

1. A payee register listing alphabetically by payee all non-payroll transactions drawn by the casino licensee or applicant and, at a minimum, the following information in tabular form next to the name of each payee:

- i. Vendor identification number or exempt code;
- ii. Amount of each individual disbursement;
- iii. Date of each individual disbursement;
- iv. Check number, or other identification of disbursement;
- v. Subtotal of the disbursements by payee; and
- vi. The grand total of all disbursements made during the reporting periods;

2. A manual attachment listing any transaction subject to this section which is not included in the payee register in (a)1 above or the magnetic computer tape in (a)6 below, including transactions with enterprises not yet assigned a vendor identification number, wire transfers and transactions by a subsidiary, intermediary company, holding company or agent of the casino licensee or applicant for goods or services that benefit the casino licensee or applicant. All transactions appearing on the manual attachment shall include, at a minimum, the following information:

- i. Vendor name;
- ii. Vendor identification number (if assigned) or exempt code;
- iii. Date of disbursement;
- iv. Amount of each disbursement; and
- v. Subtotal of all disbursements;

3. A vendee register listing alphabetically by vendee all non-operating transactions in which the casino licensee or applicant was the vendor providing goods or services including, at a minimum, the following information in tabular form next to the name of the vendee:

- i. Vendor identification number or exempt code;
- ii. Date of each transaction;
- iii. Amount of each transaction;
- iv. Subtotal of all transactions; and
- v. A general description of the type of good or service provided;

4. A voided check register listing alphabetically by vendor previously reported transactions that were subsequently voided or require corrected information and at a minimum, the following information:

- i. Vendor name;

- ii. Vendor identification number or exempt code;
- iii. Date of original transaction;
- iv. Amount of void; and
- v. Date of void;

5. A subcontractor register listing all payments made to maintenance and construction companies performing services on the existing or proposed casino hotel or related facility, regardless of whether such company is a general contractor, subcontractor, secondary subcontractor or otherwise, including, at a minimum, the following information:

- i. Name and vendor identification number of each maintenance or construction company listed directly under the maintenance or construction company from which it received payment;
- ii. Transaction dates;
- iii. Dollar amount of each payment; and
- iv. Monthly total dollar amount disbursed to each maintenance or construction company;

6. A magnetic computer tape listing all disbursements to enterprises appearing on the payee register (a)1 above and appearing on the subcontractor register (a)5 above, within specifications as required by the Commission, and a hard copy printout that includes the total number of transactions subject to the vendor registration filing requirements; and

7. The signature of the casino licensee's or applicant's chief operating officer or his or her designee verifying the accuracy of the information contained therein.

New Rule, R.1994 d.220, effective May 2, 1994.
See: 26 N.J.R. 339(b), 26 N.J.R. 1847(b).
Amended by R.1995 d.496, effective September 5, 1995.
See: 27 N.J.R. 2572(a), 27 N.J.R. 3396(a).

19:43-10.7 Internal controls submission

(a) Each casino licensee or applicant shall, pursuant to N.J.S.A. 5:12-99, submit an original and two copies to the Commission of a description of its internal procedures and administrative and accounting controls concerning compliance with the requirements of N.J.S.A. 5:12-92 and 104b. Unless otherwise directed by the Commission, an initial submission shall be made at least 60 days prior to the commencement of purchasing operations by the casino licensee or applicant. Each such submission shall be prepared and maintained in a format provided by the Commission, shall contain narrative descriptions of the internal control system to be utilized by the casino licensee or applicant, and shall address, without limitation, the following requirements:

1. Procedures governing the purchase of goods and services;
2. Procedures governing the disbursement of payments for goods and services;
3. Procedures for the filing of Notices of Intent to Conduct Enterprise Business, Vendor Registration Forms and Junket Enterprise Registration Forms;
4. Procedures for the control of petty cash accounts;
5. Procedures ensuring compliance with travel industry requirements;
6. Procedures for the generation of a Master Purchasing and Disbursement Report; and
7. Procedures regarding vendor registration and financial reporting requirements for construction companies and subcontractors.

(b) The Commission shall review each submission required by (a) above to determine whether it conforms to the requirements of the Act and the rules of the Commission. If the Commission finds any insufficiencies, it shall specify same in writing to the casino licensee or applicant who shall make appropriate alterations. When the Commission determines a submission to be adequate in all respects, it shall notify the casino licensee or applicant accordingly.

(c) Any proposed amendment to a previously approved vendor internal controls submission shall be submitted, unless otherwise directed by the Commission, no later than five days after any change in those procedures or controls takes effect. Such submission shall conform with the requirements set forth in (a) above.

(d) All submissions pursuant to this section shall be directed to the Casino Control Commission's Enterprise License Bureau at the address specified in N.J.A.C. 19:40-3.1.

Amended by R.1994 d.265, effective June 6, 1994.
See: 25 N.J.R. 5893(a), 26 N.J.R. 2463(a).
Recodified from 19:43-10.1 and amended by R.1995 d.496, effective September 5, 1995.
See: 27 N.J.R. 2572(a), 27 N.J.R. 3396(a).

SUBCHAPTER 11. RENEWAL OF CASINO LICENSE

Authority

N.J.S.A. 5:12-63c, 69a, 70b, 70h, 70l, 80, 81, 82, 83, 84, 85, 86, 87, 88 and 98.

Source and Effective Date

R.1994 d.341, effective July 5, 1994.
See: 26 N.J.R. 1615(a), 26 N.J.R. 2798(e).

19:43-11.1 Renewal; time for filing

(a) The Commission may, upon the written petition of the casino licensee, renew a casino license in accordance with N.J.S.A. 5:12-88 provided that:

1. The casino licensee files a completed application for renewal of a casino license with the Commission no later than 90 days prior to the expiration of the current license; and
2. All license fees and taxes as required by law and the rules of the Commission are paid by the casino licensee on or before the date of expiration of the current license.

19:43-11.2 Contents of renewal application

(a) An application for the renewal of a casino license shall include, without limitation, the following, which shall be completed in accordance with the requirements of the Act and the rules of the Commission and any instructions included with the application materials:

1. The Business Entity Disclosure (BED) Forms required by N.J.A.C. 19:43-5.3(a)1;
2. The Personal History Disclosure Forms required by N.J.A.C. 19:43-5.3(a)2, in accordance with the qualifier renewal procedures set forth in N.J.A.C. 19:43-2.7A;
3. Copies of all New Jersey Consolidated Corporation Business Tax Returns, in accordance with N.J.S.A. 5:12-148b;
4. The information required in N.J.A.C. 19:43-5.3(a)3 and 4;
5. Such information as may be requested by the Commission or the Division to demonstrate the applicant's good faith efforts to comply with the equal employment and business opportunity and affirmative action requirements of N.J.S.A. 5:12-134 and 135 and N.J.A.C. 19:53 and any relevant conditions to the current casino license;
6. Such information as may be requested by the Commission or the Division to demonstrate compliance with all conditions, restrictions, limitations and covenants in the current casino license and certificate of operation;
7. The license renewal fee specified in N.J.A.C. 19:41-9.4; and
8. Any other information or documentation which the Commission or the Division may deem material to the qualification of the applicant, or of any person required to be licensed or qualified, pursuant to the Act and the rules of the Commission.

(b) The applicant shall file an original and three copies of each Personal History Disclosure Form required by (a) above, and an original and four copies of all other information required by (a) above, with the Commission in accordance with N.J.A.C. 19:40-3.5(b).

Administrative Correction.

See: 27 N.J.R. 382(a).

19:43-11.3 Petitions for waiver

Upon the petition of the casino license applicant in accordance with N.J.A.C. 19:43-5.4, the Commission, with the concurrence of the Director, may waive compliance with the qualification requirements of N.J.S.A. 5:12-85d for an officer, director, lender, underwriter, agent, employee or security holder of a publicly traded holding or intermediary company of a casino licensee pursuant to N.J.S.A. 5:12-85d(1), or for an institutional investor thereof pursuant to N.J.S.A. 5:12-85f.

19:43-11.4 Prehearing conference; hearing

(a) All hearings and prehearing conferences concerning an application for renewal of a casino license shall be conducted in accordance with N.J.A.C. 19:42 and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(b) A party other than the applicant may on motion seek leave to intervene or to participate in a hearing regarding an application for a casino license in accordance with the standards and procedures set forth in N.J.A.C. 1:1-16.

SUBCHAPTER 12. INTERIM CASINO AUTHORIZATION (RESERVED)

SUBCHAPTER 13. CONSERVATORSHIP

Subchapter Historical Note

Subchapter 13, originally Casino License Conservatorship, was reclassified from N.J.A.C. 19:41-13 by R.1992 d.500, effective December 21, 1992. See: 24 N.J.R. 3225(a), 24 N.J.R. 4563(a). See, also, Chapter Historical Note.

19:43-13.1 Definitions

The following words and terms are defined in the New Jersey Casino Control Act (P.L.1977, c.110, as amended) and are used in this subchapter as defined in that Act:

“Conservatorship action”

Amended by R.1994 d.31, effective January 18, 1994.
See: 25 N.J.R. 4866(a), 26 N.J.R. 486(a).

19:43-13.2 Institution of casino license conservatorship and appointment of conservators

(a) Notwithstanding any other provision of the Act, upon the revocation of a casino license or upon, in the discretion of the Commission, the suspension of a casino license or operation certificate for a period of in excess of 120 days or upon the failure or refusal to renew a casino license and notwithstanding the pendency of any appeal therefrom, the Commission shall appoint and constitute a conservator to, among other things, take over and into his possession and control all the property and business of the licensee relating to the casino and the approved hotel.

(b) Notwithstanding any other provision of the Act, upon, in the discretion of the Commission, the expiration of a temporary casino permit, except in those circumstances where a casino license has been issued or a casino license has not been issued because of the inaction of the Commission or upon the revocation of a temporary casino permit or upon, in the discretion of the Commission, the suspension of a temporary casino permit or operation certificate for a period of in excess of 60 days or upon the denial of a casino license to a temporary casino permittee and notwithstanding the pendency of an appeal therefrom, the Commission shall appoint and constitute a conservator to, among other things, take over and into his possession and control all the property and business of the temporary casino permittee relating to the casino and the approved hotel.

(c) Notwithstanding the foregoing, no conservator shall be constituted and appointed in any instance in which the casino hotel facility for which the casino license or temporary casino permit has been issued has not been, in fact, in operation and open to the public.

(d) The Commission may proceed in a conservatorship action in a summary manner or otherwise and shall have the power to appoint and remove one or more conservators.

19:43-13.3 Qualification of conservator

(a) No person shall be appointed as a conservator unless the Commission is satisfied that he is individually qualified according to the standard applicable to casino key employees, except that casino experience shall not be necessary for qualification.

(b) The Division shall investigate and report to the Commission with regard to the qualifications of each person who is proposed as a candidate to serve as a conservator.

19:43-13.4 Bonding of conservators

Every conservator shall, before assuming his duties, execute and file a bond for the faithful performance of his duties payable to the Commission in the office of the Commission with such surety or sureties and in such form as the Commission shall approve and in such amount as the Commission shall prescribe.

19:43-13.5 Powers of multiple conservators

When more than one conservator is appointed, the provisions of this subchapter applicable to one conservator shall be applicable to all and the debts and property of the former or suspended licensee or permittee may be collected and received by any of them and the powers and rights conferred upon them shall be exercised by a majority of them.