

1. Title, duties and responsibilities;
2. Terms of compensation;
3. Ownership interest;
4. Prior status as a qualifier;
5. Ability to appoint a member of the board of directors;
6. Commonality of interest with other owners of the applicant or licensee, or holding or intermediary company thereof;
7. Business relationship with the applicant or licensee;
8. Criminal conduct or associations; and
9. The recommendations of the Division.

(d) In addition to the persons required to qualify pursuant to (a) above, each applicant for a junket enterprise license may be required, upon directive from the Commission, to establish the qualifications of any junket representative employed by that junket enterprise, regardless of whether such junket representative deals directly with a casino licensee.

1. The Division may request the Commission to require a junket representative employed by a junket enterprise licensee or applicant to establish his or her qualifications at any time.

2. Any junket enterprise required to establish the qualifications of a junket representative pursuant to this subsection may be required, subject to the provisions of N.J.A.C. 19:41-8.6, to pursue a determination as to the qualifications of the junket representative regardless of whether the employment relationship with the junket representative has been terminated.

3. Any person required to establish his or her qualifications as a junket representative pursuant to this subsection may be required to pursue a determination as to his or her qualifications as a junket representative regardless of whether the employment relationship with the junket enterprise has been terminated.

R.1979 d.376, effective September 26, 1979.

See: 11 N.J.R. 265(a), 11 N.J.R. 599(b).

Amended by R.1989 d.281, effective June 5, 1989.

See: 21 N.J.R. 705(a), 21 N.J.R. 1525(a).

Technical changes.

Amended by R.1992 d.412, effective October 19, 1992.

See: 24 N.J.R. 2695(b), 24 N.J.R. 3738(a).

Junket enterprise added; open to review at any time.

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

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

Stylistic changes.

Amended by R.1997 d.1, effective January 6, 1997.

See: 28 N.J.R. 4570(a), 29 N.J.R. 157(a).

Amended section name.

Amended by R.1998 d.475, effective September 21, 1998.

See: 30 N.J.R. 2370(b), 30 N.J.R. 3515(a).

Rewrote (a); and added new (b) and (c).

Amended by R.2001 d.94, effective March 19, 2001.

See: 32 N.J.R. 3757(a), 33 N.J.R. 1019(b).

Rewrote section.

Amended by R.2001 d.359, effective October 1, 2001.

See: 33 N.J.R. 2258(a), 33 N.J.R. 3454(b).

In (a)2iv, inserted "inside" preceding "director"; rewrote (b)2 and (b)2v.

Amended by R.2002 d.78, effective March 18, 2002.

See: 33 N.J.R. 3723(a), 34 N.J.R. 1273(b).

In (a), substituted "Except as otherwise provided in (b) below and N.J.A.C. 19:51-1.14B, no" for "No" at the beginning of the introductory paragraph.

19:51-1.14A Notification of changes in qualifiers of gaming-related casino service industry licensees or applicants and holding companies

(a) Each casino service industry licensee or applicant required to be licensed in accordance with N.J.S.A. 5:12-92a and N.J.A.C. 19:51-1.2 shall notify the Commission and the Division, in writing, within five business days, of the following:

1. The appointment, nomination, election, resignation, termination, incapacitation or death of any natural person required to qualify pursuant to N.J.A.C. 19:51-1.14(a)1 or (c);

2. The identity of any person required to be qualified pursuant to N.J.A.C. 19:51-1.14(a)1iii or iv on the basis of a newly acquired ownership interest; or

3. The identity of any person whose obligation to qualify was waived pursuant to N.J.A.C. 19:51-1.14(b)3 or 4 if that person subsequently attains an ownership interest that is:

i. At least five percent greater than the interest held at the time the most recent waiver was granted; and

ii. At least 10 percent or more of the applicant, licensee or holding or intermediary company thereof.

(b) For each new qualifier identified pursuant to (a)1 or 2 above, the following forms, as applicable, shall be filed with the Commission within 30 days of the mailing of the required notice; provided, however, that the Commission may, upon written request from the licensee or applicant and for good cause shown, grant an additional 30 days within which to file the required forms:

1. A complete application for qualification as set forth in N.J.A.C. 19:41-7.1A for each new natural person qualifier, except that an outside director of a holding or intermediary company shall be permitted to file a Personal History Disclosure Form—2A (PHD-2A) as set forth in N.J.A.C. 19:41-5.4; or

2. A complete Business Entity Disclosure Form—Gaming (BED-Gaming) as set forth in N.J.A.C. 19:41-5.15 for each new entity qualifier.

(c) For each person identified pursuant to (a)3 above, a new petition for a waiver of qualification pursuant to N.J.A.C. 19:51-1.14(b)3 or 4 shall be filed with the Commission within 30 days of the mailing of the required notice.

(d) All notices and filings required by this section shall be directed to the Enterprise License Bureau of the Commission at the address provided in N.J.A.C. 19:40-3.1(a) and to the Service Industry Licensing Section of the Division at the address provided in N.J.A.C. 19:40-3.1(c)1.

(e) If a casino service industry licensee fails to file the notices and forms required by this section, the Commission may, upon the filing of a written complaint by the Division and after appropriate hearings and factual determinations, impose any of the sanctions authorized by N.J.S.A. 5:12-129, including the suspension or revocation of the casino service industry license. If an applicant for an initial casino service industry license fails to file the notices and forms required by this section, the pending application shall be considered incomplete for purposes of N.J.A.C. 19:51-1.2b and the Commission may, after an appropriate hearing, prohibit the applicant from transacting any business with casino licensees or applicants.

New Rule, R.2001 d.94, effective March 19, 2001.
See: 32 N.J.R. 3757(a), 33 N.J.R. 1019(b).

19:51-1.14B Temporary qualification at license issuance or renewal; pendent qualifiers during term of license; permission to exercise powers and perform duties prior to Commission finding of plenary qualification

(a) Notwithstanding the provisions of N.J.A.C. 19:51-1.14(a), upon written petition by the applicant, a casino service industry license may be issued or renewed by the Commission without the applicant having first established the plenary qualification of each natural person otherwise required to qualify pursuant to N.J.A.C. 19:51-1.14(a) provided that:

1. Any natural person qualifier who has not been found qualified by the Commission in accordance with the provisions of N.J.A.C. 19:51-1.14(a) as of the date of license issuance or renewal has been found temporarily qualified in accordance with the provisions of (b) below;
2. The applicant does not have more than three temporary qualifiers as of the date of license issuance or renewal; and
3. None of the temporary qualifiers is:
 - i. The chief executive officer or equivalent;
 - ii. The chief operating officer or equivalent;
 - iii. A person who directly or indirectly holds any beneficial interest of five percent or more of the applicant; or
 - iv. An inside director as defined in N.J.A.C. 19:51-1.1.

(b) For the purposes of this section, no natural person shall be temporarily qualified by the Commission unless the Commission finds that such person:

1. Is required to qualify pursuant to N.J.A.C. 19:51-1.14(a) as part of an application for the issuance or renewal of a gaming-related casino service industry license but has not been found qualified in accordance with that subsection due to an ongoing investigation of the qualifier by the Division as of the date the license is issued or renewed by the Commissioner;

2. Has filed all application materials required by N.J.A.C. 19:51-1.3A(a); and

3. Has been identified by the Division as an individual as to whom it has conducted a preliminary background investigation and does not currently possess any negative information that would affect the ability of such person to establish his or her qualifications.

(c) Notwithstanding the provisions of N.J.A.C. 19:51-1.14(a), a gaming-related casino service industry licensee may retain its license without having first established the individual qualification of each natural person otherwise required to qualify pursuant to N.J.A.C. 19:51-1.14(a) provided that:

1. Each person who is required to qualify pursuant to N.J.A.C. 19:51-1.14(a) but has not been the subject of a qualification determination by the Commission is a pendent qualifier in accordance with the provisions of (d) below; and

2. The licensee does not have any pendent qualifiers as of the date the license is renewed by the Commission.

(d) For the purposes of this section, a pendent qualifier is any natural person who:

1. Is required to qualify pursuant to N.J.A.C. 19:51-1.14(a) as part of an application for the renewal of a gaming-related casino service industry license but has not been the subject of a qualification determination by the Commission due to his or her obligation to qualify having arisen after the date of the initial license issuance or the previous renewal;

2. Has had the notices and application materials required by N.J.A.C. 19:51-1.14A(b) filed with the Commission in accordance with the deadlines set forth therein; and

3. Has not been the subject of a Commission determination, after appropriate notice and hearing, that reasonable cause exists to believe that such person may not be qualified based on information presented by the Division.

(e) A pendent qualifier may become a temporary qualifier in order to permit a casino service industry license to be renewed provided that the applicable requirements of (a) and (b) above are satisfied.

(f) Except as otherwise provided in (g) below, a temporary qualifier or pendent qualifier shall be entitled to exercise the powers and perform the duties of his or her position for a period of 18 months from the date that temporary qualifier or pendent qualifier status is attained pursuant to (b) or (d) above; provided, however, that a pendent qualifier who becomes a temporary qualifier pursuant to (e) above shall only be permitted to exercise the powers and perform the duties of his or her position for a combined period of 18 months.

(g) The Commission shall require the removal of any temporary qualifier or pendent qualifier if the Commission determines, after appropriate notice and hearing, that the temporary qualifier or pendent qualifier does not satisfy any applicable requirement of (a) through (d) above or if such person is not found qualified by the deadlines set forth in (f) above. If a casino service industry licensee, after appropriate notice and hearing, does not remove a temporary qualifier or pendent qualifier from his or her position, the Commission may impose any of the sanctions set forth in N.J.A.C. 19:51-1.14A(e).

(h) Notwithstanding the deadlines set forth in (f) above, the Commission may determine the plenary qualification of any temporary qualifier or pendent qualifier in accordance with the provisions of N.J.A.C. 19:51-1.14(a) as soon as the Division completes its investigation of the qualifier and files its report with the Commission.

New Rule, R.2002 d.78, effective March 18, 2002.
See: 33 N.J.R. 3723(a), 34 N.J.R. 1273(b).

19:51-1.15 Advertising

(a) Any advertisement by an applicant for or holder of a casino service industry license issued pursuant to N.J.S.A. 5:12-92a and b or by any agent thereof shall be subject to the provisions of N.J.A.C. 19:43-14 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 casino service industry license issued pursuant to N.J.S.A. 5:12-92a and b and any agent thereof shall not be subject to the provisions of N.J.A.C. 19:43-14.3(b).

New Rule, R.1992 d.500, effective December 21, 1992.

See: 24 N.J.R. 3225(a), 24 N.J.R. 4563(a).

SUBCHAPTER 2. GAMING SCHOOLS

19:51-2.1 License requirements

Except as otherwise provided in N.J.A.C. 19:51-1.2B, no gaming school shall enroll any student or offer any course concerning gaming or dealing techniques or conduct any business whatsoever with a casino licensee or applicant, its employees or agents unless such gaming school is licensed in accordance with N.J.S.A. 5:12-92a and b and has complied with all applicable requirements of the State Department of Education necessary to conduct business as a vocational school in this State.

19:51-2.2 Gaming equipment

(a) All gaming equipment utilized by a gaming school, including gaming chips and plaques, shall be used for training, instructional and practice purposes only. The use of any such gaming equipment for actual gaming by any person is prohibited and may constitute cause for the suspension or revocation of the gaming school license.

(b) Unless the Commission otherwise determines, all gaming chips and plaques utilized by a gaming school shall be distinctly dissimilar to any gaming chips and plaques utilized by a casino licensee.

(c) No gaming school shall possess any slot machine or remove or transport any slot machine except in accordance with the Act and N.J.A.C. 19:46-1.22, 1.23 and 1.24.

(d) Each slot machine on the premises of a gaming school shall have permanently affixed on it a serial number which, together with the location of the machine, shall be filed with the Commission.

(e) Each gaming school shall provide adequate security for the slot machines on the gaming school premises.

(f) No gaming school shall sell or transfer any slot machine except upon prior written notice to the Commission and the Division and the removal of all serial numbers required by this section.