.

SUBCHAPTER 8. CONTINUING OBLIGATIONS OF CASINO LICENSEES AND QUALIFIERS

19:43-8.1 Minutes of meetings of boards and committees

Each casino licensee or applicant or holding company thereof shall file with the Commission and Division copies of the minutes of all meetings of its board of directors or partnership executive committee, as applicable, and of all committee meetings including, without limitation, the audit committee, within seven days of their formal adoption.

19:43-8.2 Governing documents

(a) Each casino licensee or applicant or holding company thereof shall file with the Commission and Division copies of any amendments to, restatements of, or superseding versions of the governing documents of the business entity, within seven days of their formal adoption.

(b) The governing documents described in (a) above include, but are not limited to:

1. If a corporation:
 - i. Articles of incorporation;
 - ii. Charter; and
 - iii. By-laws.
2. If a partnership:
 - i. Partnership agreements; and
 - ii. Certificates of limited partnership, if applicable.
3. If a limited liability company:
 - i. Certificates of formation, amendment, and cancellation; and
 - ii. Operating agreements.

New Rule, R.2002 d.283, effective September 3, 2002.
See: 34 N.J.R. 1371(a), 34 N.J.R. 3127(a).

19:43-8.3 Profit sharing agreements

(a) Agreements between a casino licensee and its employees which provide for casino employee or casino key employee profit sharing shall be lawful if the agreement is in writing and filed with the Commission prior to its effective date. A casino licensee shall simultaneously send to the Division of Gaming Enforcement a copy of any profit sharing agreement filed with the Commission in accordance with N.J.S.A. 5:12-104a(3).

(b) Payments by a casino licensee under a profit sharing agreement shall only be made to properly licensed casino employees or casino key employees.

(c) Concurrent with the filing of a profit sharing agreement, casino licensees shall submit the following information to the Commission and Division:

1. A list of participants in the profit sharing agreement, their position, and license number; and
2. Projected payments under the profit sharing agreement for the next two calendar years.

(d) Changes or amendments to previously filed profit sharing agreements will be effective in filing such changes or amendments with the Commission, provided that the following information is submitted to the Commission and Division:

1. A narrative description of the changes to the profit sharing agreement;
2. An updated list of participants in the profit sharing agreement, their position, and license number; and
3. Any change to the projected payments under the profit sharing agreement.

(e) On an annual basis, each casino licensee shall submit the following information regarding profit sharing agreements to the Commission and Division no later than March 31:

1. The total amount paid to each employee for the prior calendar year, including each employee's position and license number;
2. The total amount paid under each profit sharing agreement for the prior calendar year, with a grand total for all profit sharing agreements; and
3. Projected payments under each profit sharing agreement for the upcoming calendar year, with the projected liability for all profit sharing agreements.

(f) The cancellation of any profit sharing agreement shall be reported to the Commission and Division within five days of termination.

New Rule, R.2003 d.93, effective March 3, 2003.
See: 34 N.J.R. 3942(a), 35 N.J.R. 1273(a).

SUBCHAPTER 9. EMPLOYMENT REQUIREMENTS

19:43-9.1 Employee internal controls submission

(a) Each applicant for a casino license shall, pursuant to N.J.S.A. 5:12-99, submit an original and three copies to the Commission of a description of its internal procedures and administrative and accounting controls concerning employee licensing requirements. Unless otherwise directed by the Commission, an initial submission shall be made at least 30 days prior to the projected date of issuance of a certificate of operation. Each such submission shall be prepared and maintained in a format provided by the Commission; shall contain narrative and, where appropriate, diagrammatic representations of the internal control system to be utilized by the applicant, and shall address, without limitation, the following employee licensing requirements:

1. Procedures used to prepare and maintain a jobs compendium;
2. Procedures used to process and submit applications for casino key employee licenses, casino employee licenses and casino service employee registrations;

3. Procedures used to prepare and submit petitions for temporary employee licenses;

4. Procedures for assuring that only properly licensed or registered persons are employed in each position for which a license or registration is required;

5. Procedures for assuring that no person whose license, registration, qualification or approval has been denied or revoked or whose license or registration has been suspended is employed in any position which does not require a license or registration, except as expressly authorized by the Commission pursuant to N.J.A.C. 19:41-8.9, 8.10 or 8.11;

6. Procedures for assuring that no unlicensed or unregistered person who has committed a disqualifying offense pursuant to N.J.S.A. 5:12-86c(1) is employed as CHAB employee, except as expressly authorized by the Commission pursuant to N.J.A.C. 19:41-8.9, 8.10 or 8.11;

7. Procedures for notice, verification and implementation of wage executions in accordance with N.J.A.C. 19:43-9.6; and

8. Procedures used to assure the timely renewal of employee licenses.

(b) The Commission shall review each submission required by (a) above to determine whether it conforms to the requirements of the Act and the rules of the Commission. If the Commission finds any insufficiencies, it shall specify same in writing to the applicant who shall make appropriate alterations. When the Commission determines a submission to be adequate in all respects, it shall notify the applicant accordingly. No applicant for a casino license shall commence gaming operations unless and until its employee licensing internal controls submission is approved by the Commission.

(c) Each casino licensee shall maintain on its premises a complete, updated copy of its employee internal controls submission, which shall be made available for review upon request of the Commission or the Division.

(d) Unless otherwise directed by the Commission, an amendment to a previously approved employee licensing internal controls submission may be implemented by the casino licensee without the prior approval of the Commission, provided that the amendments are immediately recorded in the copy of the employee internal controls submission maintained by the licensee on its premises.

(e) The Commission may review any internal controls submission required to be maintained by this section and may require that a casino licensee amend its previously approved employee internal controls submission to include additional procedures in order to conform to the requirements of the Act and the rules of the Commission. Any amendment to the internal controls submission of a casino licensee shall be implemented in accordance with (d) above.

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.591, effective November 20, 1995.
See: 27 N.J.R. 3146(a), 27 N.J.R. 4729(a).
Amended by R.1996 d.69, effective February 5, 1996.
See: 27 N.J.R. 3916(a), 28 N.J.R. 897(a).
Amended by R.1996 d.473, effective October 7, 1996.
See: 28 N.J.R. 2806(a), 28 N.J.R. 4515(a).
Amended by R.1997 d.78, effective February 18, 1997.

See: 28 N.J.R. 3519(a), 29 N.J.R. 591(b).

In (a), deleted references to casino licensees, amended time for submission of description, and deleted licensing requirement relating to recordation of hours worked by employees; in (b), deleted references to casino licensees; rewrote (c); and added (d) and (e).

Amended by R.1999 d.72, effective March 1, 1999.

See: 30 N.J.R. 1396(a), 31 N.J.R. 672(a).

In (a), deleted a former 9.

1. The reasonableness of the terms of the agreement, including the terms of compensation;

2. The qualifications of the persons involved in and associated with the agreement in accordance with the standards enumerated in section 86 of the Act, after which the Commission may make a finding as to the suitability of such persons to be involved or associated with the casino licensee or applicant;

3. Whether any enterprise involved therein or associated therewith is providing or likely to provide goods or services to, or conducting or likely to conduct business with, a casino licensee or applicant, its employees or agents which requires casino service industry licensure pursuant to section 92 of the Act and N.J.A.C. 19:51-1.2 or 1.2A, in which case the Commission shall direct that a casino service industry license application be promptly filed by the enterprise; and

4. Whether any action is desirable or necessary to regulate, control or prevent economic concentration in any casino service industry or to encourage or preserve competition in any casino service industry in accordance with N.J.S.A. 5:12-1b(12) and N.J.A.C. 19:51-1.6.

(b) If the Commission disapproves of an agreement governed by N.J.A.C. 19:43-10.2 or any person associated therewith, the Commission may by directive require the termination of such agreement or association or pursue any remedy or combination of remedies provided for in the Act or the regulations of the Commission. If such disapproved agreement or association is not thereafter promptly terminated as required by Commission directive, the Commission may pursue any remedy or combination of remedies provided for in the Act or the regulations of the Commission. This subsection shall apply notwithstanding that the Commission has granted an exemption pursuant to N.J.S.A. 5:12-92c to any person involved in or associated with such agreement from the casino service industry license requirements set forth therein.

(c) Each agreement maintained or filed pursuant to N.J.A.C. 19:43-10.2 shall be deemed to include a provision for its termination without liability on the part of the casino licensee or applicant, or on the part of any qualified party to the agreement or any related agreement the performance of which is dependent upon such agreement, in the event that the Commission disapproves the agreement in accordance with (b) above.

Recodified from 19:41-11.2 and amended by R.1994 d.220, effective May 2, 1994.

See: 26 N.J.R. 339(b), 26 N.J.R. 1847(b).

Amended by R.1995 d.496, effective September 5, 1995.

See: 27 N.J.R. 2572(a), 27 N.J.R. 3396(a).

19:43-10.4 Filing requirements: Notice of Intent to Conduct Enterprise Business, Vendor Registration Form, Junket Enterprise Registration Form

(a) Except as otherwise provided in (b) or (c) below or N.J.A.C. 19:43-10.5, each casino licensee or applicant shall

file with the Commission no later than 20 calendar days following the formal offer and acceptance of an agreement a completed Notice of Intent to Conduct Enterprise Business, as set forth in N.J.A.C. 19:41-5.11A, for any enterprise which does not appear on the Active Vendors Record maintained by the Commission pursuant to N.J.A.C. 19:43-10.1.

(b) Each casino licensee or applicant shall file with the Commission a complete VRF, as set forth in N.J.A.C. 19:41-5.11, for any enterprise with which it is conducting the following types of business, if the Active Vendors Record maintained pursuant to N.J.A.C. 19:43-10.1 does not indicate that a VRF has been filed for such enterprise by any casino licensee or applicant:

1. Within 20 calendar days from the date of the formal offer and acceptance of any of the following types of agreements:

i. Any agreement with a bus owner or operator for the transportation of passengers to a casino hotel in exchange for complimentary services or items for such passengers upon arrival;

ii. Any agreement for goods or services, if payments pursuant to the agreement are reasonably expected to total \$10,000 or more;

iii. Any agreement with an independent producer who will receive revenue from ticket sales for public entertainment held at a casino hotel which agreement does not provide for direct compensation to the casino licensee;

iv. Any lease relating to the premises of the casino hotel or related facility;

v. Any agreement which does not involve the direct exchange of compensation;

vi. Any agreement with a simulcast sending track; or

vii. Any agreement relating to the construction, maintenance, renovation, expansion or demolition of the casino hotel or related facility, whether or not the casino licensee or applicant is a party to such agreement; and

2. Within 20 calendar days from the end of the monthly financial reporting period for vendor transactions in which the casino licensee's or applicant's calendar year to date business with an enterprise totals \$10,000 or more.

(c) In addition to the agreements listed in (b) above, each casino licensee or applicant shall file with the Commission a complete VRF, as set forth in N.J.A.C. 19:41-5.11, for any enterprise where required pursuant to this subsection, whether or not the casino licensee or applicant is a party to such agreement. The Commission may, on its own initiative, or following a recommendation by the Division, upon a preliminary determination that the filing of a complete VRF

is necessary to protect the public interest and further the policies of the Act, notify a casino licensee or applicant and an enterprise that a complete VRF is required to be filed within 10 days. The casino licensee or applicant and/or enterprise may appear before the Commission to contest the VRF filing requirement upon so notifying the Commission prior to the expiration of the 10 day filing period. In the event that the filing requirement is contested the Commission will determine whether or not a complete VRF is necessary to protect the public interest and further the policies of the Act. A failure by the casino licensee or applicant and enterprise to contest the filing requirement within the 10 day period or to appear before the Commission shall be grounds for a determination by the Commission that the filing of a complete VRF is necessary to protect the public interest and further the policies of the Act.

(d) Each casino licensee or applicant shall, prior to the arrival at the casino hotel of a junket which involves one or more junket enterprises, file with the Commission a Junket Enterprise Registration Form (JERF) as set forth in N.J.A.C. 19:41-5.12 for each junket enterprise involved in such junket which does not appear on the Active Vendors Record maintained by the Commission pursuant to N.J.A.C. 19:43-10.1. This requirement shall apply regardless of whether such junket enterprise has had a Notice of Intent to Conduct Business or a VRF filed with the Commission on its behalf pursuant to (a), (b) or (c) above for an agreement unrelated to junkets.

(e) Notwithstanding (b), (c) and (d) above, an incomplete VRF or JERF shall be considered timely filed by the licensee or applicant in accordance with this section if:

1. The incomplete registration form is timely filed pursuant to (b), (c) or (d) above, as appropriate; and
2. A revised registration form, completed in accordance with deficiency notice provided by the Commission, is filed:
 - i. For a VRF, within 10 days of service of notice or by the end of the deadlines set forth in (b) above, whichever is later; or
 - ii. For a JERF, within 10 days of service of notice or prior to the arrival of the junket, whichever is later.

(f) Filings required by this section shall be directed to the Casino Control Commission's Enterprise License Bureau at the address specified in N.J.A.C. 19:40-3.1.

(g) In the event that an enterprise which has previously had a Notice of Intent to Conduct Enterprise Business filed on its behalf fails to provide the information necessary to complete a VRF as required by this section, the casino licensee or applicant shall notify the Commission within the applicable filing deadlines established in (b)1ii and 2 above.

New Rule, R.1994 d.220, effective May 2, 1994.

See: 26 N.J.R. 339(b), 26 N.J.R. 1847(b).

Amended by R.1995 d.496, effective September 5, 1995.

See: 27 N.J.R. 2572(a), 27 N.J.R. 3396(a).

Amended by R.1997 d.282, effective July 7, 1997.

See: 28 N.J.R. 5167(a), 29 N.J.R. 2846(a).

Rewrote (b)1vii; inserted new (c); recodified former (c) through (f) as (d) through (g); and in (d) and (e), amended internal cites to include (d).

Amended by R.1999 d.417, effective December 6, 1999.

See: 31 N.J.R. 1917(a), 31 N.J.R. 4123(a).

In (b), deleted a former 2, and recodified former 3 as 2; and in (g), made an internal reference change.

19:43-10.5 Exemption from registration

(a) The Commission may, upon the written request of a casino licensee or applicant or on its own initiative, exempt a transaction from the filing requirements in N.J.A.C. 19:43-10.4 if the Commission determines that the filing of a Notice of Intent to Conduct Enterprise Business or a Vendor Registration Form (VRF) is not necessary to protect the public interest and further the policies set forth in sections 1(b)6, 1(b)9, 92 and 104 of the Act. In making such a determination the Commission shall consider, without limitation, the following:

1. The nature of the goods or services provided or the business transacted;
2. The nature of the enterprise providing the goods or services or transacting the business with the casino licensee or applicant; and
3. Whether such enterprise is otherwise regulated by the Act or Commission regulations.

(b) The following transactions shall be deemed exempt pursuant to (a) above unless the filing of a Notice of Intent to Conduct Enterprise Business or a VRF is otherwise directed by the Commission:

1. Contributions to non-profit charitable corporations or organizations, provided that no consideration is received for the contribution;
2. Direct payments to guests or guests and their representatives pursuant to a court order or stipulation of settlement or for settlement of guest losses or guest refunds;
3. Payments by the casino licensee or applicant for the following:
 - i. Payments for travel expenses incurred by an employee of the casino licensee or applicant in the conduct of the employer's business, which shall include the employee's lodging, meals, transportation and related expenses;
 - ii. Payments to prospective employees for reimbursement of travel expenses incurred as a result of the employment interview; and

iii. Payments for tuition, training seminars, publication subscriptions, conference registrations or membership dues for professional associations that will directly contribute to the work performance or professional development of the employee;

4. Payments received from an employee of the casino licensee or applicant for purchases of obsolete hotel property or supplies for personal use;

5. Payments to government agencies for goods or services provided under statutory or other legal mandate, or for taxes, assessments, fines, garnishments or licensing fees and payments to public utilities having legal service monopolies;

6. Payments to or from individuals or enterprises pursuant to compliance with state or Federal law;

7. Payments by a third party manufacturer for rebates to a casino licensee or applicant for prior purchase of goods or services from licensed or registered vendors;

8. Payments for freight charges to freight transporters selected by the vendor for delivering goods C.O.D. or freight collect;

9. Transactions with travel industry enterprises that purchase or order lodging, meals, or other accommodations at a pre deducted or gross commission rate which does not exceed 10 percent of cost;

10. Payments to any person required to qualify pursuant to N.J.S.A. 5:12-84b, 85c or 85e, which are a result of agreements pertaining to such person's status as a financial source or qualifier;

11. Payments to labor organizations, unions and affiliates registered pursuant to N.J.S.A. 5:12-93 for employee dues and benefits programs; and

12. Payments for goods and services totaling \$1,000 or less made pursuant to a contract or purchase agreement not in excess of \$1,000 if the casino licensee or applicant reasonably and in good faith believes that no other goods or services will be provided to it by the same vendor.

New Rule, R.1994 d.220, effective May 2, 1994.

See: 26 N.J.R. 339(b), 26 N.J.R. 1847(b).

Amended by R.1995 d.496, effective September 5, 1995.

See: 27 N.J.R. 2572(a), 27 N.J.R. 3396(a).

Amended by R.1999 d.417, effective December 6, 1999.

See: 31 N.J.R. 1917(a), 31 N.J.R. 4123(a).

In (a), substituted a reference to written requests for a reference to requests in the introductory paragraph; and in (b), rewrote 3i, inserted a reference to tuition in 3iii, deleted a former 10, recodified former 11 through 13 as 10 through 12, and substituted references to \$1000 for references to \$500 in the new 12.

19:43-10.6 Master Purchasing and Disbursement Report

(a) Each casino licensee or applicant shall generate a Master Purchasing and Disbursement Report in accordance with this section for all transactions subject to N.J.S.A. 5:12-104b. Such report shall be submitted to the Commission's Enterprise License Bureau at the address specified in

N.J.A.C. 19:40-3.1 on the 22nd calendar day of each month by 5:00 P.M., unless that day is a Saturday, Sunday, or a State or Federal holiday, in which case the report shall be provided by 5:00 P.M. on the first weekday thereafter that is not a State or Federal holiday, and shall include the following information for the period since the most recent report was filed:

1. A payee register listing alphabetically by payee all nonpayroll transactions drawn by the casino licensee or applicant and, at a minimum, the following information in tabular form next to the name of each payee:

- i. Vendor identification number or exempt code;
- ii. Amount of each individual disbursement;
- iii. Date of each individual disbursement;
- iv. Subtotal of the disbursements by payee; and
- v. The grand total of all disbursements made during the reporting periods;

2. A manual attachment listing any transaction subject to this section which is not included in the payee register in (a)1 above or the magnetic computer tape or the electronic data transmission in (a)6 below, including transactions with enterprises not yet assigned a vendor identification number, wire transfers, credits to vendors and transactions by a subsidiary, intermediary company, holding company or agent of the casino licensee or applicant for goods or services that benefit the casino licensee or applicant. All transactions appearing on the manual attachment shall include, at a minimum, the following information:

- i. Vendor name;
- ii. Vendor identification number (if assigned) or exempt code;
- iii. Date of disbursement or credit;
- iv. Amount of each disbursement or credit; and
- v. Subtotal of all disbursements or credits by vendor;

3. A vendee register listing alphabetically by vendee the full amount of all nonoperating transactions, including credits, in which the casino licensee or applicant was the vendor providing goods or services including, at a minimum, the following information in tabular form next to the name of the vendee:

- i. Vendor identification number or exempt code;
- ii. Date of each transaction;
- iii. Amount of each transaction;
- iv. Subtotal of all transactions; and
- v. A general description of the type of good or service provided;

4. A voided check register listing alphabetically by vendor previously reported transactions that were subsequently voided or require corrected information and at a minimum, the following information:

- i. Vendor name;
- ii. Vendor identification number or exempt code;
- iii. Date of original transaction; and
- iv. Amount of void;

5. A subcontractor register listing all payments not included in the payee register in (a)1 above made to maintenance and construction companies performing services on the existing or proposed casino hotel or related facility, regardless of whether such company is a general contractor, subcontractor, secondary subcontractor or otherwise, including, at a minimum, the following information:

- i. Name and vendor identification number of each maintenance or construction company listed directly under the maintenance or construction company from which it received payment;
- ii. Transaction dates;
- iii. Dollar amount of each payment; and
- iv. Monthly total dollar amount disbursed to each maintenance or construction company;

6. A magnetic computer tape or electronic data transmission listing all disbursements to enterprises appearing on the payee register in (a)1 above and appearing on the subcontractor register in (a)5 above, within specifications as required by the Commission; and

7. The signature of the casino licensee's or applicant's chief operating officer or his or her designee verifying the accuracy of the information contained therein.

New Rule, R.1994 d.220, effective May 2, 1994.

See: 26 N.J.R. 339(b), 26 N.J.R. 1847(b).

Amended by R.1995 d.496, effective September 5, 1995.

See: 27 N.J.R. 2572(a), 27 N.J.R. 3396(a).

Amended by R.1999 d.417, effective December 6, 1999.

See: 31 N.J.R. 1917(a), 31 N.J.R. 4123(a).

In (a), inserted references to credits throughout, substituted a reference to the 22nd calendar day of each month for a reference to the Friday of the third full calendar week of each month, and inserted a reference to Saturdays and Sundays in the introductory paragraph; in (a)1, deleted a former iv, and recodified former v and vi as iv and v; in (a)2, inserted a reference to electronic data transmissions and inserted a reference to credits to vendors in the introductory paragraph, and added a reference to credits by vendors in v; in (a)3, inserted "the full amount of" following "vendee" in the introductory paragraph; in (a)4, deleted a former v; in (a)5, inserted "not included in the payee register in (a)1 above" following "payments" in the introductory paragraph; and rewrote (a)6.

19:43-10.7 Internal controls submission

(a) Each casino licensee or applicant shall, pursuant to N.J.S.A. 5:12-99, submit an original and two copies to the Commission of a description of its internal procedures and administrative and accounting controls concerning compliance with the requirements of N.J.S.A. 5:12-92 and 104b. Unless otherwise directed by the Commission, a partial submission addressing, at a minimum, the procedures in (a)3iii and (a)4 below, shall be provided to the Commission at least 30 days prior to the commencement of construction activity at a proposed casino hotel facility or related facility. A complete submission addressing, at a minimum, the following, shall be provided to the Commission at least 30 days prior to the commencement of purchasing activities for the casino hotel facility or related facility:

1. Procedures for determining the status of enterprises on the Active Vendors Report to meet the requirements in N.J.A.C. 19:43-10.4;

2. Procedures for determining whether a casino licensee or applicant is prohibited pursuant to N.J.A.C. 19:43-10.1(c) from transacting business with an enterprise or individual;

3. Procedures for filing Notices of Intent to Conduct Enterprise Business, Vendor Registration Forms and Joint Enterprise Registration Forms, pursuant to N.J.A.C. 19:43-10.4 for the following:

- i. Direct business transactions with enterprises. These procedures shall include an exempt code legend if the alpha or numeric codes that appear in the monthly Master Purchasing and Disbursement Report differ from those contained in N.J.A.C. 19:43-10.5(b);

- ii. Purchases by a subsidiary, intermediary company, holding company, agent or commercial buyer for the benefit of the casino licensee or applicant;

- iii. Business transactions with enterprises providing services related to the construction, renovation, expansion or demolition of the casino hotel facility or related facility, regardless of whether the casino licensee or applicant is a party to the agreement, including, without limitation, construction companies performing services for leaseholders located within the casino hotel facility or related facility; and

4. Procedures for providing financial reporting for (a)3ii and iii above in accordance with the requirements of N.J.A.C. 19:43-10.6(a)2 and 5, respectively.

(b) The Commission shall review each submission required by (a) above to determine whether it conforms to the requirements of the Act and the rules of the Commission. If the Commission finds any insufficiencies, it shall specify same in writing to the casino licensee or applicant who shall make appropriate alterations. When the Commission determines a submission to be adequate in all respects, it shall notify the casino licensee or applicant accordingly.