PROPOSED RULEMAKING

PENNSYLVANIA GAMING CONTROL BOARD

58 PA.CODE CHS. 401a, 421a, 439a, 440a, 441a, 451a, 465a, 481a, 501a and 503a

Junket Amendments

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 1601 - 1611 (relating to junkets), proposes to amend Chapters 401a, 421a, 439a, 440a, 441a, 451a, 465a, 481a, 501a and 503a to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

This proposed rulemaking revises and updates these chapters to improve clarity, eliminate or reduce the registration or application requirements for some entities and individuals and to bring the Board’s regulations into conformity with revisions to the Pennsylvania Race Horse Development and Gaming Act (act) enacted by the act of January 7, 2010 (P.L. 1, No. 1) (Act 1).

Explanation of Amendments to Chapters 401a, 421a, 439, 440a, 441a, 451a, 465a, 481a, 501a and 503a

Throughout these chapters, the word “gaming” was added before “junket”, “junket enterprise” and “junket representative” to conform to amendments to the act enacted by Act 1.

In § 439a.1 (relating to definitions) the definitions of “junket,” “junket enterprise” and “junket representative” have been amended to mirror the definitions in Act 1.

In § 439a.2 (relating to gaming junket enterprise general requirements; participation in a gaming junket), subsection (a) has amended the name of the application form the gaming junket enterprise must complete to apply for a license. Additionally, all applications for a gaming junket enterprise license must now be submitted by the gaming junket enterprise, not by the slot machine licensee.

Subsection (b) was amended to clarify existing language.
Subsection (d) and (e) have been revised to change “person” to “individual.” Person is a statutorily defined term that includes both individuals and entities. Subsections (d) and (e), however, don’t apply to entities; they apply only to individuals.

In § 439a.3 (relating to gaming junket enterprise license applications), subsection (a) was amended to include the number of copies an applicant for a gaming junket enterprise license must file. Language requiring verification has been deleted from (a) because that verification must be provided by the slot machine licensee, not by the gaming junket enterprise. The verification requirement was moved to subsection (d).

Subsection (b)(2) previously required that application forms be completed for affiliates, intermediaries, subsidiaries and holding companies of the junket enterprise. Affiliates and subsidiaries are no longer required to complete applications. This reflects the policy decision of the Board that the licensing of all affiliates, intermediaries, subsidiaries and holding companies of the gaming junket enterprise is overly burdensome and is not necessary to protect the integrity of gaming. A limited number of intermediaries and holding companies are now required to complete applications in accordance with the requirements in revised section § 439a.4a (relating to entity applications). The requirement that applicants promptly provide information to the Board is existing language moved from subsection (c)(1).

Subsection (b)(3) previously required that each natural person who was a principal or key employee complete a registration. Key employees are no longer required to complete applications or registrations. The requirements for principal applications was moved to revised section § 439a.4a. The language requiring compliance with general application requirements is existing language moved from subsection (c)(2).

The previous subsection (d) has now been renumbered as subsection (c).

Subsection (d) was added and requires the slot machine licensee to submit a verification and due diligence form prior to engaging the services of a gaming junket enterprise. This verification requirement was taken, in part, from subsection (a).
Section 439a.4 (relating to junket enterprise license term and renewal) has been deleted in its entirety and its provisions have been moved to § 439a.6a (relating to gaming junket enterprise license and occupation permit term and renewal).

A new § 439a.4a (relating to individual and entity applications) was drafted to more closely parallel the gaming service provider requirements in Chapter 437a (relating to gaming service provider certification and registration) and to account for the occupation permit requirements enacted by Act 1.

Subsection (a) establishes that officers and directors and well as individuals with a 10% interest in the gaming junket enterprise must complete a Pennsylvania Personal History Disclosure Information Form-Gaming Junket Enterprise and be found qualified by the Board. This is similar to the application requirement for officers, directors and owners of a gaming service provider that provides services to the licensed facility. Previously, key employees, officers, directors, persons who directly held a beneficial interest or ownership interest and persons who held a controlling interest in a gaming junket were required to complete a Junket Enterprise Representative Registration form. Key Employees of the gaming junket enterprise are no longer required to complete an application or registration.

Subsection (b) requires that only those entities that have a direct interest of 20% or more must complete a Gaming Junket Enterprise Form – Private Holding Company and be found qualified by the Board. This revision will require far fewer applications from the gaming junket enterprise in that the former § 439a.3 required that any principal entity, as well as any affiliate, intermediary, subsidiary and holding company complete an application. Affiliates and subsidiaries are therefore no longer required, nor are many intermediaries or holding companies unless their interest is greater than 20%.

Subsection (c) requires that gaming junket representatives have an occupation permit instead of registering as a junket representative. This amendment was statutorily required with the passage of Act 1. All gaming junket representatives will now complete occupation permit applications utilizing the agency’s SLOTS Link electronic application system instead of submitting paper forms.

Subsection (d) retains the Board’s authority to require additional applications from the intermediaries, holding
companies, subsidiaries, affiliates, individuals or trusts if the Board determines that the application is necessary to protect the public interest or enhance the integrity of gaming.

Subsection (e) requires individuals who are required to be found qualified or obtain an occupation permit to submit fingerprints, which will be used for their background investigation and subsection (f) notifies these individuals that they will be liable for any investigation costs in excess of their application fees.

Section § 439a.5 (relating to gaming junket representative general requirements) has been amended to improve its clarity and to accommodate the fact that Act 1 now requires that gaming junket representatives obtain an occupation permit. See 4 Pa.C.S. § 1318 (relating to occupation permit application) and 58 Pa. Code §§ 435a.1 and 435a.3 (relating to general provisions; and occupation permit).

Section 439a.6 (relating to junket representative registration) has been deleted in its entirety because gaming junket representatives are now required by Act 1 to obtain an occupation permit.

A new § 439a.6a (relating to gaming junket enterprise license and occupation permit term and renewal) has been added which contains the term and renewal process for gaming junket enterprise licenses and gaming junket representative occupation permits. With the passage of Act 1, occupation permits and gaming junket enterprise licenses, which were originally valid for only 1 year, are now valid for 3 years; subsection (a) reflects this change.

Subsections (b) and (c) were moved from the previous § 439a.4 with no substantive changes. Subsection (d), relating to the nontransferability of the license, was added in compliance with §§ 1602(f) and §1604(d) (relating to gaming junket enterprise license; and gaming junket representatives) of Act 1.

Minor clarity changes were made to § 439a.7 (related to gaming junket schedules), § 439a.8 (related to gaming junket arrival reports), § 439a.9 (related to gaming junket final reports), § 439a.10 (related to monthly gaming junket reports) and § 439a.11 (related to the purchase of patron lists).

In § 439a.12 (relating to gaming junket enterprise and representative prohibitions), subsection (a) was added to comply
with § 435a.1(h) (relating to general provisions), which prohibits the holder of a permit from wagering at a licensed facility in the Commonwealth. The remaining language in this subsection has been revised slightly to conform to the language in § 1611 (relating to prohibitions) of Act 1.

Affected Parties

This rulemaking will affect officers, directors, representatives as well as the individuals and entities that own the gaming junket enterprise. It will provide greater clarity regarding who must be qualified and found suitable to hold a permit and eliminates the need for key employees, affiliates and subsidiaries of the gaming junket enterprise to complete applications or registrations.

Fiscal Impact

Commonwealth

There will be no significant increase or decrease in the regulatory cost for the Board or other State agencies as a result of this rulemaking. This is because the Board recovers the costs associated with licensing and permitting activities from the applicants for licenses and permits.

Political Subdivisions

This proposed rulemaking will have no fiscal impact on political subdivisions of the Commonwealth.

Private Sector

Overall, this proposed rulemaking will result in a decrease in the number of applications from the affected groups listed in this preamble. The costs associated with the application have also been reduced. Previously all officers, directors, owners, key employees and representatives were required to be registered at a cost of $1,000. Officers, directors and owners with a greater than 10% interest are now required to be qualified with the gaming junket enterprise at a lower cost per application. Additionally, gaming junket representatives who obtain a permit now pay only $350 instead of the $1,000 required previously.

General Public
This proposed rulemaking will have no fiscal impact on the general public.

Paperwork Requirements

This proposed rulemaking will increase the number of applications that are filed for officers, owners and directors but will eliminate applications or registrations for affiliates, subsidiaries and key employees. Only one original and one paper copy will now be required for individuals and entities that are required to be qualified. Additionally, all individuals filing for a gaming junket entity representative occupation permit will not have to submit a paper application because the application process can be done electronically via the agency’s SLOTS Link system.

Effective Date

The proposed rulemaking will become effective upon final-form publication in the Pennsylvania Bulletin.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking, within 30 days after the date of publication in the Pennsylvania Bulletin to Susan A. Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Gaming Junkets, Regulation # 125-129

Contact Person

The contact person for questions about this proposed rulemaking is Susan Yocum, Assistant Chief Counsel, at (717) 265-8356.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. §745.5(a)), on August 19, 2010, the Board submitted a copy of this proposed rulemaking and a copy of the Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee. A copy of this material is available to the public upon request and is available on the Board’s website at www.pgcbs.state.pa.us.
Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

GREGORY C. FAJT,
Chairperson
ANNEX A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart A. GENERAL PROVISIONS

CHAPTER 401a. PRELIMINARY PROVISIONS

§ 401a.3. Definitions.

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

Vendor--

(i) A person [who] that provides goods or services to a slot machine licensee or applicant, but [who] that is not required to be licensed as a manufacturer, manufacturer designee, supplier, management company or gaming junket enterprise.

§ 421a.6. Advertising.

(a) Slot machine, gaming junket enterprise and manufacturer licensees will be required to discontinue as expeditiously as possible the use of a particular advertisement upon receipt of
written notice from the Board that the Board has determined that
the use of the particular advertisement in, or with respect to,
this Commonwealth could adversely impact the public or the
integrity of gaming.

(b) For purposes of this section, the term “advertisement”
means marketing materials including signs, billboards, print,
radio and television advertisements, emails and any notice or
communication by a slot machine, gaming junket enterprise or
manufacturer licensee or its agent to the public through
broadcasting, publication, mailing or other means of
dissemination.

(c) Advertisements used by slot machine, gaming junket
enterprise or manufacturer licensees may not:

* * * * *

(e) A slot machine, gaming junket enterprise or
manufacturer licensee or an agent thereof may not employ or
contract with an individual to persuade or convince a person to
engage in gaming or play a specific slot machine at a licensed
facility.

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CHAPTER 439a. GAMING JUNKET ENTERPRISES

§ 439a.1. Definitions.
The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

**Gaming [Junket] junket**—[An arrangement made between a slot machine licensee and a junket enterprise or a junket representative, the purpose of which is to induce a person, selected or approved, to come to a licensed facility for the purpose of gambling and pursuant to which, and as consideration for which, some or all of the cost of transportation, food, lodging and entertainment for that person is directly or indirectly paid by a slot machine licensee.] A gaming arrangement made by a gaming junket enterprise or a gaming junket representative for an individual who:

(i) Is selected or approved for participation in the arrangement based on the individual’s ability to satisfy specific financial qualifications and the likelihood that the individual will participate in playing slot machines or table games and patronize a licensed facility for the purpose of gaming.

(ii) Receives complimentary services or gifts from a slot machine licensee for participation in the arrangement including the costs of transportation, food, lodging or entertainment.

**Gaming [Junket] junket enterprise**—A person, other than a slot machine licensee, [who] that employs or otherwise engages
the services of a **gaming** junket representative [in connection with a junket to a licensed facility,] to arrange gaming junkets to a licensed facility, regardless of whether [or not] the activities of the person or the gaming junket representative occur within this Commonwealth.

**Gaming [Junket] junket representative**—

(i) A natural person who negotiates the terms of, engages in the referral, procurement or selection of persons who may participate in a junket to a licensed facility, regardless of whether or not those activities occur within this Commonwealth.

(ii) A gaming employee of a slot machine licensee who performs the duties and functions listed in subparagraph (i) for the licensed facility is not a junket representative. An individual, other than an employee of a slot machine licensee, who arranges and negotiates the terms of a gaming junket or selects individuals to participate in a gaming junket to a licensed facility, regardless of whether the activities of the individual occur within this Commonwealth.

§ 439a.2. Gaming [Junket] junket enterprise general requirements; participation in a gaming junket.

(a) [A slot machine licensee seeking to conduct business with a junket enterprise or a junket enterprise seeking to conduct business with a slot machine licensee shall file a Junket Enterprise License Form with the Board.] A gaming junket
enterprise seeking to conduct business with a slot machine licensee shall file a Gaming Junket Enterprise License Application and Disclosure Information Form with the Board.

(b) [A junket enterprise shall be licensed as a junket enterprise prior to a slot machine licensee permitting a junket involving that junket enterprise to arrive at its licensed facility. A junket enterprise shall be considered 'involved' in a junket to a licensed facility if it receives any compensation whatsoever from any person as a result of the conduct of the junket.] Prior to organizing a gaming junket to a licensed facility or receiving any compensation from any person as a result of the conduct of a gaming junket, the gaming junket enterprise shall be licensed by the Board. A slot machine licensee may not engage the services of any gaming junket enterprise [which] that has not been licensed.

(c) A gaming junket enterprise may not employ or otherwise engage the services of a gaming junket representative except in accordance with § 439a.5 (relating to gaming junket representative general requirements).

(d) [A person] An individual may be selected or approved to participate in a gaming junket on the basis of one or more of the following:

(1) The ability to satisfy a financial qualification [obligation] related to the [person's] individual’s ability or
willingness to gamble, which shall be deemed to occur whenever
[a person] an individual, as an element of the arrangement, is
required to perform one or more of the following:

(i) Establish a customer deposit with a slot
machine licensee.

(ii) Demonstrate to a slot machine licensee the
availability of a specified amount of cash or cash equivalent.

(iii) Gamble to a predetermined level at the
licensed facility.

(iv) Comply with any similar obligation.

(2) The individual’s propensity to gamble, which shall
be deemed to occur [whenever] when [a person] an individual has
been selected or approved on the basis of one or more of the
following:

(i) The previous satisfaction of a financial
qualification [obligation] in accordance with the provisions of
paragraph (1).

(ii) An evaluation that the [person] individual
has a tendency to participate in gambling activities as the
result of:

(A) An inquiry concerning the [person's]
individual’s tendency to gamble.
(B) Use of other means of determining that the [person] individual has a tendency to participate in gambling activities.

(e) A rebuttable presumption that [a person] an individual has been selected or approved for participation in [an arrangement] a gaming junket based on [a basis related to] the [person's] individual’s propensity to gamble shall be created [whenever] when the [person] individual is provided, as part of the arrangement, [with] one or more of the following:

1. Complimentary accommodations.
2. Complimentary food, entertainment or transportation which has a value of $200 or more.


(a) [A Junket Enterprise License Form shall be submitted by a slot machine licensee or junket enterprise applicant with a verification provided by the slot machine licensee that the junket enterprise's services will be utilized at the licensed facility.] An applicant for a gaming junket enterprise license shall submit to the Bureau of Licensing an original, one paper copy and one compact disc containing the Gaming Junket Enterprise License Application and Disclosure Information Form and all additional applications as required in § 439a.4a (relating to individual and entity applications).
(b) In addition to the [Junket Enterprise License Form] materials required under subsection (a), an applicant for a gaming junket enterprise license, shall [submit]:

1. Submit [The] the nonrefundable application fee posted on the Board's website (pgcb.state.pa.us).

2. [A Junket Enterprise License Form for any principal that is an entity, and for each affiliate, intermediary, subsidiary and holding company of the applicant.] Promptly provide information requested by the Board and cooperate with the Board in investigations, hearings, enforcement and disciplinary actions.

3. [A Junket Enterprise Representative Registration for each principal who is a natural person and for each key employee.]

(c) In addition to the materials required under subsections (a) and (b), an applicant for a junket enterprise license shall:

1. Promptly provide information requested by the Board relating to its application or regulation and cooperate with the Board in investigations, hearings, and enforcement and disciplinary actions.

2. Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications).
[(d)] (c) An applicant for a gaming junket enterprise license will be required to reimburse the Board for any additional costs, based on the actual expenses incurred by the Board, in conducting the background investigation.

(d) Prior to engaging the services of a gaming junket enterprise, the slot machine licensee shall submit to the Bureau of Licensing, a Verification and Due Diligence Form certifying that the slot machine licensee has entered into an agreement or contract with, and has investigated the background and qualifications of the gaming junket enterprise.

§ 439a.4. [Junket enterprise license term and renewal] Reserved.

[(a) A junket enterprise license issued under this chapter will be valid for 1 year from the date of Board approval.

(b) A renewal application shall be submitted to the Board at least 60 days prior to the expiration of a junket enterprise license.

(c) A junket enterprise license for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the junket enterprise license that the Board has approved or denied the junket enterprise license.]

§ 439a.4a. Individual and entity applications.
(a) The following individuals shall be required to submit a Pennsylvania Personal History Disclosure Information Form - Gaming Junket Enterprise and be found qualified by the Board:

(1) Each officer and director of a gaming junket enterprise applicant or licensee. The term "officer" means a president, chief executive officer, chief financial officer, chief operating officer and any individual routinely performing corresponding functions with respect to an organization whether incorporated or unincorporated.

(2) Each individual who has a direct or indirect ownership or beneficial interest of 10% or more in the gaming junket enterprise. An applicant for a gaming junket enterprise license shall provide information or documentation requested by the Board necessary to determine compliance with this paragraph.

(b) Each entity or trust that directly owns 20% or more of the voting securities of a gaming junket enterprise applicant or licensee shall be required to submit a Gaming Junket Enterprise Form - Private Holding Company and be found qualified by the Board.

(c) A gaming junket representative is required to submit an electronic application, using the SLOTS Link system, and be found suitable to hold an occupation permit. An individual who wishes to receive an occupation permit under this chapter may provide the gaming junket enterprise with written authorization
to file an application on the individual's behalf. When an application for an occupation permit is filed using SLOTS Link, the additional documents required, including releases, shall be submitted to the Board within 10 days of the submission of the SLOTS Link application by an applicant for or a holder of a gaming junket enterprise license.

(d) The following persons may be required to submit a Gaming Junket Enterprise Form - Private Holding Company or a Pennsylvania Personal History Disclosure Form and be found qualified by the Board if the Board determines that the qualification of the person is necessary to protect the public interest or to enhance the integrity of gaming in this Commonwealth:

(1) An intermediary or holding company of a gaming junket enterprise applicant or licensee not otherwise required to be qualified.

(2) An officer or director of an intermediary or holding company of a gaming junket enterprise applicant or licensee.

(3) An employee of a gaming junket enterprise applicant or licensee who is not otherwise required to be qualified or permitted.

(4) A person that holds any direct or indirect ownership or beneficial interest in a gaming junket enterprise
applicant or licensee, or has the right to any profits or distributions, directly or indirectly, from the gaming junket enterprise applicant or licensee.

(5) A trustee of a trust that is required to be found qualified under this section.

(e) All individuals who are required to submit applications in accordance with subsections (a), (c) and (d) shall submit fingerprints to the Board in a manner prescribed by the Bureau of Investigations and Enforcement.

(f) An applicant for an occupation permit and all individuals, entities or trusts that are required to be found qualified shall be required to reimburse the Board for any additional costs, based on the actual expenses incurred by the Board, in conducting the background investigation.

§ 439a.5. Gaming [Junket] junket representative general requirements.

(a) [A person] An individual may not act as a gaming junket representative in connection with a gaming junket to a licensed facility unless the [person] individual has [been registered as a junket representative] obtained an occupation permit under § 435a.3 (relating to occupation permit) and is employed by a gaming junket enterprise that is licensed by the Board.

(b) A gaming junket representative may [only] be employed by only one gaming junket enterprise at a time. For the purposes
of this section, to qualify as an employee of a gaming junket enterprise, a gaming junket representative shall:

(1) Receive all compensation for his services as a gaming junket representative within this Commonwealth through the payroll account of the gaming junket enterprise.

(2) Exhibit other appropriate indicia of genuine employment, including Federal and State taxation withholdings.

§ 439a.6. [Junket representative registration] Reserved.

[(a) A natural person applying for a junket representative registration shall submit:

(1) A Junket Representative Registration Form.

(2) The nonrefundable application fee posted on the Board's website (pgcb.state.pa.us).

(b) In addition to the materials required under subsection (a), an applicant for a junket representative registration shall:

(1) Promptly provide information requested by the Board relating to its application or regulation and cooperate with the Board in investigations, hearings, and enforcement and disciplinary actions.

(2) Comply with the general application requirements in Chapters 421a and 423a (relating to general provisions; and applications).]
(c) After review of the information submitted under subsections (a) and (b), including a background investigation, the Board may issue a junket representative registration if the individual has proven that he is a person of good character, honesty and integrity and is qualified to hold a junket representative registration.

(d) An individual who wishes to receive a junket representative registration under this chapter may provide the junket enterprise with written authorization to file an application on the individual's behalf.

(e) A junket representative registration issued under this section does not require renewal and is nontransferable.]

§ 439a.6a. Gaming junket enterprise license and occupation permit term and renewal.

(a) A gaming junket enterprise license and gaming junket representative occupation permit issued under this chapter will be valid for 3 years from the date of Board approval.

(b) A renewal application shall be submitted to the Board at least 60 days prior to the expiration of the license or occupation permit.

(c) A license or occupation permit for which a completed renewal application and fee has been received by the Board will continue in effect until the Board sends written notification to the holder of the gaming junket enterprise license or occupation
permit that the Board has approved or denied the license or occupation permit.

(d) The gaming junket enterprise license and the gaming junket representative occupation permit are nontransferable.

§ 439a.7. Gaming junket schedules.

(a) A slot machine licensee shall prepare a gaming junket schedule for each gaming junket that is arranged through a gaming junket enterprise or its gaming junket representative.

(b) A slot machine licensee shall file a gaming junket schedule with the Bureau of Gaming Operations by the 15th day of the month preceding the month in which the gaming junket is scheduled. If a gaming junket is arranged after the 15th day of the month preceding the arrival of the gaming junket, the slot machine licensee shall file an amended gaming junket schedule with the Bureau of Gaming Operations by the close of the next business day.

(c) An employee of the slot machine licensee shall certify the gaming junket schedules which shall include the following:

(1) The origin of the gaming junket.

(2) The number of participants in the gaming junket.

(3) The arrival time and date of the gaming junket.
(4) The departure time and date of the gaming junket.

(5) The name and registration number of all gaming junket representatives and the name and license number of all gaming junket enterprises involved in the gaming junket.

(d) Changes in the information which occur after the filing of a gaming junket schedule or amended gaming junket schedule [with the Bureau of Corporate Compliance and Internal Controls] shall be reported in writing to the Bureau of [Corporate Compliance and Internal Controls] Gaming Operations by the slot machine licensee by the close of the next business day. These changes, plus any other material change in the information provided in a gaming junket schedule, shall also be noted on the arrival report.


(a) A slot machine licensee shall prepare a gaming junket arrival report [shall be prepared by a slot machine licensee] for each gaming junket arranged through a gaming junket enterprise or its gaming junket representative with whom the slot machine licensee does business.

(b) Gaming [Junket] junket arrival reports must:

(1) Include a gaming junket guest manifest listing the names and addresses of the gaming junket participants.

(2) Include information required under § 439a.7 (relating to gaming junket schedules) that has not been
previously provided to the Bureau of Gaming Operations in a gaming junket schedule pertaining to the particular gaming junket, or an amendment thereto.

(3) Be certified by an employee of the slot machine licensee.

(c) [Junket] A slot machine licensee shall prepare gaming junket arrival reports [shall be prepared by a slot machine licensee] in compliance with the following:

(1) A gaming junket arrival report involving complimentary accommodations shall be prepared within 12 hours of the arrival of the gaming junket participant.

(2) A gaming junket arrival report involving complimentary services that does not involve complimentary accommodations shall be filed by 5 p.m. of the next business day following arrival. A gaming junket arrival which occurs after 12 a.m. but before the end of the gaming day shall be deemed to have occurred on the preceding calendar day.

(3) Gaming [Junket] junket arrival reports shall be maintained on the premises of the licensed facility for a minimum of 5 years and shall be made available to the Board [for inspection during normal business hours] upon request.


(a) A slot machine licensee shall prepare a gaming junket final report [shall be prepared by a slot machine licensee] for
each gaming junket for which the slot machine licensee was required to prepare either a gaming junket schedule or a gaming junket arrival report.

(b) A gaming junket final report must include the actual amount of complimentary services provided to each gaming junket participant.

(c) A gaming junket final report shall be:

(1) Prepared within 7 days of the completion of the gaming junket.

(2) Maintained on the premises of [its] the licensed facility for a minimum of 5 years and made available to the Board [for inspection during normal business hours] upon request.

§ 439a.10. Monthly gaming junket reports.

(a) Each slot machine licensee shall, on or before the 15th day of the month, prepare and file with the Bureau of Gaming Operations a monthly gaming junket report listing the name and [registration] gaming identification number of each [person] individual who performed the services of a gaming junket representative during the preceding month.

(b) Copies of the monthly gaming junket reports shall be maintained [by the slot machine licensee] on the premises of [its] the licensed facility for a minimum of 5 years and shall
be made available to the Board [for inspection during normal business hours] upon request.

§ 439a.11. Purchase of patron lists.

(a) Each slot machine licensee, gaming junket representative and gaming junket enterprise shall prepare and maintain a report with respect to each list of names of gaming junket patrons or potential gaming junket patrons purchased from or for which compensation was provided to any source whatsoever.

(b) The report required by subsection (a) must include:

(1) The name and address of the person or enterprise selling the list.

(2) The purchase price paid for the list or any other terms of compensation related to the transaction.

(3) The date of purchase of the list.

(4) The zip codes of all participants or potential participants.

(c) The report required by subsection (a) shall be filed with the Bureau of Gaming Operations, no later than 7 days after the receipt of the list by the purchaser.


[A junket enterprise or junket representative may not:

(1) Engage in collection efforts.
(2) Individually receive or retain a fee from a patron for the privilege of participating in a junket.

(3) Pay for services, including transportation or other items of value, provided to or for the benefit of any patron participating in a junket, unless otherwise disclosed to and approved by the Board.

(4) Extend credit to or on behalf of a patron participating in a junket.

(a) A gaming junket representative may not wager at any licensed facility in this Commonwealth.

(b) A gaming junket enterprise or gaming junket representative may not:

(1) Engage in efforts to collect on any check provided by a gaming junket participant that has been returned by a financial institution.

(2) Exercise approval authority over the authorization or issuance of credit under section 1327A (relating to other financial transactions).

(3) Receive or retain a fee from an individual for the privilege of participating in a gaming junket.

(4) Pay for any service, including transportation, or other thing of value provided to a participant participating in a gaming junket except as authorized by this part.

CHAPTER 440a. MANAGEMENT COMPANIES
§ 440a.5. Management contracts.

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(f) A management contract submitted for Board review and approval must enumerate with specificity the responsibilities of the slot machine applicant or licensee and management company under the terms and conditions of the management contract. At a minimum, the terms should address whether, and to what extent, the management company is involved in the following:

* * * * *

(12) Procurement of vendors and gaming junkets.

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Subpart C. SLOT MACHINE LICENSING

CHAPTER 441a. SLOT MACHINE LICENSES

§ 441a.20. Slot machine license agreements.

* * * * *

(e) The following are exempt from the requirements of this section:

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(2) Gaming [Junket] junket agreements.

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Subpart D. RECORDKEEPING

CHAPTER 451a. RECORDKEEPING REQUIREMENTS
§ 451a.1. Recordkeeping generally.

(a) All manufacturer, gaming junket enterprise, and management company licensees and all registered and certified vendors shall maintain adequate records of business operations which shall be made available to the Board upon request. These records include:

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Subpart E. SLOT MACHINES AND ASSOCIATED EQUIPMENT

CHAPTER 465a. ACCOUNTING AND INTERNAL CONTROLS

§ 465a.1. Accounting records.

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(c) The detailed, supporting and subsidiary records include:

* * * * *

(2) Records pertaining to the financial statements and all transactions impacting the financial statements of the slot machine licensee including contracts or agreements with licensed manufacturers, suppliers, gaming junket enterprises, certified and registered vendors, contractors, consultants, management companies, attorneys and law firms, accountants and accounting firms, insurance companies, and financial institutions, including statements and reconciliations related thereto.

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Subpart G. MINORITY AND WOMEN’S BUSINESS ENTERPRISES
CHAPTER 481a. DIVERSITY

§ 481a.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Regulated entity--An applicant for or holder of the following:

(i) Slot machine license.
(ii) Manufacturer license.
(iii) Supplier license.
(iv) Vendor certification.
(v) Gaming [Junket] junket enterprise license.
(vi) Management company license.

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Subpart I. COMPULSIVE AND PROBLEM GAMBLING

CHAPTER 501a. COMPULSIVE AND PROBLEM GAMBLING REQUIREMENTS

§ 501a.5. Signage requirements.

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(b) Each slot machine licensee and gaming junket [licensee] enterprise shall print a statement related to obtaining compulsive or problem gambling on all marketing or advertising materials that are offered to the general public by a slot machine licensee or gaming junket [licensee] enterprise,
including signs, billboards, print, radio or television advertisements. The text and font size of the statement shall be submitted for approval to the Director of OCPG utilizing the process contained in § 501a.2(g).

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CHAPTER 503a. SELF-EXCLUSION

§ 503a.4. Duties of slot machine licensees.

(a) A slot machine licensee shall train its employees and establish procedures that are designed to:

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(4) Deny check cashing privileges, player club membership, complimentary goods and services, gaming junket participation and other similar privileges and benefits to a self-excluded person.

(5) Ensure that self-excluded persons do not receive, either from the slot machine licensee or any agent thereof, gaming junket solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed facility as required under § 501a.3(a)(10) (relating to employee training program).