

CHAPTER 43
CASINO LICENSEES

Authority

N.J.S.A. 5:12-63c, 69a, 70a, 70b, 70h, 70i, 70o, 80 through 88, 96, 98, 102 and 130.1 through 130.11.

Source and Effective Date

R.2002 d.137, effective April 15, 2002.
See: 34 N.J.R. 379(a), 34 N.J.R. 1734(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 43, Casino Licensees, expires on October 12, 2007. See: 39 N.J.R. 1246(a).

Chapter Historical Note

Chapter 43, Casino Service Industries, was adopted as R.1978 d.50, effective February 16, 1978. See: 10 N.J.R. 4(b), 10 N.J.R. 128(c).

Chapter 43, Casino Service Industries, was recodified as Chapter 51, Casino Service Industries, by R.1992 d.500. As part of R.1992 d.500, Chapter 43, Casino Licensees, was adopted as new rules, effective December 21, 1992. See: 24 N.J.R. 3225(a), 24 N.J.R. 4563(a). See, also, Chapter 51, Casino Service Industries, Historical Note for rule-making history. As part of R.1992 d.500, Subchapter 6, Casino Hotel Facility Requirements, was recodified from N.J.A.C. 19:41-2; Subchapter 13, Conservatorship, was recodified from N.J.A.C. 19:41-1.13; Subchapter 14, Advertising, was recodified from N.J.A.C. 19:51-1; and Subchapter 15, Entertainment, was recodified from N.J.A.C. 19:52-1.

Subchapter 5, Application Requirements, and Subchapter 11, Renewal of Casino License, were adopted as new rules by R.1994 d.341, effective July 5, 1994. See: 26 N.J.R. 1615(a), 26 N.J.R. 2798(e).

Subchapter 7, Operation Certificate, was adopted as new rules by R.1994 d.265, effective June 6, 1994. See: 25 N.J.R. 5893(a), 26 N.J.R. 2463(a).

Subchapter 16, Underage Gaming, was adopted as new rules by R.1995 d.495, effective September 5, 1995. See: 27 N.J.R. 2567(a), 27 N.J.R. 3393(a).

Pursuant to Executive Order No. 66(1978), Chapter 43, Casino Licensees, was readopted as R.1998 d.52, effective December 18, 1997. See: 29 N.J.R. 4669(a), 30 N.J.R. 382(a).

Chapter 43, Casino Licensees, was readopted as R.2002 d.137, effective April 15, 2002. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

19:43-1.1 Applicability of rules to noncorporate entities

For purposes of this chapter, noncorporate entities shall, to the extent possible, comply with all relevant requirements applicable to corporate entities.

SUBCHAPTER 2. PERSONS REQUIRED TO BE LICENSED OR QUALIFIED

19:43-2.1 Persons required to be licensed

No person shall own or operate a casino unless a casino license shall have first been issued to every person eligible and required to apply for a casino license pursuant to the provisions of N.J.S.A. 5:12-82.

Case Notes

Provider of travel industry services exempt from casino licensing if engaged in routine transactions covered by standard rate schedule filed by casino and approved by Commission, and licensed or approved by the Interstate Commerce Commission (based on Casino Control Commission Staff Memorandum). *Holland Industries, Inc. v. Adamar of New Jersey, Inc.*, 550 F.Supp. 646 (S.D.N.Y.1982).

Electronic fund transfer companies subject to licensure; credit card money advance via electronic transfer prohibited. *Div. of Gaming Enforcement v. Comdata Network, Inc.*, 6 N.J.A.R. 188 (1980).

19:43-2.2 Persons required to be qualified

(a) Except as otherwise provided in N.J.A.C. 19:43-2.7, no casino license shall be issued or renewed by the Commission unless the individual qualifications of every person required by the Act and the Commission to qualify as part of the application for the issuance or renewal of the casino license shall have first been established in accordance with all relevant standards set forth in the Act and the rules of the Commission.

(b) The following persons shall be required to qualify as part of the application for the issuance or renewal of a casino license:

1. All persons eligible and required to apply for a casino license pursuant to the provisions of N.J.S.A. 5:12-82;
2. All financial sources required to qualify pursuant to the provisions of N.J.S.A. 5:12-84b; and
3. All persons required to qualify pursuant to the provisions of N.J.S.A. 5:12-85c, d, e and f.