

CHAPTER 69H

JUNKET ENTERPRISES NOT EMPLOYED BY A CASINO LICENSEE OR APPLICANT

Authority

N.J.S.A. 5:12-69, 70, 102, and 104.

Source and Effective Date

R.2011 d.308, effective December 19, 2011.
See: 43 N.J.R. 2488(a), 43 N.J.R. 3434(a).

Chapter Expiration Date

Chapter 69H, Junket Enterprises Not Employed by a Casino Licensee or Applicant, expires on December 19, 2018.

Chapter Historical Note

Chapter 69H, Junket Enterprises Not Employed by a Casino Licensee or Applicant, was adopted as new rules by R.2011 d.308, effective December 19, 2011. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. JUNKET ENTERPRISES NOT EMPLOYED BY A CASINO LICENSEE OR APPLICANT

13:69H-1.1 Definitions
 13:69H-1.2 Scope of activities included
 13:69H-1.3 Open-ended or conditional complimentary offers
 13:69H-1.4 Advertising
 13:69H-1.5 Junket enterprises and representatives; transactional waivers prior to business
 13:69H-1.6 Non-supervisory employees
 13:69H-1.7 Purchases of patron lists
 13:69H-1.8 Monthly reports; junket activities

SUBCHAPTER 1. JUNKET ENTERPRISES NOT EMPLOYED BY A CASINO LICENSEE OR APPLICANT

13:69H-1.1 Definitions

(a) The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Agent” means any person, including junket enterprises and junket representatives not employed by a casino licensee or applicant, acting directly or indirectly on behalf of a casino licensee or applicant.

“Complimentary guest room accommodations” means a guest room provided to a person at no cost, or at a reduced price not generally available to the public under similar circumstances; provided, however, that the term shall include any guest room provided to a person at a reduced price due to the anticipated or actual gaming activities of that person.

(b) The following words and terms, when used in this chapter, shall have the meanings set forth in the relevant portions of the Casino Control Act, N.J.S.A. 5:12-1 et seq.:

“Complimentary service or item” (as defined in N.J.S.A. 5:12-14a and N.J.A.C. 13:69D-1.9).

“Junket” (as defined in N.J.S.A. 5:12-29).

“Junket enterprise” (as defined in N.J.S.A. 5:12-29.1).

“Junket representative” (as defined in N.J.S.A. 5:12-29.2).

13:69H-1.2 Scope of activities included

(a) As used in N.J.S.A. 5:12-29, a selection or approval of a person “on the basis of his ability to satisfy a financial qualification obligation related to his ability or willingness to gamble” shall be deemed to occur whenever a person, as an element of the arrangement, is required to:

1. Establish gaming credit with a casino licensee or applicant;
2. Establish a customer deposit with a casino licensee or applicant;
3. Demonstrate to a casino licensee or applicant or agent thereof the availability of a specified amount of cash, cash equivalent or gaming chips;
4. Gamble to a predetermined level at the establishment of a casino licensee or applicant; or
5. Comply with any similar obligation.

(b) As used in N.J.S.A. 5:12-29, a selection or approval of a person on a “basis related to his propensity to gamble” shall be deemed to occur whenever that person has been selected or approved on the basis of:

1. The previous satisfaction of a financial qualification obligation in accordance with the provisions of (a) above;
2. A rating for gambling performance; or
3. An evaluation that the person has a tendency to participate in gambling activities as the result of:
 - i. An inquiry concerning said person’s tendency to gamble; or
 - ii. Some other means of determining that the person has a tendency to participate in gambling activities.

(c) Without limitation of (b) above, a rebuttable presumption that a person has been selected or approved for participation in an arrangement on a basis related to his or her propensity to gamble shall be created whenever said person is provided with:

1. Complimentary guest room accommodations as part of the arrangement; or

2. Complimentary food, entertainment or transportation which has a value of \$200.00 or more calculated in accordance with the provisions of N.J.A.C. 13:69D-1.9.

13:69H-1.3 Open-ended or conditional complimentary offers

An offer by a casino licensee or applicant to pay for the cost of transportation, food, lodging and entertainment for a person in an amount to be determined by the actual gaming activities of that person after his or her arrival at the casino hotel shall be deemed to be an offer of complimentary services or items for the purposes of determining whether an arrangement involving such an offer is a junket within the meaning of N.J.S.A. 5:12-29 and this chapter.

13:69H-1.4 Advertising

(a) Any advertisement by an applicant for or holder of a junket enterprise license or by any agent thereof, including a junket representative, shall be subject to the provisions of N.J.A.C. 13:69C-14 to the same extent as if such advertisement were by a casino licensee or applicant.

(b) Notwithstanding the provisions of (a) above, an applicant for or holder of a junket enterprise license and any agent thereof, including a junket representative, shall not be subject to the provisions of N.J.A.C. 13:69C-14.3(b).

13:69H-1.5 Junket enterprises and representatives; transactional waivers prior to business

(a) Pursuant to N.J.S.A. 5:12-102c, all junket enterprises shall be licensed in accordance with N.J.S.A. 5:12-92a(1) prior to any casino licensee or applicant permitting any junket involving that junket enterprise to arrive at its casino.

(b) Pursuant to N.J.S.A. 5:12-102c, any junket representative not employed by a casino licensee or applicant or by a junket enterprise shall be licensed in accordance with N.J.S.A. 5:12-92a(1) prior to a casino licensee or applicant permitting any junket involving that junket representative to arrive at its casino.

(c) No casino licensee or applicant may do any business with any junket enterprise or junket representative prior to the licensure of that junket enterprise, junket representative, or any person employed by a junket enterprise or junket representative in a managerial or supervisory position, unless the enterprise has applied for and been issued a transactional waiver pursuant to N.J.S.A. 5:12-92a(1) and N.J.A.C. 13:69J-1.2B.

13:69H-1.6 Non-supervisory employees

Any non-supervisory employee of a junket enterprise or junket representative shall be registered in accordance with N.J.S.A. 5:12-102c and N.J.A.C. 13:69A-5.12.

13:69H-1.7 Purchases of patron lists

(a) Pursuant to N.J.S.A. 5:12-102j, each casino licensee or applicant, affiliate of a casino licensee, junket representative or junket enterprise shall file with the Division a report with respect to each list of names of junket patrons or potential junket patrons purchased from any source whatsoever.

(b) The report required by (a) above shall include:

1. The name and address of the person or enterprise selling the list;
2. The purchase price paid for the list, or any other terms of compensation related to the transaction; and
3. The date of purchase of the list.

(c) The report required by (a) above shall be filed no later than seven days after the receipt of the list by the purchaser, at a location to be designated by the Division.

13:69H-1.8 Monthly reports; junket activities

(a) Each casino licensee or applicant shall, on or before the 15th day of each month:

1. Prepare, maintain on file at its casino hotel premises, and provide to the Division on demand a junket activity report in accordance with the provisions of N.J.S.A. 5:12-102i(1); and

2. Supply to the Division pursuant to N.J.S.A. 5:12-102i(3) the name and license number of each person employed by that casino licensee or an affiliate of a casino licensee who performed the services of a junket representative during the preceding month.

(b) The junket activity report required pursuant to (a)1 above shall be made available to the Division for inspection upon demand and shall contain, at a minimum:

1. The origin of every junket arriving at the premises;
2. The number of participants in the junket, including a listing of the names and addresses of all junket participants;
3. The arrival time and date of the junket;
4. The departure time and date of the junket;
5. The name of all junket representatives and the name and license number of all junket enterprises involved in the junket; and

6. The actual amount of complimentary services and items provided to each junket participant calculated in accordance with the provisions of N.J.A.C. 13:69D-1.9.