

(d) In addition to any other requirements imposed by this section, a casino licensee's CCTV system shall be required to record, during the times and in the manner indicated below, all transmissions from cameras used to observe the following locations, persons or transactions:

1. All activity at each table open for gaming that either has a posted minimum wager of \$100.00 or more, or is connected to a progressive payout meter displaying a potential payout of \$35,000 or more;
2. Each transaction conducted at a cashiering location;
3. Each simulcast and keno window that is open for business;
4. Such main bank areas where gross revenue functions are performed as may be required by the Commission;
5. The execution of fills and credits at the chip bank;
6. The collection of drop boxes, slot drop boxes and slot cash storage boxes;
7. Any armored car collection or delivery of cash for which security escort or surveillance coverage is required;
8. The inspection and distribution to gaming pits of cards, dice and tiles;
9. The retrieval of cards, dice and tiles from gaming pits at the end of the gaming day and their delivery to the location designated and approved for inspection, cancellation, destruction or, if applicable, reuse; and
10. Automated bill breaker, voucher/coupon redemption and jackpot payout machines whenever such machines are opened for replenishment or other servicing as provided by casino personnel.

(e) In addition to any other requirements imposed by this section and in accordance with the time parameters specified herein, a casino licensee's CCTV system shall be required to record transmissions from cameras used to observe the face of each person transacting business at each window of its cashiering locations from the direction of the cashier. The upgrade of a casino licensee's CCTV system to include this capability shall occur as part of any expansion, renovation or reconfiguration of such cashiering location requiring Commission approval of a revised operations certificate. In the event that a casino licensee's cashiering location does not undergo such expansion, renovation or reconfiguration, a casino licensee shall nonetheless undertake the upgrade of its CCTV system by August 15, 2010.

(f) Any monitoring room maintained pursuant to (b)4 above shall:

1. Contain such equipment and supplies as may be required by the Commission and Division, taking into consideration current developments in electronic and computer technology, for the effective performance of the activities to be conducted therein including, without limitation:

i. A communication system capable of monitoring all casino security department activities; and

ii. If computerized monitoring systems are used by the casino licensee in its gaming operations, view-only terminals which allow access to information concerning cage, slot and table games operations;

2. Be connected to all casino alarm systems, which may provide a visible, audible or combination signal; provided, however, that any robbery or other emergency-type alarm shall be perceptually distinguishable from all non-emergency alarm types in a manner approved by the Commission and Division (for example, robbery alarm is the only audible alarm);

3. Contain an updated photo library, consisting of photographs that are no more than four years old, of all current employees of the casino licensee, which photo library shall be available to the Commission and Division upon request; and

4. Contain and have readily accessible to all monitoring room personnel and representatives of the Commission and Division an updated operational blueprint depicting all areas of the casino, the casino simulcasting facility and elsewhere in the casino licensee's establishment where CCTV coverage is available.

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

1. Date and time each surveillance commenced;
2. The name and license credential number of each person who initiates, performs, or supervises the surveillance;
3. Reason for surveillance, including the name, if known, alias or description of each individual being monitored, and a brief description of the activity in which the person being monitoring is engaging;
4. The times at which each video or audio recording is commenced and terminated;
5. The time at which each suspected criminal offense is observed, along with a notation of the reading on the meter, counter or device specified in (b)2iii above that identifies the point on the video recording at which such offense was recorded;
6. Time of termination of surveillance; and
7. Summary of results of the surveillance.

(h) Each casino licensee shall have a contingency plan, as part of its approved internal controls submitted pursuant to N.J.A.C. 19:45-1.3(a)3, to be utilized whenever there is an equipment failure that affects the casino licensee's monitoring room or CCTV system operations.

(i) The Commission's principal inspector and the Division shall be notified immediately of any incident of failure in (h) above, including the time and cause of the malfunction, if known, the time that the casino security department was apprised of the malfunction, and any communications with the casino security department relating to the malfunction, in accordance with the casino licensee's internal controls. In addition, the Commission's principal inspector and the Division shall be notified prior to:

1. Any relocation of an approved camera;
2. Any change in an approved camera's specifications;
3. Any change in lighting for areas approved for CCTV camera coverage; and
4. Any addition or change to the CCTV system and computer equipment in the monitoring room.

(j) All CCTV system recordings shall be retained for a minimum of seven days and shall be made available for review upon request by the Commission or Division. In addition, any such recordings which are determined by Commission or Division agents to be of potential evidentiary value shall be retained and stored pursuant to Commission or Division directives.

(k) Each CCTV system operator in the monitoring room shall work from his or her own monitoring station. Minimum staffing of the CCTV system used to monitor casino and casino simulcasting facility operations shall be detailed in a casino licensee's surveillance submission to be approved by the Commission, which shall ensure effective casino surveillance for the casino licensee.

(l) Surveillance department employees or agents of the licensee assigned to monitor the activities shall be independent of all other departments. In addition to any other restrictions contained in the Act and the rules promulgated thereunder, no present or former surveillance department employee shall accept employment as a casino key employee or casino employee with the same casino hotel or prospective casino hotel in which the surveillance department employee was previously employed or within any other casino hotel or prospective casino hotel whose surveillance department is under the operational control of the same person who controlled the surveillance department in which the surveillance department employee had been previously employed, unless one year has passed since the former surveillance department employee worked in the surveillance department. Notwithstanding the foregoing, the Commission may, upon the filing of a written petition, waive this restriction and permit the employment of a present or former surveillance department em-

ployee in a particular position after consideration of the following factors:

1. Whether the former surveillance department employee will be employed in a department or area of operation that the surveillance department does not monitor;
2. Whether the surveillance and security systems of the casino licensee will not be jeopardized or compromised by the employment of the former surveillance department employee in the particular position; and
3. Whether the former surveillance department employee's knowledge of the procedures of the surveillance department would not facilitate the commission by any person of irregularities or illegal acts or the concealment of any such actions or errors.

(m) Entrances to the CCTV system monitoring rooms shall not be visible from the casino area or casino simulcasting facility. In addition, access by employees of the casino licensee to the monitoring room or any other designated area capable of receiving CCTV transmission shall be prescribed by internal controls approved by the Commission pursuant to N.J.A.C. 19:45-1.3 and 1.12A. Any person who enters any monitoring room or such designated area who is not a surveillance department employee shall sign the Monitoring Room Entry Log upon entering the restricted area. The Monitoring Room Entry Log shall be:

1. Kept in the CCTV monitoring room;
2. Maintained in a book with bound numbered pages that cannot be readily removed;
3. Signed by each person whose presence is not expressly authorized by the casino licensee's approved access submission, with each entry containing, at a minimum, the following information:
 - i. The date and time of entering into the monitoring room or designated area;
 - ii. The entering person's name and his or her department or affiliation;
 - iii. The reason for entering the monitoring room or designated area;
 - iv. The name of the person authorizing the person's entry into the monitoring room or designated area; and
 - v. The date and time of exiting the monitoring room or designated area; and

4. Made available for inspection by the Commission and Division at all times.

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

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

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

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

Added text to (b)1vi "slot cash storage boxes"
Amended by R.1991 d.381, effective August 5, 1991.

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

Added "surveillance department" requirements.

In (g); added surveillance department employee provisions.

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

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

Simulcast provisions added.

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

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

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

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

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

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

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

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

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

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

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

Amended by R.1996 d.475, effective October 7, 1996.

See: 28 N.J.R. 3520(a), 28 N.J.R. 4517(a).

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

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

Rewrote (b)1x.

Amended by R.2005 d.266, effective August 15, 2005.

See: 36 N.J.R. 4115(a), 37 N.J.R. 3065(a).

Rewrote the section.

Amended by R.2007 d.117, effective April 16, 2007.

See: 38 N.J.R. 4669(a), 39 N.J.R. 1505(a).

In (b)1x, substituted "keno satellite booths and keno lockers;" for "and keno satellite booths in public keno areas; and"; added new (b)1xi and (b)1xii; and recodified former (b)1xi as (b)1xiii.

19:45-1.11 Casino licensee's organization

(a) Each casino licensee's system of internal controls shall, in accordance with the provisions of N.J.A.C. 19:45-1.11A, include tables of organization. Each casino licensee shall be permitted, except as otherwise provided in this section and N.J.A.C. 19:53-1.4, to tailor its organizational structure to meet the needs or policies of its own particular management philosophy. The proposed organizational structure of each casino licensee shall be approved by the Commission in the absence of a conflict between the organizational structure and the criteria listed below, which criteria are designed to maintain the integrity of casino and casino simulcasting facility operations. Each casino licensee's tables of organization shall provide for:

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

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

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

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

(b) In addition to satisfying the requirements of (a) above, each casino licensee's system of internal controls shall include, at a minimum, the following departments and super-

visory positions. Each of the departments and supervisors required or authorized by this section (a "mandatory" department or supervisor) shall cooperate with, yet perform independently of, all other mandatory departments and supervisors of the casino licensee. Notwithstanding the foregoing, a department or supervisor of a casino licensee that is not required or authorized by this section may operate under or in conjunction with a mandatory department or supervisor unless the Commission subsequently disapproves such operation as being inconsistent with the standards contained within N.J.S.A. 5:12-99a(3) and (a) above. Mandatory departments and supervisory positions are as follows:

1. A surveillance department supervised by a person referred to herein as the director of surveillance. The director of surveillance shall be subject to the reporting requirements specified in (c) below. The surveillance department monitoring room shall be supervised by a casino key employee who shall be present in the room at all times, or, if not present, be within immediate contact and at a known location on the premises. The surveillance department shall be responsible for, without limitation, the following:

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

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

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

iv. The clandestine surveillance of the operation of automated coupon redemption machines, automated gaming voucher machines and automated jackpot payout machines;

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

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

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

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

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

x. Providing timely notification to appropriate supervisors, the Commission, and the Division upon detecting, and also upon commencing video or audio recording of, any person who is engaging in or attempting

to engage in, or who is reasonably suspected of cheating, theft, embezzlement, or other illegal activities, including those activities prohibited in Article 9 of the Act;

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

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

xiii. The clandestine surveillance of all keno gaming and operations on the casino floor and in the casino simulcasting facility and of any keno booths and satellite keno booths located in public keno areas;

xiv. The clandestine surveillance of equipment designated by the Commission in conjunction with the operation of an electronic transfer credit system pursuant to N.J.A.C. 19:45-1.37A and a gaming voucher system pursuant to N.J.A.C. 19:45-1.55;

xv. The clandestine surveillance of the operation of computer monitoring rooms for multi-casino progressive slot systems;

xvi. The installation, maintenance and repair of CCTV system equipment used by the surveillance department;

xvii. CCTV system access to the Commission and Division, to the monitoring room and, if applicable, other locations approved by the Commission; and

xviii. The maintenance of a current surveillance submission, as a condition to the commencement and continuation of gaming operations, detailing minimum staffing and the manner in which the responsibilities set forth in (b)i through xv above shall be met, such submission and any amendments thereto to be approved by the Commission upon a determination that it conforms to the requirements of the Act and provides adequate and effective controls over the operations of the surveillance department.

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

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

ii. The compliance with internal control procedures;

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

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

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

vi. If the casino licensee files a written petition seeking Commission approval to designate the MIS department manager as the MIS security officer in accordance with the provisions of (b)3 below, the preparation of a written report in support of the casino licensee's petition and, if the petition is approved by the Commission, updated annually thereafter, which report shall be attested to by the audit department executive and address the following:

(1) A review and appraisal of any risks that may arise as a result of the decision to consolidate the responsibilities of an MIS department manager and MIS security officer into one position; and

(2) An evaluation of the internal controls designed to mitigate such risks with regard to any activity authorized to be performed by or through the use of a casino computer system, including but not limited to, an electronic transfer credit system or gaming voucher system.

3. A management information system ("MIS") department supervised by a person referred to herein as an MIS department manager. The responsibilities of the MIS department shall be performed by any appropriately licensed employee of the MIS department unless the casino licensee has received Commission approval to maintain software and data, or any portion thereof, in a remote computer located outside the casino hotel facility in accordance with the provisions of N.J.A.C. 19:45-2.2, in which case any responsibilities as to such software and data shall be performed by an MIS security officer who shall report directly to the MIS department manager, be licensed as a casino key employee and who, prior to delegating any security responsibilities, shall determine to the greatest extent practicable that such delegation would maintain the segregation of incompatible functions and the security and integrity of the casino computer system; provided, however, that the Commission may, upon the filing of a written petition, permit the MIS department manager to be designated as the MIS security officer, which petition shall include, without limitation, the written report prepared and attested to by the audit department executive as required by (b)2vi above. The MIS department shall be responsible for the integrity of all data, as well as the quality, reliability and accuracy of all