

## INSTRUCTIONS FOR FILING AN APPLICATION FOR A NON-GAMING RELATED CASINO SERVICE INDUSTRY LICENSE

These instructions are applicable to any enterprise providing non gaming related goods or services to any casino license applicant or licensee in New Jersey (or its employees or agents) that has been directed to file an application for a non gaming related casino service industry license. (N.J.S.A. 5:12-92c).

**The original and one (1) copy of all forms** shall be sent to the Casino Control Commission (Commission) with the appropriate fee. For casino service industries filing a non-gaming related application, **the required application fee is \$3,000.00 payable to the Casino Control Fund** (see N.J.A.C. 19:41-9.9 on page 3). Payment may be made by check, money order or credit card. Should the Commission grant your license, it will be for a period of four years.

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### 1. APPLICATION FORMS

The forms that make up an application for a non-gaming related casino service industry license are as follows:

- A. BUSINESS ENTITY DISCLOSURE FORM-3
- B. BUSINESS ENTITY DISCLOSURE FORM-HOLDING COMPANY
- C. CASINO SERVICE INDUSTRY QUALIFIER DISCLOSURE FORM
- D. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION OBLIGATIONS FORM

#### A. BUSINESS ENTITY DISCLOSURE FORM-3

Please give particular attention to Items 2, 5, 8, 9, and 10 of the Business Entity Disclosure Form-3 (BED-3). Staff's experience has been that information for these items is frequently omitted or completed incorrectly, which necessitates the applications being returned for corrections.

#### B. BUSINESS ENTITY DISCLOSURE FORM-HOLDING COMPANY

If another entity (e.g., corporation, partnership, trust, joint venture or otherwise) owns five percent or more of the outstanding stock of the enterprise applying for this license, that entity must complete a Business Entity Disclosure Form-Holding Company (BED-HC). Please note that every individual who indirectly owns ten percent or more of the applicant must be identified in Item 7F of the BED-HC and is required to file a Casino Service Industry Qualifier Disclosure Form (QDF). Finally, the Commission has the discretion to request that someone file a QDF at a later date if deemed necessary to effectuate the purposes of the Casino Control Act.

If individual(s) directly own the applicant, and not another entity, a BED-HC does not need to be completed.

C. CASINO SERVICE INDUSTRY QUALIFIER DISCLOSURE FORMS

All individuals listed under Item 8 of the applicant's BED-3 and Item 7F of the BED-HC shall complete a QDF in detail. Please note that a photograph must be attached to each form. Further detailed instructions are contained within the form.

D. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION OBLIGATIONS FORM

All enterprises applying for the initial issuance or renewal of a casino service industry license must acknowledge basic equal employment and business opportunity obligations as conveyed in paragraphs one (1) through four (4) of the Equal Opportunity and Affirmative Action Obligations form. In addition, enterprises that employ 50 or more employees in the state of New Jersey must also acknowledge paragraphs five (5) through nine (9) of the form.

2. COPIES

An **original and one (1) copy** of all forms noted above, **including copies of all appendices and attachments**, must be included as a part of the application package.

3. WAIVER OF QUALIFICATION FOR OFFICERS

Pursuant to N.J.A.C. 19:51-1.14(a)2iii and iv, no casino service industry license shall be issued or renewed unless the individual qualifications of each inside director and officer of the applicant or licensee shall have first been established. However, the Commission's rules also provide that certain officers of the applicant or licensee may request that the Commission waive their qualification.

Officers eligible for waiver are those persons **who are not significantly involved in and have no authority over the conduct of the business between the enterprise and the casino applicant or licensee.** Be advised "executive officers" (i.e. President, Chairman, CEO, CFO, Secretary, etc.) or other persons that can significantly influence the overall operations of the enterprise will not be waived from qualification. If you are interested in pursuing the ability to waive certain officers, please contact the Enterprise License Unit at (609) 441-3002. If staff determines that an officer is eligible for waiver, in accordance with N.J.A.C. 19:51-1.14(b)1, a certification form will be sent to you for completion.

#### 4. GENERAL

- Make extra copies of the enclosed forms for your use as needed.
- Be sure to include the filing fee with your application submission.
- All forms must be properly **signed and notarized** as required.
- All copies must be legible.
- All attachments to forms must be copied and properly identified with the corresponding item number clearly noted on the front of each attachment.

NOTE: If your enterprise is publicly traded on the New York, American or NASDAQ stock exchanges, you may be able to modify a portion of this application per N.J.A.C.19:51-1.3. Please contact the Commission's Enterprise License Unit if you require further information.

**IF YOU HAVE ANY QUESTIONS REGARDING THE ENCLOSED FORMS OR THE INFORMATION REQUIRED TO COMPLETE THIS APPLICATION, PLEASE CONTACT THE ENTERPRISE LICENSE UNIT AT (609) 441-3002**

#### 5. FEES

##### 19:41-9.9 Non-gaming related casino service industry license fee

- (a) In accordance with subsection 92c of the Act, all casino service industry enterprises offering goods and services not directly related to gaming operations to casino licensees or applicants on a regular or continuing basis shall be licensed to the standards established by the Commission. Under subsection 94d of the Act, such license shall be issued for a four year period and shall be renewable for additional five year periods.
- (b) **The initial application and issuance fee for a four-year non-gaming related casino service industry enterprise license shall be \$3,000.**
- (c) The application and issuance fee for the renewal of a five-year non-gaming related casino service industry enterprise license shall be \$3, 500.
- (d) Any enterprise required to apply for the issuance or renewal of a subsection 92c casino service industry enterprise license may request an installment plan for payment of the application fee in accordance with the following schedule:
  1. Upon filing of the application, an initial installment payment equal to one-fourth of the total application fee and an additional fee of \$100.00 for the cost of processing such payment plan; and

2. Three subsequent payments each equal to one-fourth of the total application fee, to be paid within 90 days, 180 days and 270 days from the date that the application is filed.

N.J.A.C. 19:41-9.19 - Obligation to pay fees; nonrefundable nature of fees; credits

- (a) Any fee obligation arising in accordance with the Act and this subchapter shall be due and payable notwithstanding the withdrawal or abandonment of any application or the termination in any manner of an existing license...
- (b) Except as otherwise provided in (e) below, amounts actually paid by an applicant or licensee in accordance with the Act and this subchapter shall not be refundable...

**6. PAYMENT BY CREDIT CARD**

The Commission will now accept credit card payments for all licensing fees. The credit cards currently accepted are American Express, MasterCard, Visa and Discover. If you wish to pay by credit card, please complete the enclosed Credit Card Authorization form and return it with your casino service industry license application. Any questions regarding the completion of the Credit Card Authorization form should be directed to the Commission's Revenue Unit at (609) 441-3746.