

1. The name, address and phone number of personal references;
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, financial and other institutions and all governmental agencies to release any and all information pertaining to the applicant as requested by the Commission or the Division.

Amended by R.1995 d.306, effective June 19, 1995.
See: 27 N.J.R. 1162(a); 27 N.J.R. 2455(a).

19:41-5.5A Key Standard Qualifier Renewal Form

(a) A Key Standard Qualifier Renewal Form shall be in a format prescribed by the Commission and may require the applicant to provide the following information:

1. Name, including any aliases or nicknames;
2. Date of birth;
3. Physical description;
4. Current address and residence history;
5. Social security number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. 552a;
6. The casino licensee or applicant, or holding company, as applicable, with which the applicant is associated, and the nature of the applicant's position with or interest in such entity;
7. Telephone number at current place of employment;
8. 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 Commission, including cash, bank accounts, notes payable and receivable, real estate and income taxes payable, loans, accounts payable and any other indebtedness, contingent liabilities, securities, real estate interests, real estate mortgages and liens, life insurance, pension funds, vehicles and other assets;
- ii. Bank accounts and safe deposit boxes; and
- iii. Copies of Federal tax returns and related information.

(b) A Key Standard Qualifier Renewal Form may also require an applicant to provide the following information for the time period since the submission of his or her most recent disclosure form:

1. Judgments or petitions for bankruptcy or insolvency 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;
2. Referral or finder's fees in excess of \$10,000;
3. Gifts in excess of \$10,000 given or received by the applicant or the applicant's immediate family;
4. Business owned;
5. Government positions and offices presently or previously held, and offices, trusteeships, directorships or fiduciary positions presently or previously held with any business entity;
6. Trusteeships or other fiduciary positions held by the applicant and the applicant's spouse, and any denial or suspension of, or removal from, such positions;
7. 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, as follows:
 - i. Any professional or occupational license held by or applied for by the applicant or the applicant's spouse;
 - ii. Any license, permit, approval or registration required to participate in any lawful gambling operation in this State or any jurisdiction held by or applied for by the applicant; and
 - iii. Any denial, suspension or revocation by a governmental agency of a license, permit or certification held by or applied for by the applicant or the applicant's spouse, or any entity in which the applicant or the applicant's spouse was a director, officer, partner or an owner of a five percent or greater interest;
8. Civil, criminal and investigatory proceedings in any jurisdiction, as follows:
 - i. Arrests, charges or convictions for any criminal or disorderly persons offenses committed by the applicant or any member of the applicant's immediate family;
 - ii. Any instance where the applicant has been named as an unindicted party or co-conspirator in a criminal proceeding or held as a material witness;
 - iii. Any appearance before, investigation by or request to take a polygraph examination by any governmental agency, court, committee, or grand jury or investigatory body;
 - iv. Lawsuits to which the applicant was or is a party; and
 - v. Any citation or charge for a violation of a statute, regulation or code of any jurisdiction, other than a criminal, disorderly persons, petty disorderly persons or motor vehicle violation; and
9. Whether any entity in which the applicant has been a director, officer, principal employee or a holder of more than five percent interest has:
 - i. Donated or used funds or property for the use or benefit of or in opposing any government, political party, candidate or committee;
 - ii. Compensated 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;
 - iii. 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;
 - iv. Made bribes or kickbacks to any government official; and
 - v. Maintained a bank account or other account 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.

(c) In addition to the information in (a) and (b) above, a completed Key Standard Qualifier Renewal Form may include the following:

1. A signed, dated and notarized certification of truth; and
2. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, financial and other institutions and all governmental agencies to release any and all information pertaining to the applicant as requested by the Commission or the Division.

New Rule, R.1994 d.592, effective December 5, 1994.
See: 26 N.J.R. 3824(a), 26 N.J.R. 4789(a).

19:41-5.5B Request to Determine Employment or Reapplication Eligibility Form

(a) A Request to Determine Employment or Reapplication Eligibility Form shall be in a format prescribed by the Commission and may require the applicant to provide the following information:

1. Name, including any aliases or nicknames;
2. Date of birth;
3. Current address;
4. A physical description;
5. Social Security Number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. § 552a;
6. Arrests, convictions, charges or offenses committed;
7. Reasons for the denial or revocation of any casino employee license or registration; and
8. A written statement of the facts and circumstances which warrant the relief sought.

(b) In addition to the information in (a) above, a completed Request to Determine Employment or Reapplication Eligibility Form may include:

1. Letters of reference and supporting documentation;
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, financial and other institutions and all governmental agencies to release any and all information pertaining to the applicant as requested by the Commission or Division; and
4. If the request is filed pursuant to N.J.A.C. 19:41-8.11:
 - i. The documents required for identification by N.J.A.C. 19:41-7.2A; and
 - ii. An offer of employment from a CHAB licensee.

New Rule, R.1996 d.69, effective February 5, 1996.
See: 27 N.J.R. 3916(a), 28 N.J.R. 897(a).

19:41-5.6 Business Entity Disclosure Form—Corporate

(a) A Business Entity Disclosure Form Corporate (BED—Corporate) shall be in a format prescribed by the Commission and may require the applicant to provide the following information:

1. Current or former official and trade names used by the corporation, and the dates of use;

2. The reason for filing, including the name of the license applicant and the type of license sought and, if the license applicant is other than the corporation, the nature of the corporation's relationship to the license applicant;

3. Date and place of incorporation;

4. Current or former business addresses of the corporation;

5. A description of the present and any former business engaged in by the corporation and its holding companies, subsidiaries and intermediary companies;

6. The name, last known address, occupation and date of birth of each incorporator;

7. The name, home address, business address, date of birth and occupation of current and former directors and trustees, and the dates such position was held;

8. The name, home address, business address, date of birth and title of current officers of the corporation, and the dates of office;

9. The name, last known address, date of birth and occupation of former officers of the corporation, and the dates of office;

10. Annual compensation of partners and officers;

11. The name, business address, date of birth and position of each person, other than a partner or officer, who receives annual compensation of more than \$50,000, and the length of time employed and amount of compensation;

12. A description of all bonus, profit sharing, pension, retirement, deferred compensation or similar plans;

13. A description of the nature, type, number of shares, terms, conditions, rights and privileges of all classes of stock issued or to be issued;

14. The name, home address and date of birth of each shareholder, the class of stock held, number of shares held and the percentage of outstanding voting or non-voting stock held;

15. A description of the nature, type, terms, covenants, conditions and priorities of all outstanding debt and security devices utilized by the corporation;

16. The name, address and date of birth of each person holding the debt or security devices in (a)15 above, the type of debt instrument held, the original debt amount and current balance;

17. A description of the nature, type, terms and conditions of all securities options, including the title and amount of securities subject to option, the name of each option holder and the market value at the time of issuance;

18. The following information for each account held in the name of the corporation or its nominee, or otherwise under the direct or indirect control of the corporation:

- i. The name and address of the financial institution;
- ii. Type of account;
- iii. Account number; and
- iv. Dates held;

19. The name and address of all persons with whom the corporation has contracts or agreements of over \$25,000 in value, including employment contracts of more than one year duration, or who have supplied goods and services within the past six months, and the nature of such contract or the goods and service provided;

20. The name and address of each company in which the corporation holds stock, type of stock held, purchase price per share, number of shares held, and percentage of ownership;

21. Information regarding any transaction involving a change in the beneficial ownership of the corporation's equity securities on the part of any director, officer or beneficial owner of more than 10 percent of any class of equity security;

22. A description of any civil, criminal and investigatory proceedings in any jurisdiction, for the corporation and each director, trustee or officer as follows:

- i. Any arrest, indictment, charge or conviction for any criminal or disorderly persons offense;
- ii. Any criminal proceeding in which such person has been a party or has been named as an unindicted co-conspirator;
- iii. Existing civil litigation to which the corporation is a party, if damages are reasonably expected to exceed \$50,000, except for claims covered by insurance; and
- iv. Any judgment, consent decree or consent order entered against the corporation pertaining to a violation or alleged violation of the federal antitrust, trade regulation or securities laws or similar laws of any jurisdiction;

23. For the corporation and any holding or intermediary company, information regarding any judgments or petitions for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law; and any receiver, fiscal agent, trustee or similar officer appointed for the property or business of the corporation or any holding or intermediary company;

24. Whether the corporation has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its

location, the date of such action, the reasons therefor and the facts related thereto;

25. Whether the corporation or any director, officer, employee or person acting on behalf of the corporation has made bribes or kickbacks to any employee, company, organization or government official;

26. Whether the corporation has:

- i. Donated or loaned corporate funds or property for the use or benefit of or in opposing any government, political party, candidate or committee;
- ii. Made any loans, donations or disbursements to its directors, officers or employees for the purpose of making political contributions or reimbursing such individuals for political contributions; or
- iii. Maintained a bank account or other account not reflected on the books or records of the corporation, or maintained any account in the name of a nominee of the corporation;

27. The names and addresses of any current or former directors, officers, employees or third parties who would have knowledge or information concerning (a) 26i-iii above;

28. A copy of each of the following:

- i. Annual reports to shareholders for the last five years;
- ii. Any annual reports prepared within the last five years on Form 10K pursuant to Sections 13 or 15d of the Securities Exchange Act of 1934;
- iii. An audited financial statement for the last fiscal year, including, without limitation, an income statement, balance sheet and statement of sources and application of funds, and all notes to such statements and related financial schedules;
- iv. Copies of all annual financial statements prepared in the last five fiscal years, any exceptions taken to such statements by an independent auditor and the management response thereto;
- v. The most recent quarterly unaudited financial statement prepared by or for the corporation which, if the corporation is registered with the Securities Exchange Commission (SEC), may be satisfied by providing a copy of the most recently filed Form 10Q;
- vi. Any current report prepared due to a change in control of the corporation, acquisition or disposition of assets, bankruptcy or receivership proceedings, changes in the corporation's certifying accountant, or other material events, which, if the corporation is registered with the SEC, may be satisfied by providing a copy of the most recent filed Form 8K;

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

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

ix. All reports and correspondence submitted in the last five years by independent auditors for the corporation which pertain to the issuance of financial statements, managerial advisory services or internal control recommendations;

29. A certified copy of the articles of incorporation, charter and by-laws of the corporation, and all amendments and proposed amendments thereto;

30. An organizational chart of the corporation, including position descriptions and the names of persons holding each position;

31. Copies of Internal Revenue Service Forms 1120 (Corporate Income Tax Return) and 941 (Employer's Quarterly Federal Tax Return) filed for the last five years; and

32. A listing of any records, documents or other information submitted as appendices to the BED—Corporation.

(b) In addition to the information in (a) above, a completed BED—Corporate may include the following documents, which shall be dated and signed by the president, chief executive officer or sole proprietor, and notarized:

1. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, financial and other institutions and all governmental agencies to release any and all information pertaining to the corporation as requested by the Commission or the Division;

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

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

4. An affidavit of truth.

New Rule, R.1994 d.296, effective June 20, 1994.
See: 26 N.J.R. 1437(a), 26 N.J.R. 2591(b).
Amended by R.1996 d.437, effective September 16, 1996.
See: 28 N.J.R. 3242(c), 28 N.J.R. 4234(b).
Administrative change.
See: 28 N.J.R. 4600(a).

19:41-5.6A Business Entity Disclosure Form—Partnership

(a) A Business Entity Disclosure Form Partnership (BED—Partnership) shall be in a format prescribed by the Commission and may require the applicant to provide the following information:

1. Current and former official or trade names used by the partnership, and the dates of use;

2. The reason for filing, including the name of the license applicant, the type of license sought and, if the license applicant is other than the partnership, the nature of the partnership's relationship to the license applicant;

3. Current or former business addresses of the partnership;

4. The name, home address, business address, date of birth and occupation of each partner, a description of the partnership interest held and the dates of the partnership interest;

5. Name, last known address, occupation, date of birth of former partners, the percentage of interest last held and the dates of the partnership interest;

6. If the partnership is a license applicant, any assignment, pledge, hypothecation or sale of any partnership interest;

7. A description of the present and any former business engaged in by the partnership;

8. The name, home address, business address, date of birth and title of each officer, and the dates of office;

9. The name, last known address, date of birth and occupation of former officers, and the dates of office;

10. Annual compensation of partners and officers;

11. The name, business address, date of birth and position of each person, other than a partner or officer, who receives annual compensation of more than \$50,000, and the length of time employed and amount of compensation;

12. A description of all bonus, profit sharing, pension, retirement, deferred compensation or similar plans;

13. A description of all outstanding debt, and the name, address and date of birth of each debtholder, the type of debt instrument held, the original debt amount and current balance;

14. The following information for each account in the name of the partnership or its nominee, or otherwise under the direct or indirect control of the partnership:

i. The name and address of the financial institution;

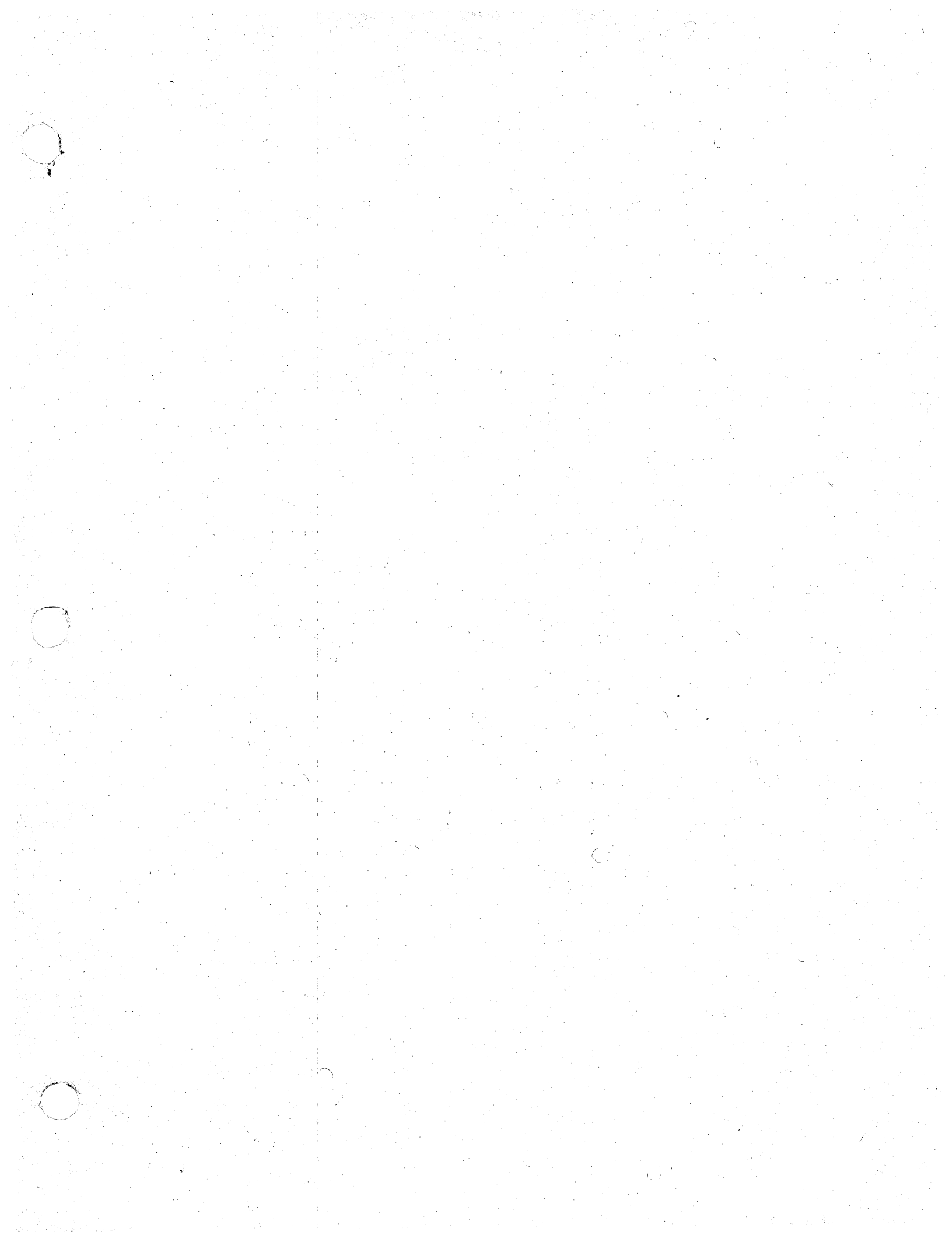
ii. Type of account;

iii. Account number; and

iv. Dates held;

15. The name and address of all persons with whom the applicant has contracts or agreements of over \$25,000 in value, including employment contracts of more than

one year duration, or who have supplied goods and services within the past six months, and the nature of such contract or the goods and service provided;



16. A description of any civil, criminal and investigatory proceedings in any jurisdiction, for the partnership and each partner or officer as follows:

i. Any arrest, indictment, charge or conviction for any criminal or disorderly persons offense;

ii. Any criminal proceeding in which such person has been a party or has been named as an unindicted co-conspirator;

iii. Any existing civil litigation in which such persons are parties in their official capacity, if damages are reasonably expected to exceed \$50,000, except for claims covered by insurance; and

iv. Any judgment, consent decree or consent order entered against the partnership or any partner pertaining to a violation or alleged violation of the federal antitrust, trade regulation or securities laws or similar laws of any jurisdiction;

17. For the partnership and any partner, information regarding any judgments or petitions for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law; and any receiver, fiscal agent, trustee or similar officer appointed for the property or business of the partnership or any partner;

18. Whether the partnership or any partner has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its location, the date of such action, the reasons therefor and the facts related thereto;

19. Whether the partnership or any partner, officer or employee, or any person acting on behalf of the partnership made bribes or kickbacks to any employee, company, organization or government official;

20. Whether the partnership has maintained a bank account or other account not reflected on the books or records of the partnership, or maintained an account in a name of a nominee of the partnership;

21. The names of any current or former partners, officers, employees or third parties who would have knowledge or information concerning the (a)19 and 20 above;

22. An organizational chart of the partnership, including position descriptions and the names of persons holding each position;

23. A copy of all partnership agreements and amendments and proposed amendments thereto, and all contracts or agreements between any two or more partners relating to the assets, property, profits, management or control of the partnership;

24. A copy of each of the following:

i. An audited financial statement for the last fiscal year, including, without limitation, an income statement, balance sheet and statement of source and application of funds, and copies of all annual financial statements prepared in the last ten fiscal years with respect to the partnership;

ii. Any Registration Statements filed with the Securities Exchange Commission (SEC) in the last five years pursuant to the Securities Act of 1933; and

iii. All reports submitted within the last five years by independent auditors for the partnership which pertain to the issuance of financial statements or managerial advisory services;

25. Copies of Internal Revenue Service Forms 1065 (Partnership Return Form) and 941 (Employer's Quarterly Federal Tax Return) filed for the last five years; and

26. A listing of any records, documents or other information submitted as appendices to the BED—Partnership;

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

1. A certification of truth, signed and dated by the applicant's attorney of record;

2. The following documents, which shall be dated and signed by a partner or general partner or the sole proprietor and notarized:

i. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, financial and other institutions and all governmental agencies to release any and all information pertaining to the partnership as requested by the Commission or the Division;

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

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

iv. An affidavit of truth.

New Rule, R.1994 d.296, effective June 20, 1994.

See: 26 N.J.R. 1437(a), 26 N.J.R. 2591(b).

Amended by R.1996 d.437, effective September 16, 1996.

See: 28 N.J.R. 3242(c), 28 N.J.R. 4234(b).

19:41-5.7 Business Entity Disclosure Form 3

(a) A Business Entity Disclosure Form 3 (BED-3) shall be in a format prescribed by the Commission and may require the applicant to provide the following information:

1. Any official or trade name used by the applicant;

2. Whether the application is for initial licensure or renewal and, if a renewal, the license number and expiration date of the current license;

3. The name and telephone number of a person to be contacted in reference to the application;

4. Current or former business addresses of the applicant enterprise;

5. The business form of the enterprise, and a copy of the certificate of incorporation, charter, by-laws, partnership agreement, trust agreement or other basic documentation of the enterprise;

6. The nature of the applicant's business, and the type of goods and services being provided to the casino industry;

7. The following information regarding agreements with any casino licensee or applicant:

i. The number of written agreements entered into and a sample copy of such an agreement;

ii. The terms of any unwritten agreements with casino licensees or applicants, including the expected duration and compensation; and

iii. Whether any such agreements are in any way subject to or conditioned upon any other agreement between the casino licensee or applicant and the applicant or any other enterprise, or upon other agreements between the applicant and its suppliers, vendors or subcontractors, and the facts related thereto;

8. Any suppliers, vendors or subcontractors of the applicant which are also securities holders or creditors of the applicant;

9. The name and location of any government agency in this State or any other jurisdiction that regulates the applicant, and the nature and extent of regulation;

10. Whether the applicant has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its location, the date of such action, the reasons therefore and the facts related thereto;

11. The following financial information:

i. Two copies of the applicant's most recent financial statement and Federal and state tax returns;

ii. Information regarding any judgments or petitions for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law; and any receiver, fiscal agent, trustee or similar officer appointed for the applicant's property or business;

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

i. Information regarding any indictment, charge or conviction for any criminal or disorderly persons offense;

ii. Any criminal proceeding in which the applicant has been a party or has been named as an unindicted co-conspirator; and

iii. Any judgment, consent decree or consent order entered against the applicant pertaining to a violation or alleged violation of the Federal antitrust, trade regulation or securities laws or similar laws of any jurisdiction; and

13. The name, home address, date of birth, title or position and percent of ownership, where applicable, of each of the following persons or entities:

i. Any officer, director, trustee, partner or sole proprietor;

ii. Each beneficial owner, whether an enterprise or a natural person, of more than five percent of the outstanding voting securities of the applicant;

iii. Each sales representative or other person who regularly solicits business from a casino licensee or applicant, such person's immediate supervisors and all persons responsible for the office out of which such supervisors work; and

iv. Any person authorized to sign any agreement with a casino licensee or applicant.

(b) In addition to the information in (a) above, a completed BED-3 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;

2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, financial and other institutions and all governmental agencies to release any and all information pertaining to the applicant as requested by the Commission or 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, 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.

19:41-5.8 Business Entity Disclosure Form—Holding Company

(a) A Business Entity Disclosure Form—Holding Company (BED-HC) shall be in a format prescribed by the Commission and may require the applicant to provide the following information:

- 1. Any official or trade name used by the applicant;
- 2. The enterprise as to which the applicant has been identified as a holding company and, if different, the applicant for casino service industry licensure for which the BED-HC is being submitted;
- 3. The name and telephone number of a person to be contacted in reference to the application;
- 4. Current or former business addresses of the applicant enterprise;
- 5. The business form of the enterprise, and a copy of the certificate of incorporation, charter, by-laws, partnership agreement, trust agreement or other basic documentation of the enterprise;
- 6. The name and location of any government agency in this State or any other jurisdiction that regulates the applicant, and the nature and extent of regulation;
- 7. Whether the applicant has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its location, the date of such action, the reasons therefor and the facts related thereto;
- 8. The following financial information:
 - i. Two copies of the applicant's most recent financial statement and Federal and state tax returns;
 - ii. Information regarding any judgments or petitions for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law; and any receiver, fiscal agent, trustee or similar officer appointed for the applicant's property or business;
- 9. Civil, criminal and investigatory proceedings in any jurisdiction, as follows:

- i. Information regarding any indictment, charge or conviction for any criminal or disorderly persons offense;

- ii. Any criminal proceeding in which the applicant has been a party or has been named as an unindicted co-conspirator; and

- iii. Any judgment, consent decree or consent order entered against the applicant pertaining to a violation or alleged violation of the Federal antitrust, trade regulation or securities laws or similar laws of any jurisdiction; and

10. The name, home address, date of birth, title or position and percent of ownership, where applicable, of each of the following persons or entities:

- i. Any officer, director, trustee, partner or sole proprietor;
- ii. Each beneficial owner, whether an enterprise or natural person, of more than five percent of the outstanding voting securities of the applicant;

(b) In addition to the information in (a) above, a completed BED-HC 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;
- 2. A Release Authorization directing all courts, probation departments, selective service boards, employers, educational institutions, financial and other institutions and all governmental agencies to release any and all information pertaining to the applicant as requested by the Commission or 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, 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.

19:41-5.9 Qualifier Disclosure Form

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

1. Name, including any aliases or nicknames;
2. Telephone number, address and residence history;
3. Position held with the casino service industry license applicant or holding company;
4. Date and place of birth;
5. Physical characteristics;
6. Employment history;
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;
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, financial and other institutions and all governmental agencies to release any and all information pertaining to the applicant as requested by the Commission or the Division.

19:41-5.10 Qualifier Renewal Disclosure Form

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

1. Name, including any aliases or nicknames;
2. Telephone number, address and residence history;
3. Position held with the casino service industry license applicant;
4. Date and place of birth;
5. Physical characteristics; and

6. Arrests, charges or offenses committed by the applicant since the date on which the applicant last filed a Qualifier Disclosure Form (QDF) or QRDF.

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

1. A signed, dated and notarized certification of truth; and
2. A signed, dated and notarized Release Authorization which shall direct all courts, probation departments, selective service boards, employers, educational institutions, financial and other institutions and all governmental agencies to release any and all information pertaining to the applicant as requested by the Commission or the Division.

19:41-5.11 Vendor Registration Form

(a) A Vendor Registration Form (VRF) shall be in a format prescribed by the Commission and may require the following information regarding the enterprise:

1. Any official or trade name used;
2. Business address;
3. Telephone number;
4. The nature of the business and the type of goods or services being provided to the casino industry or hub facility;
5. Federal Employer Identification Number;
6. State and date of incorporation;
7. Whether the enterprise is minority- or women-owned and controlled and the enterprise certification number, if any, which information is voluntarily provided;
8. Form of business;
9. The date on which a formal offer and acceptance of the agreement to conduct business with a casino licensee or applicant or hub facility occurred;
10. Names and addresses of all subsidiaries;
11. The name, address and percentage of ownership of each entity directly owning more than five percent of the enterprise;
12. The names of each of the following:
 - i. Any individual who entered into the agreement with or will deal directly with the casino licensee or applicant or hub facility, including sales representatives; the immediate supervisors of such persons; and all persons responsible for the office out of which such supervisors work;
 - ii. Any officer, partner, or director who will be significantly involved in the conduct of the enterprise's business with the casino licensee or applicant or hub facility;

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

11. 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; and

12. 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, financial and other institutions and all governmental agencies to release any and all information pertaining to the officer, agent or principal employee as requested by the Commission or 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. 5:12-80c.

New Rule, R.1995 d.283, effective June 5, 1995.

See: 27 N.J.R. 1165(a), 27 N.J.R. 2252(a).

19:41-5.15 Business Entity Disclosure Form—Gaming

(a) A Business Entity Disclosure Form—Gaming (BED—Gaming) shall be in a format prescribed by the Commission and may require the enterprise to provide the following information:

1. Current or former official and trade names used and the dates of use;

2. Current and former business addresses;

3. Business telephone number;

4. Whether the application is for initial licensure or renewal and, if renewal, the license number and expiration date of the current license;

5. If the license applicant is other than the enterprise filing this form, the reason for filing and the nature of the filing enterprise's relationship to the license applicant;

6. Business form and, as appropriate, a copy of the certificate of incorporation, charter, by-laws, partnership agreement, trust agreement or other documentation relating to the legal organization of the enterprise;

7. A description of the present and any former business engaged in by the enterprise and any holding, intermediary or subsidiary company;

8. A description of the nature, type, number of shares, terms, conditions, rights and privileges of all classes of stock issued by the enterprise, if any, or which the enterprise plans to issue;

9. The name, address, date of birth (if appropriate), number and percentage of shares held by each person or entity having a beneficial interest in any non-voting stock;

10. The name, home address, date of birth, current title or position and, if applicable, percentage of ownership for the following persons:

i. Each officer, director or trustee;

ii. Each owner, or partner, including all partners whether general, limited or otherwise;

iii. Each beneficial owner of more than five percent of the outstanding voting securities;

iv. Each sales representative or other person who will regularly solicit business from a casino licensee;

v. Each management person who supervises a regional or local office which employs sales representatives or other persons who regularly solicit business from a casino hotel; and

vi. Any other person not otherwise specified in (a)10i through v above who has signed or will sign any agreement with a casino licensee;

11. A flow chart which illustrates the ownership of any other enterprise which holds an interest in the filing enterprise;

12. The name, last known address, date of birth, position, dates the position was held, and reason for leaving for any former officers or directors who held such office during the preceding 10 years;

13. The annual compensation of each partner, officer, director and trustee;

14. The name, home address, date of birth, position, length of time employed and the amount of compensation of each person, other than the persons identified in (a)13 above, currently expected to receive annual compensation of more than \$50,000;

15. A description of all bonus, profit sharing, pension, retirement, deferred compensation or similar plans;

16. If the enterprise is a partnership, a description of the interest held by each partner including the amount of initial investment, amount of additional contribution,

amount and nature of any anticipated future investments, degree of control of each partner and percentage of ownership of each partner;

17. A description of the nature, type, terms, covenants, and priorities of all outstanding debt and the name, address and date of birth of each debtholder or security holder, type and class of debt instrument held, original debt amount and current debt balance;

18. A description of the nature, type, terms and conditions of all securities options;

19. The following information for each account held in the name of the enterprise or its nominee or which is otherwise under the direct or indirect control of the enterprise:

- i. Name and address of the financial institution;
- ii. Type of account;
- iii. Account numbers; and
- iv. Dates held;

20. A description of all contracts of \$25,000 or more in value, including employment contracts of more than one year duration, and contracts pursuant to which the enterprise has received \$25,000 or more in goods or services in the past six months;

21. The name and address of each company in which the enterprise holds stock, type of stock held, purchase price per share, number of shares held, and percentage of ownership held;

22. Information regarding any transaction during the past five years involving a change in the beneficial ownership of the enterprise's securities on the part of an officer or director who owned more than 10 percent of any class of equity security;

23. A description of any civil, criminal and investigatory proceedings in any jurisdiction in which the enterprise or its subsidiaries have been involved as follows:

- i. Any arrest, indictment, charge or conviction for any criminal or disorderly persons offense;
- ii. Any criminal proceeding in which the enterprise or its subsidiaries has been a party or has been named as an unindicted co-conspirator;
- iii. Existing civil litigation if damages are reasonably expected to exceed \$50,000, except for claims covered by insurance;
- iv. Any judgment, consent decree or consent order entered against the enterprise pertaining to a violation or alleged violation of the Federal antitrust, trade regulation or securities laws or similar laws of any jurisdiction;

24. For the enterprise and any holding or intermediary company, information regarding any judgments or petitions for bankruptcy or insolvency and any relief sought under any provision of the Federal Bankruptcy Act or any state insolvency law, and any receiver, fiscal agent, trustee or similar officer appointed for the property or business of the enterprise or any holding, intermediary or subsidiary company;

25. Whether the enterprise has had any license or certificate denied, suspended or revoked by any government agency in this State or any other jurisdiction, the nature of such license or certificate, the agency and its location, the date of such action, the reasons therefore, and the facts related thereto;

26. Whether the enterprise has ever applied for a license, permit or authorization to participate in any lawful gaming operation in this State or any other jurisdiction, the agency and its location, date of application, the nature of the license permit or authorization, number and expiration date;

27. Whether the enterprise or any director, officer, partner, employee or person acting on behalf of the enterprise has made bribes or kickbacks to any employee, company, organization or government official;

28. Whether the enterprise has:

- i. Donated or loaned its funds or property for the use or benefit of or in opposing any government, political party, candidate or committee, either foreign or domestic;
- ii. Made any loans, donations or disbursements to its directors, officers or employees for the purpose of making political contributions or reimbursing such individuals for political contributions; or
- iii. Maintained a bank account or other account not reflected on its books or records, or maintained any account in the name of a nominee;

29. The names and addresses of any current or former directors, officers, employees or third parties who would have knowledge or information concerning (a)27 and 28 above;

30. A copy of each of the following:

- i. Annual reports for the past five years;
- ii. Any annual reports prepared within the last five years on Form 10K pursuant to sections 13 or 15d of the Securities Exchange Act of 1934;
- iii. An audited financial statement for the last fiscal year, including, without limitation, an income statement, balance sheet and statement of sources and application of funds, and all notes to such statements and related financial schedules;

iv. Copies of all annual financial statements, whether audited or unaudited, prepared in the last five fiscal years, any exceptions taken to such statements by an independent auditor and the management response thereto;

v. The most recent quarterly unaudited financial statement prepared by or for the enterprise or, if the enterprise is registered with the Securities Exchange Commission (SEC), a copy of the most recently filed Form 10Q;

vi. Any current report prepared due to a change in control of the enterprise, an acquisition or disposition of assets, a bankruptcy or receivership proceeding, a change in the enterprise's certifying accountant or any other material event, or, if the enterprise is registered with the SEC, a copy of the most recently filed Form 8K;

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

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

ix. All reports and correspondence submitted within the last five years by independent auditors for the enterprise which pertain to the issuance of financial statements, managerial advisory services, or internal control recommendations;

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

32. 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.

(b) In addition to the information in (a) above, a completed BED-Gaming 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, financial and other institutions and all governmental agencies to release any and all information pertaining to the enterprise as requested by the Commission and Division; and

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

New Rule, R.1995 d.370, effective July 17, 1995.
See: 27 N.J.R. 1533(b), 27 N.J.R. 2704(a).

19:41-5.16 Casino Hotel Alcoholic Beverage license application form

(a) A Casino Hotel Alcoholic Beverage (CHAB) application form shall be in a format prescribed by the Commission 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. Federal Employer Identification Number;

7. The date an application for the issuance or renewal of a non-gaming related casino service industry license was filed.

8. A description of the primary use and hours of operation 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, 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 and the percentage of that interest;

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

13. A listing of prospective employees containing the information in N.J.A.C. 19:50-2.3(c), which listing is to be filed 21 days before the business or enterprise commences operations; and

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

(b) In addition to the information in (a) above, a completed CHAB 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.

New Rule, R.1998 d.51, effective January 20, 1998.
See: 29 N.J.R. 4413(b), 30 N.J.R. 381(a).

19:41-5.17 Casino Hotel Alcoholic Beverage (CHAB) license renewal application form

(a) A Casino Hotel Alcoholic Beverage Renewal Application form shall be in a format prescribed by the Commission 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 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. Federal Employer Identification Number;
7. Vendor Identification Number, casino service industry license number and the date of expiration of such license;
8. A description of the primary use and hours of operation 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, 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 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. A current listing of all employees of the licensee pursuant to N.J.A.C. 19:50-2.3;

14. A listing of all alcoholic beverage enterprises, including wholesale distributors, suppliers and manufacturers, with which the licensee conducted business during the previous license term;

15. A detailed description of any changes made during the previous license term to any authorized casino hotel alcoholic beverage locations, organizational structure or lease agreement;

16. The expiration date of the current lease;

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

18. The total amount of compensation paid pursuant to any agreement with a casino licensee;

19. The total amount of alcoholic beverage sales for the period commencing from the date the most recent CHAB license was granted and ending within 30 days of the date on which the CHAB license renewal application is filed.

(b) In addition to the information in (a) above, a completed CHAB renewal form 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.

New Rule, R.1998 d.51, effective January 20, 1998.
See: 29 N.J.R. 4413(b), 30 N.J.R. 381(a).

19:41-5.18 Casino Hotel Alcoholic Beverage Permit Application Form

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

1. The type of permit requested;
2. The name and address 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;
4. Documentation to prove eligibility for a permit, which may include the following:
 - i. Federal or State tax exemption number;
 - ii. A copy of the applicant's certificate of incorporation;
 - iii. A copy of the applicant's charter, constitution or by-laws; or
 - iv. Any other information the Commission may deem appropriate.
5. The name of the CHAB licensed facility and the room location where the event will take place;
6. The dates and times when the permit will be in effect;
7. A description of the circumstances, events or purpose for which the permit is requested;
8. A description of the activities that will involve the sale, service, delivery or storage of alcoholic beverages;
9. A listing of the alcoholic beverages required for the event and a description of how they will be purchased;

10. A description of any fees charged and how the proceeds will be used;

11. A description of the measures to be taken to ensure that persons under the legal age do not consume alcohol;

12. A summary of what will take place during the event;

13. An acknowledgement of the conditions and terms of the permit, signed and dated by a representative of the applicant; and

14. A certification and agreement signed and dated by a representative of the CHAB licensee where the event will be held.

New Rule, R.1999 d.14, effective January 19, 1999.
See: 30 N.J.R. 3768(a), 31 N.J.R. 142(a).

SUBCHAPTER 6. (RESERVED)

Subchapter Historical Note

Subchapter 6, Statements of Compliance, was repealed by R.1996 d.352, effective August 5, 1996. See: 28 N.J.R. 2350(a), 28 N.J.R. 3817(b).

Case Notes

Rejection of application challenged on grounds of constitutionality of Casino Control Act and forms generated therefrom. In re: Martin, 90 N.J. 295 (1982).

19:41-8.3 Processing

(a) Upon a determination that all prerequisites for filing have been met the Chair, or such members of the Commission staff as the Chair shall designate, shall:

1. Accept the application for filing and cause same to be docketed by the executive secretary of the Commission;

2. Notify the applicant or his attorney, if any, in writing, of the fact that the application has been accepted for filing and docketed, the date of such acceptance for filing and the docket number thereof and of the further fact that such acceptance for filing and docketing of the application shall constitute no evidence whatsoever that any requirement of the act or of the regulations of the Commission have been satisfied;

3. Direct the staff of the Commission to analyze, obtain and evaluate such information of either a factual nature or otherwise as may be necessary to determine the qualifications of the applicant and any other matter relating to the application;

4. Request the Division to promptly and in reasonable order conduct such investigation and provide such information as may be necessary to determine the qualifications of the applicant and any other matter relating to the application;

5. Have the authority to, in his or her discretion and at the expense of the applicant, publish once a week for two weeks successively in the official newspaper of the Commission and any other newspapers the Chair may designate, a notice of the fact that an application has been filed identifying the applicant, containing a concise statement as to the nature of the applicant's proposed activity or employment and including the further statement that "Objections to licensure or registration of this applicant, if any, should be made immediately in writing to the Chair of the Casino Control Commission".

Amended by R.1989 d.495, effective September 18, 1989.
See: 21 N.J.R. 1975(b), 21 N.J.R. 3022(b).

Reference to members designated by Chair added.

Case Notes

Rejection of application challenged on grounds of constitutionality of Casino Control Act and forms generated therefrom. In re: Martin, 90 N.J. 295 (1982).

19:41-8.4 Public inspection of information

No information in the possession of the Commission or Division relating to any application shall be made available for public inspection prior to the time that the said application shall be accepted for filing and docketed in accordance with the regulations of the Commission.

19:41-8.5 Amendment

It shall be the duty of each applicant to promptly file with the Chair, or such members of the Commission staff as the Chair shall designate, a written amendment to his or her application explaining any changed facts or circumstances whenever any material or significant change of facts or circumstances shall occur with respect to any matter set forth in the application or other papers relating thereto. Any applicant may be permitted by the Chair or his or her designee to file any other amendment to his application at any time prior to final action thereon by the Commission.

Amended by R.1989 d.495, effective September 18, 1989.
See: 21 N.J.R. 1975(b), 21 N.J.R. 3022(b).

Reference to members designated by Chair added.

19:41-8.6 Withdrawal

(a) Except as otherwise provided in (b) below, a written notice of withdrawal of application may be filed by an applicant at any time prior to final Commission action thereon. No application shall be permitted to be withdrawn, however, unless the applicant shall have first established to the satisfaction of the Commission that withdrawal of the application would be consistent with the public interest and the policies of the Act. The Commission shall have the authority to direct that any applicant so permitted to withdraw his application shall not be eligible to apply again for licensure, registration or approval until after the expiration of one year from the date of such withdrawal. Unless the Commission shall otherwise direct, no fee or other payment relating to any application shall become refundable by reason of withdrawal of the application.