

**CHAPTER 69A  
APPLICATIONS**

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Chapter 69A, Applications, expires on December 19, 2018.

**Chapter Historical Note**

Chapter 69A, Applications, was adopted as new rules by R.2011 d.304, effective December 19, 2011. See: Source and Effective Date.

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#### SUBCHAPTER 1. LICENSE AND REGISTRATION REQUIREMENTS

##### 13:69A-1.1 (Reserved)

##### 13:69A-1.2 Persons required to obtain a casino employee registration

(a) Any natural person who will be employed by a casino licensee or holding or intermediary company of a casino licensee, and involved in the operation of a licensed casino or a simulcasting facility, or whose employment duties predom-

inantly involve the maintenance or operation of gaming activity or equipment and assets associated therewith, or regularly requires work in a restricted casino area shall be required to hold, prior to such employment, a current and valid casino employee registration issued in accordance with N.J.S.A. 5:12-91(g). Such positions shall include, without limitation, persons who:

1. Function as a dealer;
2. Function as a boxperson;
3. Function as a floorperson in accordance with N.J.A.C. 13:69D-1.12(b)2;
4. Perform, under the supervision of an audit department executive, the duties and responsibilities of the internal audit department in accordance with N.J.A.C. 13:69D-1.11(b)2, including, without limitation, the supervision of personnel in the internal audit department; the monitoring of compliance with regulations and internal controls; and the evaluation of the adequacy of accounting and administrative controls;
5. Perform, under the supervision of a controller, the duties and responsibilities of the casino accounting department in accordance with N.J.A.C. 13:69D-1.11(b)6 including, without limitation, the supervision of personnel in the casino accounting department; overseeing the review, verification and recordation of casino revenue journal entries; and the processing or control of active accounting documents related to casino gaming activity;
6. Have access to active accounting documents related to casino gaming activity;
7. Conduct surveillance investigations and operations in accordance with N.J.A.C. 13:69D-1.11(b)1;
8. Repair and maintain slot machines and bill changers in accordance with N.J.A.C. 13:69D-1.11(b)4;
9. Assist in the operation of slot machines and bill changers, including, without limitation, persons who participate in manual jackpot payouts and fill payout reserve containers, or supervise such persons in accordance with N.J.A.C. 13:69D-1.12(b)3;
10. Identify patrons or groups of patrons to receive complimentaries based on actual patron play, authorize such complimentaries or determine the amount of such complimentaries;
11. Analyze casino operations data and make recommendations to casino key employee personnel relating to, without limitation, casino marketing, complimentaries, junkets, gaming, casino simulcasting, keno wagering, special events, promotions and player ratings;
12. Enter data in casino computer systems or develop, maintain, install or operate casino computer systems or related software in accordance with N.J.A.C. 13:69D-1.11(b)3;

vi. Judgments or petitions for bankruptcy, insolvency or liquidation concerning the applicant or any business entity in which the applicant held a five percent or greater interest, other than a publicly traded corporation, or in which the applicant served as an officer or director;

vii. Any business entity in which the applicant was an owner, director or officer which has been placed under some form of governmental administration or monitoring;

viii. Any garnishment or attachment of wages, charging order or voluntary wage execution, including the amount, court, nature of the obligation and the holder of the obligation;

ix. Any repossessions of real or personal property;

x. Any guarantees, co-signatures or insuring of payments of financial obligations of any persons or business entities;

xi. Status as executor, administrator or fiduciary of an estate;

xii. Life insurance policies on the applicant's life which name someone other than the applicant's family as a beneficiary;

xiii. Positions held, assets held, or interest received in any estate or trust;

xiv. Whether the applicant has ever been bonded for any purpose or been denied any type of bond, including the nature of the bond and if applicable, the reason for denial;

xv. Insurance claims in excess of \$100,000 by the applicant or the applicant's spouse or dependent children;

xvi. Referral or finder's fees in excess of \$10,000;

xvii. Loans in excess of \$10,000 made or received by the applicant, the applicant's spouse or dependent children;

xviii. Gifts in excess of \$10,000 given or received by the applicant or the applicant's immediate family;

xix. Brokerage or margin accounts with any securities or commodities dealer;

xx. Currency exchanges in an amount greater than \$10,000;

xxi. Information regarding any instance where the applicant or any entity in which the applicant was a director, officer or holder of a five percent or greater interest has traded in foreign currencies or in a foreign commodities exchange, sold or purchased discounted promissory notes or other commercial paper, or been a

party to any leasing arrangements in excess of \$50,000; and

xxii. Information regarding any ownership interest or financial investment by the applicant in any entity which holds or is an applicant for a license issued by the Division or the Commission, or in any gambling venture which does not require licensure by the Division or the Commission, including persons providing or reasonably anticipated to provide the applicant with support in the financing of such investment or interest; the extent and nature of the applicant's involvement in the management and operation of the entity; whether the applicant has or has agreed to assign, pledge or hypothecate such interest or investment, the nature and terms of any such transaction and a copy of any such agreement.

(b) In addition to the information in (a) above, a completed PHD-MJ may include the following:

1. The name, address, occupation and phone number of persons who can attest to the applicant's good character and reputation; and
2. A signed, dated and notarized certification of truth.

#### **13:69A-5.2A New Jersey Supplemental Form—Casino Qualifier**

(a) A New Jersey Supplemental Form shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames and applicable dates of use;
2. Date of birth;
3. Physical description, including a color photograph taken within the past six months;
4. Current addresses; mailing and home, if different;
5. Home and work telephone numbers;
6. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
7. The casino licensee or applicant, casino service industry enterprise licensee or applicant, or holding company, as applicable, with which the applicant is affiliated, and the nature of the applicant's position with or interest in such entity;
8. Citizenship and, if applicable, resident alien status, including any employment authorization with expiration date; country of which the applicant is a citizen, place of birth, port of entry to the United States, and name and addresses of sponsor(s) upon the applicant's arrival;

9. Any interest in any business entity which is licensed by the Division or Commission or is an applicant therefore;

10. Whether during the last 10-year period any entity in which the applicant has been a director, officer, principal employee or a holder of five percent or more interest has:

i. Made or been charged with (either itself or through third parties acting for it) bribes or kickbacks to any government official, domestic or foreign, to obtain favorable treatment or to any company, employee or organization to obtain a competitive advantage;

ii. Held a foreign bank account or has had authority to control disbursements from a foreign bank account;

iii. Maintained a bank account or other account, whether domestic or foreign, which is not reflected on the books or records of the business or which is in a name other than the name of the business;

iv. Donated, loaned or used funds or property for the use or benefit of or in opposing any government, political party, candidate or committee either domestic or foreign;

v. Compensated any of its directors, officers or employees for time and expenses incurred in performing services for the benefit of or in opposing any government or political party domestic or foreign; or

vi. Made any loans, donations or other disbursements to its directors, officers or employees for the purpose of making political contributions or reimbursing such individuals for political contributions whether domestic or foreign;

11. Copies of Federal and foreign tax returns and related information for the last five years; and

12. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

### 13:69A-5.3 Personal History Disclosure Form 1

(a) A Person History Disclosure Form (PHD-1) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames along with applicable dates of usage;

2. Date and place of birth;

3. Physical description;

4. Current address and telephone number, and residence history for the past 10 years;

5. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;

6. Citizenship and, if applicable, resident alien status, including any employment authorization and expiration date, country of which the applicant is a citizen, place of birth, port of entry to the United States, and name and address of sponsor(s) upon the applicant's arrival;

7. Reason for filing the PHD-1;

8. Marital history and other family data;

9. Employment history, including any gaming-related employment, for the past 10 years;

10. Education and training;

11. Record of military service;

12. Licenses and other approvals held by or applied for by the applicant or, where specified, the applicant's spouse, in this State or any other jurisdiction, including:

i. Any license, permit, approval or registration required to participate in any lawful gambling operation in this State or any jurisdiction;

ii. Any denial, suspension or revocation by a government agency in this State or any other jurisdiction of a license, permit, approval or registration held by or applied for by the applicant or the applicant's spouse; and

iii. Motor vehicle registrations and operator licenses held by or applied for by the applicant or the applicant's spouse, and any revocation or suspension thereof;

13. Civil, criminal and investigatory proceedings in any jurisdictions, as follows:

i. Arrests, charges or offenses committed by the applicant or any member of the applicant's immediate family;

ii. Any appearance before, investigation by or request to take a polygraph examination by any governmental agency, court, committee, grand jury or investigatory body; and

iii. Lawsuits to which the applicant was or is a party in the past ten years; and

14. Financial data, as follows:

i. All assets and liabilities of the applicant, and the applicant's spouse and dependent children as indicated on the net worth statement and supporting schedules in a format prescribed by the Division, including cash, bank accounts, notes payable and receivable, real estate and income taxes payable, loans, accounts payable, credit card debt and any other indebtedness, contingent liabilities, securities, real estate interests, real estate mort-

iii. If the applicant is a limited partnership, each general partner;

iv. If the applicant is a sole proprietorship, the sole proprietor; or

v. If the applicant is any other business form, the president or any authorized officer;

2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division, which shall be dated, notarized and signed by the following:

i. If the applicant is a corporation, the president or any other authorized officer;

ii. If the applicant is a partnership, a partner;

iii. If the applicant is a limited partnership, a general partner;

iv. If the applicant is a sole proprietorship, the sole proprietor; or

v. If the applicant is any other business form, the president, or any authorized officer; and

3. An acknowledgment of receipt of notice regarding confidentiality, consent to search and nonrefundability of filing fees, which shall be dated, notarized and signed in accordance with (b)2i through v above.

#### **13:69A-5.9 Qualifier Disclosure Form—Casino Hotel Alcoholic Beverage Enterprise**

(a) A Casino Hotel Alcoholic Beverage Enterprise Qualifier Disclosure Form (CHAB QDF) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames;
2. Current telephone number, home and work addresses and residence history for the past five years;
3. Position held with the CHAB Enterprise license applicant or holding company;
4. Date and place of birth;
5. Physical characteristics;
6. Last three jobs, including an indication if gaming was conducted on the premises;
7. Information regarding any license, permit, approval, registration or other authorization to participate in a lawful gambling operation held by or applied for by the applicant in this State or any other jurisdiction; and

8. Arrests, charges or offenses committed by the applicant.

(b) In addition to the information in (a) above, a completed QDF may include the following:

1. An original photograph of the applicant taken within the previous 12 months with the name printed along the bottom border of the front;

2. A signed, dated and notarized certification of truth; and

3. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

#### **13:69A-5.10 New Jersey Supplemental Form—Casino Service Industry Enterprise Qualifiers**

(a) A New Jersey Supplemental Form shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames and applicable dates of use;
2. Date of birth;
3. Physical description including a color photograph taken within the past six months;
4. Current addresses; mailing and home, if different;
5. Home and work telephone numbers;
6. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
7. The casino licensee or applicant, casino service industry enterprise licensee or applicant, or holding company, as applicable, with which the applicant is affiliated, the address of the entity, the title or position of the applicant in such entity, and the nature of the applicant's position with or interest in such entity;
8. Citizenship and, if applicable, petition number, certification number and date and court that granted naturalization, or resident alien status, including any employment authorization with expiration date; country of which the applicant is a citizen, place of birth, port of entry to the United States, and name and addresses of sponsor(s) upon the applicant's arrival;
9. Any interest in any business entity which is licensed by the Division or is an applicant therefore;
10. Within the last 10 years, whether any entity in which the applicant has been a director, officer, principal employee or a holder of five percent or more interest has:

i. Made or been charged with making bribes or kickbacks, either itself or through third parties acting for it, to any government official, domestic or foreign, to obtain favorable treatment or to any company, employee or organization to obtain a competitive advantage;

ii. Held a foreign bank account or has had authority to control disbursements from a foreign bank account;

iii. Maintained a bank account or other account, domestic or foreign, which is not reflected on the books or records of the business or which is in a name other than the name of the business;

iv. Donated, loaned or used funds or property for the use or benefit of or for the purpose of opposing any government, political party, candidate or committee either domestic or foreign;

v. Compensated any of its directors, officers or employees for time and expenses incurred in performing services for benefit of or in opposing any government or political party domestic or foreign; or

vi. Made any loans, donations or other disbursements to its directors, officers or employees for the purpose of making political contributions or reimbursing such individuals for political contributions either domestic or foreign;

11. Copies of Federal and foreign tax returns with appropriate schedules and related information for the last three years. If the applicant and the applicant's spouse filed separate tax returns for any year in the last five years, also attach a copy of the applicant's spouse's tax returns; and

12. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies Federal, state and local, both foreign and domestic, to release any and all information pertaining to the applicant as requested by the Division.

### **13:69A-5.11 Vendor Registration Form and Vendor Registration Supplemental Disclosure Form**

(a) No vendor registration shall be deemed complete unless a vendor has filed both a completed Vendor Registration Form and a completed Vendor Registration Supplemental Disclosure Form.

(b) Pursuant to N.J.S.A. 5:12-92c, all vendors shall register by filing through the casino licensee or applicant with which such vendor intends to conduct business a Vendor Registration Form in a format prescribed by the Division, which shall include the following information attested to and certified by a person who is authorized to act on behalf of the registering vendor:

1. Any official or trade name used by the vendor;
2. The current address and telephone number of the vendor;
3. The nature of the vendor's business and the type of goods and services being provided to the casino industry;
4. The Federal Employer Identification Number;
5. The name, residence address and date of birth of each of the following persons:
  - i. The sales representative(s) or other person(s) who solicit(s) business from a casino licensee or applicant and such person's immediate supervisors; and
  - ii. Any person authorized to sign any agreement with the casino licensee or applicant; and
6. The name(s), address(es) and percentage of ownership held by each entity or person directly owning more than five percent of the enterprise.

(c) Within 30 days of the filing of the Vendor Registration Form, the vendor shall file directly with the Division a Vendor Registration Supplemental Disclosure Form in a format prescribed by the Division, which shall include the following information attested to and certified by a person who is authorized to act on behalf of the registering vendor:

1. Whether the vendor or any of its entity or individual holders of an ownership interest or any of the individuals identified in (b)5 above has been denied, suspended, revoked or withdrawn any license, permit, approval or registration in this or any other jurisdiction and the facts related thereto; and
2. Whether the vendor or any of its entity or individual holders of an ownership interest or any of the individuals identified in (b)5 above has been involved in any civil, criminal, administrative or investigatory proceedings in this or any other jurisdiction and the facts related thereto.

(d) If a vendor fails to file a completed Vendor Registration Form or Vendor Registration Supplemental Disclosure Form within 30 days of the filing of a completed Vendor Registration Form, the Division may administratively prohibit such vendor from conducting business with a casino licensee or an applicant without the need for a hearing before taking such action.

### **13:69A-5.11A Casino Service Industry Enterprise—Qualifier Resubmission Disclosure Form**

(a) A Qualifier Resubmission Disclosure Form (QRDF) shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name;
2. Address, telephone number and e-mail address;

3. Position held with the casino service industry enterprise;
4. Date and place of birth;
5. Physical characteristics;
6. Arrests, charges, convictions or other offenses committed by the qualifier since the date on which the qualifier last filed a QRDF;
7. Citizenship and, if applicable, resident alien status; and
8. Any and all personal and financial information the Division requires to demonstrate the licensee continues to meet the requirements of N.J.S.A. 5:12-92a and b.

(b) In addition to the information in (a) above, a completed QRDF shall include the following:

1. Copies of Federal and New Jersey tax returns and related information;
2. A signed, dated and notarized certification of truth; and
3. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all government agencies, Federal, state and local, foreign or domestic, to release any and all information pertaining to the qualifier as requested by the Division.

#### **13:69A-5.12 Registration Form—Non-Supervisory Employees of a Junket Enterprise**

(a) Pursuant to N.J.S.A. 5:12-102c, all non-supervisory employees of a junket enterprise or junket representative shall be registered by filing, directly with the Division, a Registration Form for Non-Supervisory Employee(s) of a Junket Enterprise, in a format prescribed by the Division, which shall include the following information attested to and certified by a person who is authorized to act on behalf of the registering employee:

1. Name of the junket enterprise;
2. Current business address and telephone number of the junket enterprise;
3. Name, residence address, telephone number and date of birth for the non-supervisory employee of a junket enterprise registering on his or her own behalf or for each non-supervisory employee being registered by the junket enterprise;
4. Whether the non-supervisory employee registering or each non-supervisory employee being registered has been denied, suspended, revoked or withdrawn any license, permit, approval or registration in this or any other jurisdiction and the facts related thereto; and

5. Whether the non-supervisory employee registering or each non-supervisory employee being registered has been involved in any civil, criminal, administrative or investigatory proceedings in this or any other jurisdiction and the facts related thereto.

#### **13:69A-5.13 Labor Organization Registration Statement**

(a) A Labor Organization Registration Statement shall be in a format prescribed by the Division and may require the labor organization, union, or affiliate to provide the following information:

1. The name of the registrant as shown on its charter or in its constitution;
  2. The current business addresses of the registrant, including the address, telephone and fax numbers of any office where matters pertaining to employees of a casino licensee will be conducted;
  3. The name, title, telephone and fax numbers of a person to be contacted in reference to the statement;
  4. Whether the submission is an initial or biennial renewal registration;
  5. The names of the registrant's parent organization and all affiliates of the registrant or its parent organization, whether chartered by the parent organization or governed by the same constitution or bylaws;
  6. The name and nature of the actual or probable involvement of any affiliate which represents or is seeking to represent employees who are employed in a casino hotel, casino or casino simulcasting facility by a casino licensee, or which is involved or seeking to be involved in the control or direction of such representation;
  7. Financial data, including information concerning any financial interests held in a casino hotel, casino, casino simulcasting facility or casino licensee; and
  8. The name, address and, where applicable, date of birth, title or position and authority or responsibility, of the following persons or entities:
    - i. Any pension or welfare system maintained by the registrant;
    - ii. Each officer and agent of any pension or welfare system maintained by the registrant;
    - iii. Each officer and officer-elect of the registrant;
    - iv. Each agent authorized to represent the registrant; and
    - v. Each principal employee of the registrant.
- (b) In addition to the information in (a) above, a completed Labor Organization Registration Statement may include the following:

1. A notarized affidavit of truth, which shall be dated and signed by the registrant's president or other authorized officer;

2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the registrant as requested by the Division;

3. A waiver of liability as to the State and its instrumentalities and agents for any damages resulting to the registrant from any disclosure or publication of information acquired during the investigation process, in accordance with N.J.S.A. 5:12-80b; and

4. Consent to inspection, searches and seizures and the supplying of handwriting exemplars, in accordance with N.J.S.A. 5:12-80c.

#### **13:69A-5.14 Labor Organization Individual Disclosure Form**

(a) A Labor Organization Individual Disclosure Form shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Name, including maiden name and any aliases or nicknames;
2. Title or position with the labor organization;
3. Date and place of birth;
4. Physical description including photograph taken within the past 12 months and name printed across the front bottom border;
5. Current address and home telephone number and residence history for the past year;
6. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
7. Citizenship and, if applicable, information concerning resident alien status;
8. Full name of the labor organization represented;
9. Telephone number at current place of employment;
10. Employment history:
  - i. All positions held with a labor organization, union or affiliate, whether or not compensated, for the past five years; and
  - ii. Last three jobs, indicating any gaming-related positions;

11. Licenses or other approvals held or applied for which are required to participate in any lawful gambling operation in this State or any jurisdiction;

12. Civil, criminal and investigatory proceedings in any jurisdiction as follows:

- i. Convictions for crimes or disorderly persons offenses; and
- ii. Convictions for contempt for refusal to testify or cooperate with any legislative investigatory body or other official investigatory body of New Jersey or the United States where the investigatory body was investigating crimes relating to gaming, official corruption or organized crime activity; and

13. Financial data, including information concerning any financial interests held in a casino hotel, casino, casino simulcasting facility or casino licensee.

(b) In addition to the information in (a) above, a completed Labor Organization Individual Disclosure Form may include the following:

1. The name, address, occupation and phone number of references;
2. A signed, dated and notarized affidavit of truth;
3. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the officer, agent or principal employee as requested by the Division; and
4. A waiver of liability as to the State and its instrumentalities and agents for any damages resulting to the officer, agent or principal employee from any disclosure or publication of information acquired during the investigation process, in accordance with N.J.S.A. 5:12-80b.

#### **13:69A-5.15 Business Entity Disclosure Form—Casino Service Industry Enterprise**

(a) A Business Entity Disclosure Form Casino Service Industry Enterprise (BED CSI) shall be in a format prescribed by the Division and may require the enterprise to provide the following information:

1. The current or former official and trade names used and the dates of use;
2. The current and former business addresses within the last 10-year period and dates of use;
3. The business telephone number;

other material event, or, if the enterprise is registered with the SEC, a copy of the most recently filed Form 8K;

vi. The most recent Proxy or Information Statement filed pursuant to Section 14 of the Securities Exchange Act of 1934; and

vii. Registration Statements filed in the last five years pursuant to the Securities Act of 1933;

34. An organizational chart of the enterprise, including position descriptions and the name of the person holding each position;

35. Copies of all Internal Revenue Forms 1120 (corporate income tax return), all Internal Revenue Forms 1065 (partnership return) or all Internal Revenue Forms 1040 (personal return) filed for the last five years; and

36. A copy of a business registration certificate or other proof of valid business registration with the Division of Revenue in the New Jersey Department of the Treasury.

(b) In addition to the information in (a) above, a completed BED CSI shall include the following documents, which shall be dated and signed by either the president, chief executive officer, partners, general partner, sole proprietor or other authorized person and notarized:

1. An Affidavit of Truth;

2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other institutions and all governmental agencies, Federal, state and local, both foreign and domestic, to release any and all information pertaining to the enterprise as requested by the Division; and

3. An acknowledgment of receipt of notice regarding confidentiality, consent to search and non-refundability of filing fees.

### **13:69A-5.16 Casino Hotel Alcoholic Beverage License Application**

(a) A Casino Hotel Alcoholic Beverage (CHAB) Application shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. Any official or trade name used by the applicant;
2. The permanent address and telephone number of the applicant;
3. The Atlantic City address and telephone number of the applicant;
4. The name, address and telephone number of a person to be contacted in reference to the application;
5. The name, address and telephone number of the attorney of record;

6. The Federal Employer Identification Number;

7. The date of an application for the issuance of a CHAB Enterprise or, prior to February 2011, of a non-gaming related casino service industry license was filed;

8. A description of the primary and additional uses, hours of operation, and type of CHAB authorization for each location within the facility where alcoholic beverages are to be served;

9. The address of any off-premises facility that will be used for the storage of alcoholic beverages and a copy of the license for the facility issued by the New Jersey Division of Alcoholic Beverage Control, or a copy of the application for such license if a license has not been issued;

10. A description of where the casino hotel alcoholic beverage license will be displayed;

11. The name, address and telephone number of any officer, director, shareholder, owner, partner, holding company, intermediary company, subsidiary, employee or individual connected with the business or enterprise who has any direct or indirect interest in the manufacture, wholesale, importation or distribution of alcoholic beverages in New Jersey or any other jurisdiction and the percentage of that interest;

12. The names of all parties to any lease agreement between the applicant and a casino licensee;

13. Any management agreement, profit-sharing, franchise agreement or service agreement related to the operation of a proposed licensed CHAB facility, whether written or unwritten;

14. A listing of prospective employees containing the information in N.J.A.C. 13:69I-2.3(c), which listing is to be filed 21 days before the business or enterprise commences operations; and

15. An architectural blueprint drawn to one-eighth inch scale or such other scale approved by the Division.

(b) In addition to the information in (a) above, a completed CHAB application form may include the following:

1. A certification of truth, which shall be dated, notarized and signed by the following:

- i. If the applicant is a corporation, the president or any other authorized officer;
- ii. If the applicant is a partnership, each partner;
- iii. If the applicant is a limited partnership, each general partner;
- iv. If the applicant is a sole proprietorship, the sole proprietor; or
- v. If the applicant is any other business form, any authorized officer.

**13:69A-5.17 Casino Hotel Alcoholic Beverage License Resubmission**

(a) A Casino Hotel Alcoholic Beverage Resubmission shall be in a format prescribed by the Division and may require the licensee to provide the following information:

1. Any official or trade name used by the applicant;
2. The permanent address and telephone number of the applicant;
3. The Atlantic City address and telephone number of the business or enterprise;
4. The name, address and telephone number of a person to be contacted in reference to the application;
5. The name, address and telephone number of the attorney of record;
6. The Federal Employer Identification Number;
7. The Vendor Identification Number and Casino Hotel Alcohol Beverage casino service industry license number;
8. A description of the primary and additional uses, hours of operation and type of CHAB authorization for each location within the facility where alcoholic beverages are served;
9. The address of any off-premises facility that is or will be used for the storage of alcoholic beverages and a copy of the license for the facility issued by the New Jersey Division of Alcoholic Beverage Control, or a copy of the application for such license if a license has not yet been issued;
10. A description of where the CHAB license is displayed;
11. The name, address and telephone number of any officer, director, shareholder, owner, partner, holding company, intermediary company, subsidiary, employee or individual connected with the business or enterprise who has any direct or indirect interest in the manufacture, wholesale, importation or distribution of alcoholic beverages in New Jersey or any other jurisdiction and the percentage of that interest;
12. The names of all parties to any lease agreement between the CHAB licensee and a casino licensee;
13. Any management agreement, profit-sharing, franchise agreement or service agreement related to the operation of proposed licensed CHAB facility, whether written or unwritten;
14. A current listing of all employees of the licensee pursuant to N.J.A.C. 13:69I-2.3(c);
15. A listing of all alcoholic beverage enterprises, including wholesale distributors, suppliers and manufacturers, with which the licensee conducted business during the previous license term;

16. Within the past five years or since the time of the last submission, any changes to the following:

- i. Any authorized casino hotel alcoholic beverage locations, which may include a detailed and architectural blueprint drawn to a one-eighth inch scale or such other scale approved by the Division;
- ii. Organizational structure, which may include the names, addresses and telephone numbers of newly-acquired entities or persons associated with the CHAB licensee; or
- iii. Lease agreements, which may include the expiration of any such lease agreements;

17. A detailed description of any other written or verbal agreements in effect between the CHAB licensee and any casino licensee during the past five years;

18. The total amount of compensation and a description of the method of calculation paid pursuant to any agreement with a casino licensee; and

19. The total amount of alcoholic beverage sales for the period commencing from the date the CHAB license was granted or the last five-year period and ending within 30 days of the date when this application is filed.

(b) In addition to the information in (a) above, a completed CHAB Resubmission may include the following:

1. A certification of truth, which shall be dated, notarized and signed by the following:
  - i. If the licensee is a corporation, the president or any other authorized officer;
  - ii. If the licensee is a partnership, each partner;
  - iii. If the licensee is a limited partnership, each general partner;
  - iv. If the licensee is a sole proprietorship, the sole proprietor; or
  - v. If the licensee is any other business form, any authorized officer.

**13:69A-5.18 Casino Hotel Alcoholic Beverage Permit Application**

(a) A Casino Hotel Alcoholic Beverage (CHAB) Permit Application shall be in a format prescribed by the Division and may require the applicant to provide the following information:

1. The type of permit requested;
2. The name, address and telephone number of the organization or business applying for the permit;
3. The name, address and telephone number of a person to be contacted in reference to the permit;

(c) The fee for the issuance or retention of a casino hotel alcoholic beverage license for a casino hotel alcoholic beverage casino service industry enterprise licensee which is not affiliated with any casino licensee shall be \$1,000 for each location approved by the Division for any or all of the activities listed in Section 103(g) of the Act.

(d) The fee for the issuance or retention of a restricted brewery authorization shall be assessed as follows:

1. For a casino licensee, in accordance with (b) above; and
2. For a casino hotel alcoholic beverage casino service industry enterprise licensee which is not affiliated with any casino licensee, a fee of \$1,000.

(e) The fee for the issuance of any permit or approval required by the Act or Title 33 of the Revised Statutes for alcoholic beverage activity which is not included within a casino hotel alcoholic beverage license shall be assessed:

1. For a casino licensee, in accordance with (b) above; and
2. For all other persons, at a rate of \$50.00 per day.

#### **13:69A-9.8 Casino service industry enterprise license fee**

(a) In accordance with subsections 92a and b of the Act, all casino service industry enterprises offering goods and services that directly relate to casino, simulcast wagering, gaming activity, or Internet gaming activity, including gaming equipment manufacturers, suppliers, and repairers, independent testing laboratories, junket enterprises, and junket representatives and any person employed by a junket enterprise or junket representative in a managerial or supervisory position, shall meet the standards established for casino key employees in order to be licensed. Such a license shall be issued with subsequent resubmissions not later than every five years thereafter. In addition, in accordance with subsection 92c(2) of the Act, and at the direction of the Director, all casino service industry enterprise applicants or licensees required to hold a casino hotel alcoholic beverage license shall meet the standards established for casino key employees.

(b) In order to recover the cost of the investigation and consideration of license applications by enterprises engaged in these industries, other than enterprises engaged in Internet gaming activity, the initial license application and issuance fee for a casino service industry enterprise license, with the exception of an applicant or licensee of a casino hotel alcoholic beverage license, shall be assessed as follows:

1. A minimum application charge of \$5,000 shall be due at the time of application;
2. An additional application charge of \$5,000 shall be due when the total number of hours of Division profes-

sional staff time expended on matters directly related to the applicant exceeds 333 hours;

3. An additional application charge of \$5,000 shall be due when the total number of hours of Division professional staff time expended on matters directly related to the applicant exceeds 667 hours;

4. An additional application charge, at an hourly rate to be set by the Division in accordance with N.J.A.C. 13:69A-9.4(d), shall be due and payable upon demand by the Division for each hour of Division professional staff time that is expended on matters directly related to the applicant that is in excess of 1,000 total hours; and

5. Payment for all unusual or out-of-pocket expenses incurred by the Division for matters directly related to the processing and investigation of the application.

(c) Persons or entities providing services to casino licensees regarding Internet gaming shall be responsible for the full cost of their licensure, including any investigative costs, at the hourly rate set by the Division pursuant to N.J.A.C. 13:69A-9.4(d).

(d) In order to recover costs for monitoring compliance with the Act and the rules of the Division and for assuring the continued fitness of enterprises engaged in casino service industries, the fee for the retention of a casino service industry enterprise license, other than enterprises engaged in Internet gaming activity, shall be assessed in accordance with (b) above.

(e) Any enterprise required to apply for the issuance or retention of a casino service industry enterprise license, other than enterprises engaged in Internet gaming activity, may request an installment plan for payment of the application fee. The Division shall propose a payment plan for the applicant, which shall include, if the applicant chooses to accept the payment plan, an additional fee of \$100.00 for the cost of processing the payment plan.

Amended by R.2013 d.128, effective October 21, 2013.  
See: 45 N.J.R. 1355(a), 45 N.J.R. 2336(a).

In (a), substituted "subsections" for "Subsections", "that" for "which", a comma for "or" following "wagering", and "subsection" for "Subsection", and inserted "or Internet gaming activity" and a comma following "junket enterprises"; in the introductory paragraph of (b), inserted "other than enterprises engaged in Internet gaming activity,"; added new (c); recodified former (c) and (d) as (d) and (e); and in (d) and (e), inserted ", other than enterprises engaged in Internet gaming activity,"; and inserted a comma following "applicant".

#### **13:69A-9.9 Casino hotel alcoholic beverage casino service industry enterprise license fee**

(a) Pursuant to Section 92c(2) of the Act, the Director of the Division may, at his or her discretion, direct a casino service industry enterprise engaged in alcoholic beverage activities to apply for a casino service industry enterprise license pursuant to Section 92a of the Act. Such an enterprise shall then be licensed to the standards established by the Division for casino service industry enterprises with

resubmissions not later than every five years thereafter, pursuant to Section 94h of the Act.

(b) The fee for a casino hotel alcoholic beverage casino service industry enterprise (CHAB CSI) license shall be \$3,000.

(c) The fee for retention of a CHAB CSI license shall be \$3,500.

(d) Any CHAB CSI required to apply for the issuance or retention of a CHAB CSI license may request an installment plan for payment of the application fee in accordance with the following schedule:

1. Upon filing of the application, an initial installment payment equal to one-fourth of the total application fee and an additional fee of \$100.00 for the cost of processing such payment plan; and

2. Three subsequent payments each equal to one-fourth of the total application fee, to be paid within 90 days, 180 days and 270 days from the date that the application is filed.

#### 13:69A-9.9A (Reserved)

#### 13:69A-9.10 Labor organization registration fee

Under Section 93 of the Act, each labor organization seeking to represent employees licensed or registered under the Act and employed by a casino hotel or a casino licensee shall register with the Division biennially. The fee for each biennial registration of a labor organization shall be \$250.00.

#### 13:69A-9.11 through 13:69A-9.14 (Reserved)

#### 13:69A-9.15 Casino employee registration fee

(a) Under Section 91 of the Act, no person may be employed as a casino employee unless such person is registered with the Division. A casino employee registration shall remain in effect unless revoked, suspended, limited, or otherwise restricted by the Division in accordance with the provisions of the Act. The one time registration fee for a casino employee shall be \$95.00.

(b) The Division may waive the fee in (a) above for an applicant for initial licensure if:

1. The applicant chooses to have such application filed on his or her behalf by or through an agency funded by State or Federal funds, the purpose of which agency is the administration or operation of job training or retraining programs; and

2. Such agency certifies to the Division that its job training or retraining programs would customarily absorb the initial license fee on behalf of the applicant.

(c) A petition for early reapplication shall require a fee of \$95.00.

#### 13:69A-9.16 Fee for conversion of a license to a registration

(a) Pursuant to N.J.A.C. 13:69A-15, a casino employee license shall be converted to a casino employee registration upon the expiration date of that casino employee license. The one-time fee for converting such licenses is \$95.00.

(b) A casino key employee may convert to a casino employee registration at any time. The one-time fee for converting such a license is \$95.00.

(c) Notwithstanding (a) and (b) above, a casino employee licensee who also has a valid registration is not required to pay a conversion fee.

#### 13:69A-9.17 Miscellaneous administrative fees

(a) Lost licenses shall be replaced for a fee of \$6.00.

(b) Requests to change a name or address on a license shall require a fee of \$6.00.

(c) A processing fee of \$15.00 shall be imposed upon any applicant for a casino service industry enterprise license which submits a check in payment of an application fee which is dishonored and returned by a bank after deposit.

#### 13:69A-9.18 Fee for non-credentialed employment

A petitioner seeking non-credential employment with a casino licensee pursuant to N.J.A.C. 13:69A-8.10 shall pay a \$95.00 fee.

#### 13:69A-9.19 Obligation to pay fees; nonrefundable nature of fees; credits

(a) Any fee obligation arising in accordance with the Act and this subchapter shall be due and payable notwithstanding the withdrawal or abandonment of any application or the termination in any manner of an existing license. In accordance with N.J.S.A. 5:12-82c(10), each party to an agreement to lease the casino hotel or the land thereunder, to jointly own a casino hotel or the land thereunder, or to manage a casino, shall also be liable for any amounts chargeable to the casino operator except as otherwise provided in the Act.

(b) Except as otherwise provided in (e) below, amounts actually paid by an applicant or licensee in accordance with the Act and this subchapter shall not be refundable.

(c) Payments made by a casino licensee for its estimated share under N.J.A.C. 13:69A-9.4(e) which exceed its actual share as finally determined by the Division for the fiscal year shall be credited toward the payment of additional fees by that casino licensee.

(d) Any surplus which exists in the Casino Control Fund as of the close of a fiscal year which is not due to excess payments of estimated shares collected pursuant to N.J.A.C. 13:69A-9.4(e) shall be credited toward the payment of additional fees by casino licensees. The share for each casino licensee shall be the amount which is in the same proportion to the total surplus subject to this subsection as the proportion of the total amount of fees incurred or paid by the casino licensee with respect to the fiscal year is to the total amount of all fees incurred or paid by all casino licensees with respect to the fiscal year.

(e) Any former casino licensee which would be entitled to a credit toward the payment of additional fees pursuant to (c) or (d) above and which ceases to hold any license and which does not owe and will not accrue additional fee or other obligations to the State under the Act may claim a refund of any amount to which it is found to be entitled to a credit.

**13:69A-9.20 Fees for services provided to other governmental bodies**

(a) Whenever the Division is authorized by law to provide services to any State, county or municipal department, board,

bureau, commission, authority or agency, and to receive compensation for the performance of such services, the Division shall assess fees for the cost and expense of providing these services as follows:

1. Payment for the efforts of the Division on matters directly related to other governmental bodies at hourly rates to be set by the Division in accordance with N.J.A.C. 13:69A-9.4(d); and
2. Payment for any unusual or out-of-pocket expenses incurred by agents or employees of the Division on matters directly related to the performance of the services which are being provided.

**13:69A-9.21 Powers and duties of Division**

Nothing in this subchapter shall be construed to limit the powers and duties of the Division as provided in the Act or the rules of the Division.