

Virgin Islands Administrative Code Currentness
Title 32. Sports and Parks
Chapter 21. Casino Control Commission
Subchapter 408-1. Construction and Application of Rules

32 V.I. R. & Regs. § 408-1.1

408-1.1. Authority.

These rules and regulations are issued under and pursuant to the authority of the Virgin Islands Casino and Resort Control Act of 1995, constituting Chapter 21 of Title 32 of the Virgin Islands Code, as amended.

Current through September 11, 2015.

32 V.I. R. & Regs. § 408-1.1, 32 VI ADC § 408-1.1

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32 V.I. R. & Regs. § 408-1.2

408-1.2. Definitions.

The following words and terms, when used in these rules, shall have the following meanings, unless the context clearly indicates otherwise:

“Act” or “Casino Control Act” - The Virgin Islands Casino and Resort Control Act of 1995.

“Affiliate” of, or a person “affiliated” with, a specific person - A person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the affiliated person specified.

“Attributed Interest” - Any direct or Indirect interest in a Business Entity deemed to be held by an individual not through actual holdings but through holdings of Immediate Family.

“Debt Instrument” - Any bond, loan, mortgage, trustee, note, debenture, subordination, guaranty, letter of credit, security agreement, surety agreement, pledge, chattel, mortgage or other form of indebtedness.

“Excluded Person” - Any person whose name appears on any exclusion list, or any person whose name does not appear on an exclusion list, but is excluded or rejected pursuant to the law.

“Exclusion List” - A list which contains identities of persons who are to be excluded or rejected from any licensed casino operation in any jurisdiction.

“Executive Secretary” - A person appointed by the Commission to act as the Chief of Staff of the Commission.

“Internal Control System” - Administrative and accounting control designed by the holder of a casino license or operation certificate for the purpose of exercising control over the casino operations.

“Interested person” - Any person whose specific legal rights, duties, obligations, privileges, benefits or other specific legal relations are affected by the adoption, amendment or repeal of a specific regulation or by any decision, order or ruling of the Commission.

“Key Person” - An officer, director, trustee, partner, proprietor, or managing agent of, or a holder of any direct or indirect legal or beneficial interest whose combined direct, indirect or attributed interest is five (5%) percent or more in a business entity and anyone so designated by the Commission.

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32 V.I. R. & Regs. § 408-1.3

408-1.3. Construction and Amendments.

- (a) These rules shall be construed in accordance with generally accepted principles of statutory construction.
- (b) These rules shall be liberally construed to permit the Commission and the Division to effectively carry out their respective statutory functions and to secure a just and expeditious determination of issues properly presented to the Commission.
- (c) Nothing contained in these rules shall be so construed as to conflict with any provision of the Virgin Islands Casino and Resort Control Act or any other applicable statute.
- (d) These rules may be amended by the Commission from time to time in accordance with Section 421 of the Act.
- (e) Whenever any provision of these rules requires that an act or event occur on a specified day or date, and such day or date falls upon a Saturday, Sunday or legal holiday, such provision shall be construed to refer to the next business day immediately following such day or date.
- (f) Pursuant to Section 421(e) of the Act, the Commission may authorize the temporary adoption, amendment or repeal of any rule or regulation concerning the conduct of gaming or the use or design of gaming equipment for an experimental period not to exceed 180 days, for the purpose of determining whether such rules should be adopted on a permanent basis. Any interested person may file a petition for temporary rulemaking with the Commission.
1. The Commission shall file notice of any temporary rulemaking in the newspapers determined by the Commission at least seven days prior to initiation of the experiment, and shall prominently post such notice in each casino participating in the experiment.
 2. The Commission shall post the text of any temporary rule in each casino participating in the experiment and shall make copies of such text available upon request to the Commission.

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32 V.I. R. & Regs. § 408-1.4

408-1.4. Severability and Preemption.

(a) If any clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion of these rules or the application thereof to any person or circumstance shall be held to be invalid, such holding shall not affect, impair or invalidate the remainder of these rules or the application of such portion held invalid to any other person or circumstances, but shall be confined in its operation to the clause, sentence, subparagraph, paragraph, subsection, section, chapter or other portion thereof directly involved in such holding or to the person or circumstance therein involved.

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32 V.I. R. & Regs. § 408-1.5

408-1.5. Practice Where Regulations Do Not Govern.

In any matter not governed by these rules and regulations, the Commission or the Division shall exercise its discretion so as to carry out the purposes of the Act.

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Subchapter 408-2. Organization and Operation of the Commission

32 V.I. R. & Regs. § 408-2.1

408-2.1. Organization.

(a) The Chair, as chief executive officer of the Commission, shall schedule and preside at all meetings of the Commission; shall appoint the members of the Commission to such committees as the Commission may, from time to time, establish; shall have the authority to accept for filing all applications; shall have the authority to incur on behalf of the Commission such expenses as the Commission shall have approved in its operating budget; shall have general supervision, direction and control of the affairs of the Commission; and shall be the chief public spokesperson for the Commission in all dealings with the media.

(b) The Executive Secretary shall be appointed by the Commission and shall serve at the pleasure of the Commission. Under the supervision of the Chair, the Executive Secretary shall act as the Chief of Staff of the Commission; be responsible for the conduct of the operational and administrative affairs of the Commission and shall have custody of the Commission's seal and its official records.

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32 V.I. R. & Regs. § 408-2.2

408-2.2. Meetings.

(a) Regular meetings of the Commission shall be held at least once per month on such dates and at such times and places as the Chair or the Commission shall establish.

(b) All meetings of the Commission shall be in compliance with the “Government in the Sunshine Act”, 1 VIC 251, et seq.

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408-2.3. Quorum; Votes.

Four (4) Commissioners shall constitute a quorum at all meetings of the Commission. When vacancies, caused by death of a member, removal of a member or expiration of a member's term in accordance with Title 32 V.I.C. Section 406 (h), prevent such quorum, a majority of the Commissioners in office shall constitute a quorum. Except as otherwise provided, the vote of the majority of the Commissioners present at a meeting at which a quorum is present shall be the act of the Commission. Provided that any action on a casino license or interim casino authorization must have a majority of the Commission, of which at least three (3) of the members residing on St. Croix must support the action.

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32 V.I. R. & Regs. § 408-2.4

408-2.4. Resolutions and Minutes.

The records of the Commission shall include a minute book and a resolution book. The vote on any matter before the Commission shall be set forth in the minutes and shall be memorialized and shall be recorded in the resolution book.

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32 V.I. R. & Regs. § 408-2.5

408-2.5. Authority of Executive Secretary.

The Executive Secretary shall have the power and authority to act in the name of the Commission with respect to all desirable and proper actions including but not limited to:

- (a) execute contracts on behalf of the Commission
- (b) incur reasonable and necessary expenses in the name of the Commission
- (c) take and hold property on behalf of the Commission
- (d) coordinate volunteer activities
- (e) keep the public informed of decisions of the Commission;
- (f) coordinate media information
- (g) maintain records of the Commission
- (h) such other duties as prescribed and delegated by the Commission

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Subchapter 408-3. Information and Filings

32 V.I. R. & Regs. § 408-3.1

408-3.1. Petitions for Rulemaking.

(a) Any interested person may file a petition with the Commission for the adoption, amendment or repeal of any rule or regulation, pursuant to Section 421 of the Act. Such petition shall be in writing, be signed by the petitioner, and include the following information:

1. The name and address of the petitioner;
2. The substance or nature of the requested rulemaking;
3. The reasons for the request;
4. The specific legal rights, duties, obligations, privileges, benefits or other specific legal relations of the interested person which are affected by the requested rulemaking.

(b) Any document submitted to the Commission which is not in substantial compliance with this section shall not be deemed to be a petition for rulemaking requiring further action. Such document shall be returned to the petitioner with instructions as to the steps necessary to correct any defects or omissions in accordance with this section.

(c) Within seven (7) days of receipt of a petition in compliance with this section, the Commission shall file a notice of petition with the newspapers designated by the Commission.

(d) A petition for rulemaking shall be scheduled for consideration at a regularly scheduled public meeting of the Commission. The petitioner shall be given an opportunity to make a statement in support of the requested rulemaking.

(e) Within 30 days of receipt of a petition which is in compliance with this section, the Commission shall mail to the petitioner a notice of action on the petition, which shall include the nature or substance of the Commission's action upon the petition and a brief statement of reasons for the Commission's actions.

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32 V.I. R. & Regs. § 408-4.1

408-4.1. Eligibility to Practice.

No person shall be eligible to practice before the Commission unless such person is admitted in accordance with these regulations, except that any individual may appear, without admission on his own behalf or on behalf of a member of his immediate family, if such appearance is without compensation: a member of a partnership, an officer of a corporation, or an authorized regular employee of an individual, partnership, corporation, or other business entity may likewise appear without admission in any matter relating to such individual or business entity.

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32 V.I. R. & Regs. § 408-4.2

408-4.2. Scope of Practice.

Practice before the Commission shall be deemed to include all matters relating to the presentation of a client's matter to the Commission, including the preparation and filing of applications, reports, systems of internal controls, financial statements, or other documents submitted to the Commission on behalf of such client.

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32 V.I. R. & Regs. § 408-4.3

408-4.3. Qualifications for Admission.

(a) The following persons may be admitted to practice before the Commission as Attorneys or Accountants:

1. Attorneys at law admitted to practice before the courts of the Virgin Islands and who are lawfully engaged in the active practice of their profession.
2. Certified Public Accountants and Public Accountants qualified to practice under the laws of the Virgin Islands and who are lawfully engaged in active practice as such.

(b) Other individuals may, upon motion of an admitted person, be admitted to practice as Agents upon presentation of satisfactory proof of their good character and integrity, professional qualifications and experience, comprehensive knowledge of the Act and regulations, and such other information or references as the Commission may require. Unless the Commission provides otherwise, all Agents shall only be admitted to practice before the Commission for the purposes of a particular case or matter.

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408-4.4. Procedures for Admission.

(a) An Attorney or Accountant meeting the qualifications described in the Rules and Regulations shall be deemed automatically admitted at the time the Attorney or Accountant first appears for or performs any act of representation on behalf of a client in any matter before the Commission.

(b) Other individuals must submit an application for admission to the Commission together with proof of eligibility for admission. The Commission will consider the application at a Public meeting, and may either grant or deny the application, or request additional information from the applicant. Only natural persons may practice before the Commission.

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32 V.I. R. & Regs. § 408-4.5

408-4.5. Admission for a particular matter.

(a) The following persons may, upon motion of an admitted person be admitted to practice before the Commission for the purposes of a particular case or matter.

1. Attorneys at law who have been admitted to practice before the courts of any State or Territory or the District of Columbia and who are in good standing with the court by which they are licensed.

2. Certified Public Accountants or Public Accountants who have been duly qualified to practice as such in their own names, under the laws and regulations of any State or Territory or the District of Columbia, and who are in good standing with the entity by which they are licensed.

(b) No person admitted pursuant to this section may practice before the Commission or the board except in association with the admitted person who sponsored his admission.

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32 V.I. R. & Regs. § 408-4.6

408-4.6. Roster of Agents

The Commission will keep on file a roster of persons who are admitted as Agents, and will furnish, upon request, information as to whether any individual is admitted.

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32 V.I. R. & Regs. § 408-4.7

408-4.7. Suspension and Revocation.

(a) A person's admission to practice before the Commission shall be suspended automatically without a hearing under the following circumstances:

1. Where the person is an Attorney or an Accountant, if his professional license is suspended or revoked.
2. Where the person is an Agent, if he has been convicted of any felony regardless of whether an appeal is pending or could be taken.

(b) Any person admitted to practice before the Commission as an Agent may have his admission to practice suspended or revoked if after a hearing, the Commission finds that:

1. The Agent made a materially false or misleading statement with regard to his Application for Admission.
2. The Agent willfully failed to exercise diligence in the preparation or presentation of any application, report, or other document filed with the Commission, or knowingly misrepresented any material fact to the Commission;
3. The Agent willfully violated or aided and abetted in the violation of any provision of the Act or the regulations;
4. The Agent does not possess the requisite qualifications or expertise to represent others before the Commission, lacks character or integrity, or has engaged in unethical or improper conduct.

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32 V.I. R. & Regs. § 408-4.8

408-4.8. Reinstatement.

(a) Any Attorney or Accountant whose admission is suspended under section 408-4.7 of the Regulation shall be deemed automatically reinstated to practice before the Commission at the time he is reinstated to practice law or accounting by the applicable licensing authority.

(b) Any Agent whose admission is suspended or revoked under section 408-4.7 of the Regulation may be reinstated by the Commission, upon application, if the grounds for the suspension or revocation are subsequently removed by a reversal of the conviction, or for other good cause shown. An applicant for reinstatement shall be afforded an opportunity for a hearing before the Commission on the application, and shall pay all reasonable costs of the proceeding.

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32 V.I. R. & Regs. § 408-4.9

408-4.9. Proof of authority.

The Commission may require all persons seeking to appear before it to disclose the identity of those they represent and to present proof that they are authorized to act on their behalf.

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32 V.I. R. & Regs. § 408-4.10

408-4.10. Effect of authority.

(a) Any person represented by an Attorney, Accountant, Agent, or other person before the Commission shall be bound by the acts or omissions of such representative to the same extent as if he had acted or failed to act personally.

(b) In an appearance by an Attorney, Accountant, Agent, or other representative at any hearing or meeting of the Commission, the person represented shall be deemed to have waived all privileges with respect to any information in the possession of such Attorney, Accountant, Agent, or representative, or any testimony by him, except for privileges afforded by the Revised Organic Act, other Territorial laws or the Constitution of the United States.

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32 V.I. R. & Regs. § 408-4.11

408-4.11. Obligations of truthfulness and diligence.

- (a) Persons shall not be intentionally untruthful to the Commission, nor withhold from the Commission any information which the Commission is entitled to receive, nor interfere with any lawful effort by the Commission to obtain such information.
- (b) Admitted persons shall exercise due diligence in preparing or assisting in the preparation of documents for submission to the Commission.
- (c) Admitted persons have a continuing responsibility on behalf of their clients to monitor the accuracy and completeness of information submitted to the Commission in any matter pertaining to their clients. Whenever an admitted person becomes aware that information furnished to the Commission is no longer accurate and complete in any material respect, the admitted person shall promptly furnish the Commission with appropriate supplemental and corrected information.

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32 V.I. R. & Regs. § 408-4.12

408-4.12. Knowledge of client's omission.

An admitted person who knows that a client has not complied with the Act or the regulations of the Commission, or that a client has made a material error in or a material omission from any application, report, or other document submitted to the Commission, shall advise his client promptly of the fact of such noncompliance, error, or omission.

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32 V.I. R. & Regs. § 408-4.13

408-4.13. Certification of documents.

Every application, report, affidavit, written argument, brief, statement of fact, or other document prepared or filed on behalf of a client represented by an admitted person, must be signed by the admitted person, and the signature shall be deemed to constitute a certification that the document was prepared in conformity with the requirements of the Act and regulations.

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32 V.I. R. & Regs. § 408-4.14

408-4.14. Duty of Admitted persons concerning violations.

An admitted person shall, when requested by the Commission, or a member, or an authorized employee thereof, give to the Commission, or such member, or employee any information that the admitted person may have concerning violations of the Act or regulations by any person, or of the occurrence of any acts or omissions on the part of an admitted person, that would be grounds for suspension or disbarment of such admittee, unless such information is privileged under applicable law.

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32 V.I. R. & Regs. § 408-4.15

408-4.15. Professional conduct.

Each admitted person shall conduct his practice in an ethical and professional manner.

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Subchapter 423. Exclusion of Persons
423-1. Subchapter 1. General Provisions

32 V.I. R. & Regs. § 423-1.1

423-1.1. Definitions

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

“Candidate” means any person whose name is included in a petition to place such person on the exclusion list pursuant to Section 423 of the Act and these regulations.

“Career or professional offender” means any person whose behavior is pursued in an occupational manner or context for the purpose of economic gain, utilizing such methods as are deemed criminal violations of the United States Virgin Islands.

“Cheat” means any person whose act or acts in any jurisdiction would constitute any offense under Sections 473, 474, and 475 of the Act.

“Excluded person” means any person who has been placed upon the list by preliminary or final order of the Commission and who pursuant to section 423 of the Act and these regulations required to be excluded or ejected from a casino hotel facility.

“List of exclusion list” means a list of names of persons who, pursuant to Section 423 of the Act and the Commission's regulations, are required to be excluded or ejected from casino hotel facilities.

“Occupational manner or context” means the systematic planning, administration, management, or execution of an activity for financial gain.

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Subchapter 423. Exclusion of Persons
423-1. Subchapter 1. General Provisions

32 V.I. R. & Regs. § 423-1.2

423-1.2. Maintenance and Distribution of List.

- (a) The Commission shall maintain a list of persons to be excluded from a licensed casino establishment.
- (b) The list shall be open to public inspection and shall be distributed to every casino licensee within the United States Virgin Islands, who shall acknowledge receipt thereof in writing.

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423-1. Subchapter 1. General Provisions

32 V.I. R. & Regs. § 423-1.3

423-1.3. Criteria for Exclusion.

(a) The exclusion list may include any person who meets any of the following criteria:

1. A career or professional offender whose presence in a licensed casino establishment would be inimical to the interest of the United States Virgin Islands or licensed gaming therein;
2. An associate of a career or professional offender whose association is such that his or her presence in a licensed casino establishment would be inimical to the interest of the United States Virgin Islands or of licensed gaming therein;
3. Any person that has been convicted of a criminal offense under the laws of any Territory or State of the United States, which is punishable by more than six months in prison, or who has been convicted of any crime or offense involving moral turpitude, and whose presence in a licensed casino establishment would be inimical to the interest of the United States Virgin Islands or of licensed gaming therein; or
4. Any person whose presence in a licensed casino establishment would be inimical to the interest of the United States Virgin Islands or licensed gaming therein, including, but not limited to:
 - i. Cheats;
 - ii. Persons whose privileges for licensure have been revoked;
 - iii. Persons who pose a threat to the safety of the patrons or employees of casino licensee;
 - iv. Persons with a documented history of conduct involving the undue disruption of the gaming operations of casino licensees; and
 - v. Persons subject to an order excluding such persons from all casino hotel facilities.

(b) For purposes of (a) above:

1. A person's presence may be considered "inimical to the interest of the United States Virgin Islands, or of licensed gaming therein" if known attributes of such person's character and background:

- i. Are incompatible with the maintenance of public confidence and trust in the credibility, integrity and stability of licensed casino gaming;
- ii. Could reasonably be expected to impair the public perception of, and confidence in, the strict regulatory process created by the Act; or
- iii. Would create or enhance a risk of the fact or appearance of unsuitable, unfair or illegal practices , methods or activities in the conduct of gaming or in the business or financial arrangements incidental thereto.

2. A finding of inimicalness may be based upon the following:

- i. The nature of notoriety of the attributes of character or background of the person;
- ii. The history and nature of the involvement of the person with licensed casino gaming in the U.S. Virgin Islands or any other jurisdiction, or with any particular casino licensee or licensees, or any related company thereof;
- iii. The nature and frequency of any contacts or associations of the person with any casino licensee or licensees, or with any employees or agents thereof; or
- iv. Any other factor reasonably related to the maintenance of public confidence in the efficacy of the regulatory process and the integrity of gaming operations, the casino industry and its employees.

(c) Race, color, creed, national origin, ancestry, or sex shall not be a reason for placing the name of any person upon such list.

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32 V.I. R. & Regs. § 423-1.4

423-1.4. Duties of the Division of Gaming Enforcement.

(a) The Division shall, on its own initiative, or upon referral by the Commission, investigate any individual who would appear to be an appropriate candidate for placement on the exclusion list.

(b) If, upon completion of an investigation, the Division determines that an individual should be placed on the exclusion list, the Division shall file a petition for exclusion with the Commission, identifying the candidate and setting forth a factual basis why the Division believes the candidate satisfies the criteria for exclusion.

(c) If, upon completion of an investigation undertaken upon referral by the Commission, the Division determines that an individual should not be placed on the exclusion list, the Division shall so state in writing to the Commission.

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32 V.I. R. & Regs. § 423-1.4, 32 VI ADC § 423-1.4

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32 V.I. R. & Regs. § 423-1.5

423-1.5. Procedure for Entry of Names.

(a) The Commission may place a person on the exclusion list as follows:

1. Upon petition of the Division in accordance with the procedures set forth in the HEARINGS Chapter of these rules; or
2. Upon receipt of an order of the United States Virgin Islands Territorial Court, or District Court of the United States Virgin Islands excluding such person from all casino hotel facilities, Commission shall consider such action forthwith upon receipt of the court order, with at least 15 days notice to the Division and to such person by certified mail at his or her last known address.

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32 V.I. R. & Regs. § 423-1.6

423-1.6. Application for Preliminary Placement of Candidate on List.

(a) In addition to filing a petition for exclusion, the Division may, in its discretion, file an application with the Commission seeking preliminary placement of the candidate on the exclusion list pending completion of the plenary hearing on the petition for exclusion. Upon an application for preliminary placement on the list, the Commission shall schedule a preliminary exclusion hearing and notify the candidate in accordance with these rules.

(b) If, upon completion of the preliminary exclusion hearing, the Commission determines that the reliable documentary or other supporting evidence establishes a reasonable possibility that the candidate satisfies the criteria for exclusion established by section 423 of the Act and this chapter, the Commission shall issue a preliminary order designating a candidate as an excluded person which shall be effective as to a particular casino license upon its service upon that casino licensee.

(c) The preliminary placement of a candidate on the exclusion list shall have the effect of requiring the exclusion or ejection of the excluded person from any casino hotel facility.

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32 V.I. R. & Regs. § 423-1.6, 32 VI ADC § 423-1.6

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32 V.I. R. & Regs. § 423-1.7

423-1.7. Information Contained on List.

(a) The following information and data shall be provided for each excluded person:

1. The full name and aliases the person is believed to have used;
2. A description of the person's physical appearance, including height, weight, type build, color of hair and eyes and any other physical characteristics which may assist in the identification of the person;
3. Date of birth;
4. The effective date of the order mandating the exclusion or ejection of the person named therein;
5. A photograph, if obtainable, and the date thereof;
6. Such other miscellaneous information as is deemed necessary by the Commission for the enforcement of this regulation.

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32 V.I. R. & Regs. § 423-1.8

423-1.8. Duty of Casino Licensee.

(a) A casino licensee shall exclude or eject the following persons from its approved hotel facility:

1. Any excluded person; or
2. Any person known to the casino licensee to satisfy the criteria for exclusion set forth in Section 423 of the Act and this Chapter.

(b) If an excluded person enters, attempts to enter, or is in a casino hotel facility and is recognized by the casino licensee, the casino licensee shall immediately notify the Commission and Division of such fact.

(c) The Commission may, upon request of any casino licensee or any person who has been excluded or ejected from a casino hotel pursuant to 423-1.8 (a)2 above, refer a matter to the Division for investigation to determine whether such person meets the criteria for exclusion.

(d) It shall be the continuing duty of a casino licensee to inform the Commission and Division in writing of the names of persons it believes are appropriate for placement on the exclusion list.

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32 V.I. R. & Regs. § 423-1.8, 32 VI ADC § 423-1.8

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32 V.I. R. & Regs. § 423-1.9

423-1.9. Petition to Remove Name from Exclusion List.

(a) An excluded person may petition the Commission to request a hearing concerning his or her removal from the list at any time after five years from the placement by the Commission of such person on the list.

(b) The petition shall be verified, with supporting affidavits, and shall state with particularity the grounds believed by the petitioner to constitute good cause for his removal from the list. Upon receipt of such petition, the Division shall be given an opportunity to state its position in writing.

(c) The Commission may decide the petition on the basis of the documents submitted by the parties. The Commission may summarily deny the petition or may grant the petition and direct that a hearing be held. The Commission shall grant the petition only upon finding that there is new evidence which is material and necessary, or that circumstance have changed since the placement of the excluded person on the list, and that there would be reasonable likelihood that the Commission would alter its previous decision.

(d) Any excluded person who is barred from requesting a hearing concern his or her removal from the list by 423-1.9 (a) above may petition the Commission for early consideration at any time; provided, however, that no excluded person may within the five-year period of exclusion, file more than one such petition. Such petition shall be verified, with supporting affidavits, and shall state with particularity any grounds upon which exclusion was based, and the facts and circumstances which warrant the relief sought. Upon receipt of such petition, the Division shall be given an opportunity to state its position in writing. The Commission may summarily deny the petition or may grant the petition and direct that a hearing be held. The Commission shall grant the petition:

1. Upon finding that there exists extraordinary facts and circumstances warranting early consideration of the excluded person's request for removal from the list; or

2. If exclusion was pursuant to subsection 423-1.5 (a)2, upon a finding that the excluded person has completed the period of probation or otherwise satisfied the terms of any court-ordered exclusion.

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32 V.I. R. & Regs. § 423-1.9, 32 VI ADC § 423-1.9

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434-1. Subchapter 1. Persons Required to be Licensed or Qualified

32 V.I. R. & Regs. § 434-1.1

434-1.1. 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 Section 434 of the Act

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32 V.I. R. & Regs. § 434-1.1, 32 VI ADC § 434-1.1

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434-1. Subchapter 1. Persons Required to be Licensed or Qualified

32 V.I. R. & Regs. § 434-1.2

434-1.2. Persons Required to Be Qualified.

(a) 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 and 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 Section 434 of the Act;
2. All financial sources required to qualify pursuant to the provisions of Section 436(b) of the Act; and
3. All persons required to qualify pursuant to the provisions of Section 437(c), (d), (e) and (f) of the Act.

(c) The Commission may at any time require a casino licensee or applicant to establish the qualification of any person that the Commission may deem appropriate for qualification pursuant to Sections 436, 437, and 464. Any person deemed appropriate for qualification shall promptly file the required application form.

(d) It shall be the affirmative responsibility of each casino licensee or applicant to ensure that all persons required by the Act and the rules and regulations of the Commission to establish their qualifications in connection with an initial or renewal application for a casino license.

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434-1. Subchapter 1. Persons Required to be Licensed or Qualified

32 V.I. R. & Regs. § 434-1.3

434-1.3. Notification of Anticipated or Actual Changes

(a) Each casino licensee or applicant or holding company shall immediately notify the Commission, in writing, as soon as is practicable, of anticipated or actual changes in:

i. Directors

ii. Officers

iii. Any other Qualifiers of Casino Licensees and Holding Companies.

(b) Each casino licensee or applicant shall immediately notify the Commission, in writing, as soon as it becomes aware that it intends to enter into a transaction bearing any relation to its casino project which may result in any new financial backers, investors, mortgagees, bondholders, or holders of indentures, notes, or other evidences of indebtedness who may be subject to the provisions of Section 436(b) of the Act.

(c) A casino licensee or applicant shall immediately notify the Commission if the casino licensee or applicant becomes aware that, with regard to any publicly traded holding company of the casino licensee or applicant, any person has acquired:

1. Five percent or more of any class of equity securities;

2. The ability to control the holding company; or

3. The ability to elect one or more directors of the holding company.

(d) Each casino licensee or applicant or holding company thereof shall report immediately, in writing, to the Commission the formation or dissolution of, or any transfer of a nonpublicly traded interest in, any subsidiary of the casino licensee or applicant or any subsidiary of any holding company of the casino licensee or applicant which bears any relationship to the casino project.

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32 V.I. R. & Regs. § 434-1.3, 32 VI ADC § 434-1.3

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32 V.I. R. & Regs. § 434-1.4

434-1.4. Qualification of New Directors, Officers or Other Qualifiers of a Casino Licensee.

(a) Any natural person required to qualify pursuant to Section 437(c) or (e) of the Act by virtue of his or her position with a casino licensee shall not perform any duties or exercise any powers relating to such position until qualified by the Commission or, where appropriate, until he or she is temporarily licensed by the Commission as a casino key employee pursuant to Section 441(e) of the Act.

(b) Each person subject to (a) above shall file a Personal History Disclosure Form 1 (PHD-1).

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32 V.I. R. & Regs. § 434-1.5

434-1.5. Qualification of New Directors, Officers or Other Qualifiers of a Holding Company.

(a) Any proposed new director, partner, officer or other natural person required to qualify pursuant to Section 437 (c), (d), or (e) of the Act, by virtue of his or her position with a holding company of a casino licensee, shall not perform any duties or exercise any powers related to such position until he or she has been found qualified by the Commission to the standards of a casino key employee.

(b) Each person subject to (a) above shall file a Personal History Disclosure Form 1 (PHD-1).

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32 V.I. R. & Regs. § 434-1.6

434-1.6. Application for Renewal of Qualification.

All persons who are required to have been found qualified by the Commission shall file a renewal application as proscribed by the Commission.

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32 V.I. R. & Regs. § 434-1.6, 32 VI ADC § 434-1.6

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434-1. Subchapter 1. Persons Required to be Licensed or Qualified

32 V.I. R. & Regs. § 434-1.7

434-1.7. Issuance or Transfer of Interests; Approval.

No person shall issue or transfer any security or ownership interest in a casino licensee or applicant or any nonpublicly traded subsidiary or holding company thereof without the express, prior written approval of the Commission.

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32 V.I. R. & Regs. § 434-1.7, 32 VI ADC § 434-1.7

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434-1. Subchapter 1. Persons Required to be Licensed or Qualified

32 V.I. R. & Regs. § 434-1.8

434-1.8. Waiver

The Commission may waive, alter or restrict any requirement set forth in these rules and regulations if the Commission determines that the waiver, alteration or restriction is in the best interest of the public and the gaming industry.

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434-2. Subchapter 2. Standards for Licensure or Qualification

32 V.I. R. & Regs. § 434-2.1

434-2.1. License Criteria

(a) The commission may issue a casino license if it determines on the basis of all the facts before it that the applicant meets the criteria contained in Sections 434, 435, 436 and 437 of the Act.

(b) In making the required determinations, the commission may consider the following factors and indices, among others:

1. The integrity of the applicant and any personnel employed to have duties and responsibilities for the operation of gaming. This determination shall include consideration of -

i. Any criminal record of any individual:

ii. The involvement in litigation over business practices by the applicant or any individuals or entities employed by the applicant;

iii. The involvement in proceedings in which unfair labor practices, discrimination or regulation of gambling was an issue: and

iv. Failure to satisfy any judgments orders or decrees of any court:

2. The types and variety of games which applicant may offer;

3. The quality of the physical facility together with improvements and equipment:

4. The imminence of completion of the facility or any of its improvements:

5. Financial ability to develop and operate a facility successfully, including:

i. Ownership and control structure;

- ii. Amounts and reliability of development costs;
 - iii. Certainty of site acquisition or lease;
 - iv. Current financial conditions;
 - v. Sources of equity and debt funds, amounts, terms and conditions and certainty of commitment;
 - vi. Provisions for cost overruns, nonreceipt of expected equity or debt funds, failure to achieve projected revenues or other financial adversity; and
 - vii. Feasibility of financial plan;
6. The status of governmental actions required by the applicant's facility including:
- i. Necessary road improvements;
 - ii. Necessary public utility improvements;
 - iii. Required governmental approvals for development, ownership and operation; and
 - iv. Acceptance of any required environmental assessment and preparation of any required environmental impact statement;
7. Management ability of the applicant including:
- i. Qualifications of managers, consultants and other contractors to develop and own a gaming facility and the likelihood of projected operation;
 - ii. Security plan;
 - iii. Plans for marketing, promotion and advertising;
 - iv. Concession plan;
 - v. Plan for training personnel; and

vi. Equal employment and affirmative action plan;

8. Compliance with applicable statutes, rules, and regulations.

9. The impact of the facility including:

i. The economic impact -

(1) The employment created;

(2) The purchases of goods and services, including Territorial goods and services;

(3) Public and private investment; and

(4) Taxes generated;

ii. Ecological impact;

iii. Social impact; and

iv. Cost of public improvements;

(c) The Commission may also consider any other information which the applicant discloses and which is relevant or helpful to a proper determination by the Commission and any information disclosed during the background investigation

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434-3. Subchapter 3. Financial Stability of Casino Licensees and Applicants

32 V.I. R. & Regs. § 434-3.1

434-3.1. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings:

“Capital and maintenance expenditures” means expense items related to the approved casino hotel which are incurred in connection with furniture, fixtures, equipment and facilities, and capitalized costs. Such term shall include; acquisition, replacement, repairs, refurbishment, renovation, improvements, maintenance, including public area housekeeping; and labor.

“Casino bankroll” means cash maintained in the casino, excluding any funds necessary for the normal operation of the casino, such as change banks, slot hopper fills, slot booths, cashier imprest funds and redemption area funds.

“Equivalent provisions” means lines of credit, parent company guarantees, or other arrangements approved by the Commission through which funds can be accessed on a timely and as needed basis.

“Gross operating profit” means net revenues less operating expenses, as reflected on the casino licensee's or applicant's Casino Control Commission Statement of Income.

“Material debt” means debt of 25 million or more for Tier I; 20 million or more for Tier II; 15 million or more for Tier III; and 10 million or more for Tier IV, whether in a single transaction or cumulative transactions during any 12 month period, or such other amount as the Commission may, at the time of licensure or license renewal, determine is appropriate to ensure the continued financial stability of a casino licensee or applicant.

“Operating expenses” means the total of cost of goods and services; selling, general and administrative expenses; and the provision for doubtful accounts as indicated on the casino licensee's or applicant's Casino Control Commission Statement of Income.

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434-3. Subchapter 3. Financial Stability of Casino Licensees and Applicants

32 V.I. R. & Regs. § 434-3.2

434-3.2. Financial Stability

(a) Each casino licensee or applicant shall establish its financial stability by clear and convincing evidence in accordance with Section 436(a) of the Act and this subchapter.

(b) The Commission may consider any relevant evidence of financial stability; provided, however, that a casino licensee or applicant shall be considered to be financially stable if it establishes by clear and convincing evidence that it meets each of the following standards:

1. The ability to assure the financial integrity of casino operations by the maintenance of a casino bankroll or equivalent provisions adequate to pay winning wagers to casino patrons when due. A casino licensee or applicant shall be found to have established this standard if it maintains an amount maintained by a comparable casino licensee in other jurisdictions.
2. The ability to meet ongoing operating expenses which are essential to the maintenance of continuous and stable casino operations.
3. The ability to pay, as and when due, all taxes, including the tax on gross revenues, the investment alternative tax obligations, and any fees imposed by the Act and Commission rules and regulations.
4. The ability to make necessary capital and maintenance expenditures in a timely manner which are adequate to ensure maintenance of a superior first class facility of exceptional quality.
5. The ability to pay, exchange, refinance or extend debts, including long-term and short-term principal and interest and capital lease obligations, which will mature or otherwise come due and payable during the license term, or to otherwise manage such debts and any default with respect to such debts.

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32 V.I. R. & Regs. § 434-3.2, 32 VI ADC § 434-3.2

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32 V.I. R. & Regs. § 434-3.3

434-3.3. Continuing Assessment of Financial Condition.

(a) No casino licensee shall consummate a material debt transaction which involves the following without the prior approval of the Commission. Any transaction not specified in this subsection shall not require prior Commission review and approval with regard to the financial stability standards set forth in this subchapter.

1. An agreement which provides for any borrowing for a purpose other than capital and maintenance expenditures; or
2. A guarantee of the debt of an affiliate, whether by cosignatory or otherwise; an assumption of the debt of an affiliate, or an agreement to place any encumbrance on its approved casino hotel facility to secure the debts of an affiliate.

(b) In reviewing any transaction pursuant to (a) above, the Commission shall consider whether the transaction would deprive the casino licensee of financial stability taking into account the financial condition of the affiliate and the potential impact of any default on the licensee.

(c) Any subsequent use of the proceeds of a transaction previously approved by the Commission pursuant to (a) above, including subsequent drawings under previously approved borrowings, shall not require further Commission approval.

(d) The Commission may restrict or prohibit the transfer of cash to, or the assumption of liabilities on behalf of, an affiliate if, in the judgment of the Commission, such transfer or assumption would deprive the casino licensee of financial stability.

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32 V.I. R. & Regs. § 434-3.3, 32 VI ADC § 434-3.3

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434-4. Subchapter 4. Application Requirements

32 V.I. R. & Regs. § 434-4.1

434-4.1. Duration of License; Conditions.

(a) In accordance with Sections 439(e) and 440 of the Act, a casino license shall be issued by the Commission for an initial period of one year, and shall be renewable thereafter for a period of up to one year for each of the first two renewal terms, and up to two years for successive renewal terms thereafter.

(b) A casino license may be issued or renewed subject to such conditions, restrictions, limitations or covenants as the Commission, in its discretion, deems necessary.

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32 V.I. R. & Regs. § 434-4.2

434-4.2. Contents of Application for Initial Casino License.

(a) An application for the initial issuance of a casino license shall include, without limitation, the following information, 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. A Casino License Application for each of the following:

- i. The casino license applicant;
- ii. Each holding company or intermediary company of the applicant required to be qualified pursuant to Section 437(b), (d) or (e) of the Act; and
- iii. Each entity required to be qualified pursuant to Section 437 (c) of the Act;

2. A Personal History Disclosure Form for the following:

- i. For each natural person required to be qualified pursuant to Section 437(c) or (e) of the Act by virtue of his or her relationship to the applicant, and
- ii. For each natural person required to be qualified pursuant to Section 437(c) and (d) of the Act by virtue of his or her relationship to a holding company or intermediary company of the applicant;

3. Such information and documentation as may be required by the Commission to establish the qualification of any person required to be qualified as a financial source pursuant to Section 436(b) of the Act;

4. Such information and documentation as may be requested by the Commission to demonstrate the financial stability, integrity and responsibility of the casino license applicant and each holding company or intermediary company of the applicant required to be qualified pursuant to Sections 436(a) and 435 of the Act, and the integrity of its financial sources and adequacy of its financial resources pursuant to Section 436(b) of the Act, and sufficient business ability and the likelihood of successful and efficient casino operations pursuant to Section 436(d) of the Act;

5. Such information and documentation as may be required by the Commission to establish compliance with Sections 435, 436(e) and all other relevant facilities requirements of the Act and the rules of the Commission including, without limitation, the following:

- i. A description of the proposed casino hotel site, including site plans, total acreage, total square footage, frontages and elevation;
- ii. A description of the proposed casino hotel, including floor plans; and the total number of qualifying and non-qualifying sleeping units pursuant to Section 435 of the Act, the number of sleeping units on each floor, the square footage of each unit and the average size of all units;
- iii. A description of the casino room, including floor plans;
- iv. A description of each proposed casino hotel alcoholic beverage location, including type, location and square footage;
- v. The construction program, including estimated construction time and anticipated date of opening; the status of all required governmental and regulatory approvals and any conditions thereto; the project budget; and the architect, general contractor, construction manager and primary subcontractors, environmental consultant and interior designer; and
- vi. An impact statement and related material which establishes to the satisfaction of the Commission the suitability of the casino and related facilities in accordance with the standards set forth in Section 436 (e) of the Act;

6. Any other information, documentation and assurances as may be requested by the Commission to ensure compliance with the equal employment and business opportunity and affirmative action requirements of Sections 506 and 507 of the Act;

7. The initial license fee; and

8. Any other information or documentation which the Commission 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.

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32 V.I. R. & Regs. § 434-4.2, 32 VI ADC § 434-4.2

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32 V.I. R. & Regs. § 434-4.3

434-4.3. Petitions for Waiver.

(a) Upon the petition of a casino license applicant, the Commission, may waive compliance with the qualification requirements of Section 437d of the Act 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 Section 437d(1) of the Act, or for an institutional investor thereof pursuant to Section 437f of the Act. Such petition shall be in writing and shall include the following:

1. A description of all outstanding securities of the applicant and its holding companies and intermediary companies and a list of all holders thereof; and
2. A certification in support of the petition, including the following Compliance with the criteria for such waivers as set forth in Section 437d(1) of the Act.

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32 V.I. R. & Regs. § 434-4.4

434-4.4. Statements of Compliance; Commitment to Reserve a Casino License.

(a) A casino license applicant may, pursuant to Section 433 of the Act, file a petition requesting that the Commission issue a statement of compliance that the applicant has established compliance with one or more of the eligibility criteria required by the Act or the rules and regulations of the Commission for a casino license.

(b) A statement of compliance certifying satisfaction of the requirements of Section 436(e) of the Act may be accompanied by a written commitment by the Commission to reserve a casino license in accordance with Section 433 (c) of the Act.

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32 V.I. R. & Regs. § 434-4.5

434-4.5. Prehearing Conference; Hearing.

(a) All hearings and Prehearing conferences regarding an application for a casino license shall be conducted in accordance with this Act and rules and regulations established in the Commission.

(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.

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434-5. Subchapter 5. Approved Hotel Facility Requirements

32 V.I. R. & Regs. § 434-5.1

434-5.1. Definitions.

The following words and terms, as used in this subchapter, shall have the following meanings:

“Approved Hotel” is defined in section 435 of the Act.

“Qualifying sleeping unit” (“QSU”) means a hotel room at least 325 square feet measured to the center of the perimeter walls, including bathroom and closet space and excluding hallways, balconies and lounges; each containing private bathroom facilities; and each held available and used regularly for the lodging of tourists and convention guests.

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32 V.I. R. & Regs. § 434-5.2

434-5.2. The Approved Hotel.

(a) No casino license shall be issued or renewed unless the casino is located in an area consistent with Section 435 of the Act, and unless the proposed facilities conform to the facilities requirements in Sections 435, 436, 454, 456, 462 and 508 of the Act and the rules and regulations of the Commission, including, without limitation, the following:

1. The approved hotel shall contain a closed circuit television (CCTV) system approved by the Commission;
2. Secure areas shall be designated for the inspection, repair and storage of gaming equipment which, in the case of each slot machine repair room, shall include, at a minimum:
 - i. CCTV coverage of the room; and
 - ii. An alarm device, approved by the Commission, that is connected to each door to the room and that audibly signals, at a minimum, the security podium whenever a door to the room is opened;
3. Each emergency exit from the casino floor, shall be equipped with:
 - i. An audible alarm system, approved by the Commission, that produces a loud warning sound, discernible in the vicinity of the exit, whenever the emergency door is opened and that can only be deactivated and reset by a key maintained and controlled by the casino security department; and
 - ii. An electrical system, approved by the Commission, which audibly and visually notifies the Division at its offices in the approved hotel whenever each emergency door is opened;
4. The casino licensee shall maintain adequate enclosed facilities for the detention of individuals taken into custody by its security department, the Division or any authorized law enforcement agency, which facilities shall include, at a minimum, the following:
 - i. Separate detention areas for male and female detainees;
 - ii. A metal door with a one-way mirror;

- iii. A bench or other sitting apparatus which is permanently affixed to the enclosed facility and to which the person in custody can be handcuffed with as little discomfort to that person as is reasonably possible under the circumstances;
 - iv. Adequate lighting and a fire extinguisher, each of which is inaccessible to the person in custody; and
 - v. A secured toilet facility that provides reasonable privacy and safety;
5. The casino licensee shall adequately maintain suitable space, equipment, partitions and supplies to meet the Commission's continuing needs at the facility, including, at a minimum, the following:
- i. A booth and interview room adjacent to the casino floor for the Commission's inspectors to perform their responsibilities effectively, which shall include monitors in the inspection booth that are capable of receiving the signal generated by each camera approved for use as part of the casino licensee's CCTV system;
 - ii. Adequate parking spaces in the approved hotel, or in lots or a parking garage ancillary thereto, which are clearly marked for Commission use only;
 - iii. Adequate computer equipment, both at the inspection booth and in the office of the Commission's principal inspector, to meet the Commission's continuing data-processing and related needs; and
 - iv. Such other facilities and office space elsewhere in the approved hotel as the Commission shall direct during the course of performing audit, compliance or other reviews at the approved hotel; and
6. The casino licensee shall adequately maintain suitable space, equipment, partitions and supplies to meet the Division's continuing needs at the approved hotel in order for the Division to perform its duties and responsibilities effectively, including, at a minimum, the following:
- i. A direct telephone line between the Division's office in the approved hotel and the monitoring rooms and the casino licensee's security podium;
 - ii. Adequate parking spaces in the approved hotel, or in lots or a parking garage ancillary thereto, which are clearly marked for Division use only; and
 - iii. Such other facilities and office space elsewhere in the approved hotel as the Division shall require during the course of performing audit, compliance or other reviews at the approved hotel.
7. The Commission upon a showing of good cause may waive all or any of the requirements of this subsection.

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32 V.I. R. & Regs. § 434-5.2, 32 VI ADC § 434-5.2

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434-5. Subchapter 5. Approved Hotel Facility Requirements

32 V.I. R. & Regs. § 434-5.3

434-5.3. Declaratory Rulings As to Proposed Casino Hotel Facilities.

Upon the petition of any person who owns, has a contract to purchase or construct, leases or has an agreement to lease any building or site located within the Territory and who intends to and is able to complete a proposed casino hotel facility, the Commission may in its discretion issue a declaratory ruling as to whether the conformance of the proposed casino hotel facility to any of the facilities requirements of the Act and the rules and regulations of the Commission has been established by clear and convincing evidence.

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32 V.I. R. & Regs. § 434-5.4

434-5.4. Casino Facilities.

(a) Each approved hotel shall contain a casino of not more than the amount of casino space permitted by Section 435(b) of the Act.

(b) In accordance with Section 435(b) of the Act, a casino licensee shall file a written petition with the Commission requesting permission for any increase in the amount of casino space in its approved hotel. Such petition shall include, without limitation, the following:

1. The current total square footage of its casino space;
2. The proposed increase in total square footage of its casino space;
3. The current total number of QSU's in the approved hotel;
4. A description of any proposed hotel addition, including, without limitation, the following:
 - i. The number of additional QSU's proposed;
 - ii. Identification of the site; and
 - iii. Evidence which establishes that the proposed hotel addition meets the standards for QSU's and for an approved hotel;
5. The construction schedule for the proposed casino expansion and proposed hotel addition, including:
 - i. The anticipated date for commencement of construction;
 - ii. The anticipated date for completion of construction; and

iii. The anticipated date on which the additional QSU's will be available for the regular lodging of guests;

6. The requested date for the commencement of gaming operations in the additional casino space;

7. Any approvals required from governmental and regulatory authorities which have been obtained to date; and

8. The estimated budget for the proposed hotel addition and the proposed casino expansion, including construction, furniture, fixtures and equipment, and the anticipated means of funding such costs.

(c) The Commission may approve a request for casino expansion pursuant to (b) above upon a finding that:

1. The proposed hotel addition meets the standards for QSU's and for an approved hotel in section 435 of the Act;

2. The total number of QSU's and proposed QSU's permit the requested increase in casino space;

3. The proposed QSU's can be constructed on the schedule represented by the casino licensee in its petition, including a construction completion date no later than two years from the date of commencement of gaming operations in the additional casino space pursuant to (d) below;

4. Construction of the proposed hotel addition and the proposed casino expansion, for the cost and on the schedule represented by the casino licensee in its petition, will not deprive the casino licensee of its financial stability; and

5. The casino licensee has demonstrated that it has site control over the location of the proposed hotel addition, by obtaining Commission approval of an executed and binding contract for any necessary purchase or lease of real property required for construction or such other agreement as approved by the Commission.

(d) The Commission may permit a casino licensee to commence gaming in the additional casino space approved pursuant to (c) above, provided that:

1. The specific layout, design and contents of the additional casino space are approved by the Commission for gaming operations; and

2. All other governmental approvals regarding the casino space, including a certificate of occupancy, are obtained.

(e) Notwithstanding the provisions of (d) above, the Commission may at any time require a casino licensee to immediately cease gaming operations in the additional casino space if any of the following conditions have not been satisfied:

1. The casino licensee shall obtain all necessary permits; and

2. The casino licensee shall commence construction of the proposed hotel addition by a date specified by the Commission;

3. On or before two years from the date of commencement of gaming operations:

i. Construction of the hotel addition shall be completed;

ii. All necessary furniture, fixtures and equipment shall be installed; and

iii. The proposed additional QSU's are offered as available for the regular lodging of guests; and

4. Any other condition which the Commission deems necessary and appropriate has been satisfied.

(f) The standards of (c) and (d) above shall not be construed to limit the authority of the Commission to determine the suitability of facilities as provided in the Act.

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32 V.I. R. & Regs. § 434-6.1

434-6.1. Operation Certificate; Standards for Issuance.

(a) Except for the test period, each casino licensee responsible for the operation of a casino shall obtain an operation certificate prior to opening such casino to the public, and prior to conducting gaming in such casino.

(b) To obtain an operation certificate, each casino licensee shall establish to the satisfaction of the Commission that:

1. The casino comply in all respects with the applicable requirements of the Act and the rules and regulations of the Commission;
2. The casino licensee has implemented necessary management controls and security precautions for the efficient operation of the casino;
3. The casino personnel are properly trained and licensed; and
4. The casino are prepared in all respects to receive and entertain the public.

(c) Each operation certificate granted by the Commission to a casino licensee shall include, at a minimum, the following information:

1. A statement that such casino licensee has complied with Section 452(a) of the Act and with (b) above;
2. A list itemizing the authorized games, by category and number, that are permitted in the casino; and
3. A list of those areas which the Commission has specifically designated as a restricted area.

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32 V.I. R. & Regs. § 434-6.2

434-6.2. Operation Certificate; Test Period.

(a) Prior to the issuance of an operation certificate for its casino, each casino licensee shall successfully complete an evaluation or test period in accordance with such terms and conditions as are reasonably calculated to allow the Commission to assess the licensee's entitlement to the issuance of such certificate.

(b) The evaluation or test period shall commence on such date and at such time as the Commission shall establish, and shall continue thereafter until further order of the Commission.

(c) Whenever the Commission delegates to one or more of its members the authority to evaluate a casino licensee's successful completion of a test period, the member or members, acting jointly, shall be authorized to do any of the following unless the full Commission has otherwise reserved that authority to itself:

1. Establish the original length of time and the hours during which such test shall be conducted;
2. Terminate, restrict, limit, extend or otherwise modify such test period or the hours thereof;
3. Upon determining that the casino licensee has successfully completed the test period establish the effective date of the operation certificate and the scope of the casino licensee's authority to conduct gaming.
4. Order the casino licensee to take whatever actions are necessary to preserve the policies of the Act and to assure an effective evaluation of the casino licensee during such test period including, among other things, permitting, limiting, restricting or prohibiting the casino licensee from:
 - i. Accepting coin at the slot machines or currency at the table games during all or any part of such period; and
 - ii. Allowing the count rooms to process cash.

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32 V.I. R. & Regs. § 434-6.2, 32 VI ADC § 434-6.2

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32 V.I. R. & Regs. § 434-6.3

434-6.3. Operation Certificate; Blueprints of the Casino Floor, and Any Restricted Areas.

(a) Prior to the issuance of an operation certificate and the commencement of gaming, each casino licensee shall obtain Commission approval for the blueprints of its casino floor, and any restricted areas.

(b) Each blueprint required by (a) above shall be filed with the Commission, shall be drawn by a certified architect and shall depict, at a minimum, the location of the following:

1. The casino floor, including, at a minimum, the proposed total square footage thereof and a clear delineation of the respective perimeter,
2. Each gaming pit, noting its pit location number;
3. Each table game, noting its pit and table game location number;
4. Each CCTV camera, noting its type and camera number;
5. Each slot booth, noting its booth number;
6. Each cashier's cage and its component offices and areas;
7. Each separate master coin bank;
8. Each window at the cashiers' cage, noting its window number;
9. Each count room;
10. Each slot machine, noting its location number and zone letter or number,
11. Each bill changer, noting its location number;

12. Each slot stool authorized for use, noting its stool number, if any;
13. Each automated coupon redemption machine, noting its location number;
14. Each satellite cage and its component offices and areas;
15. Each coin vault;
16. Each area approved for the storage of gaming chips or plaques;
17. Each room or area approved for the storage of dice or playing cards;
18. Each other room or area that is accessible directly from the casino floor;
19. Each other area or room designated by the Commission.

(c) Each casino licensee, after obtaining Commission approval of its final blueprints, shall not commence gaming until a copy of such blueprints has been delivered to, and receipt thereof acknowledged by an authorized person at, each of the following:

1. The Commission's inspection booth in the establishment;
2. The office of the Commission's principal inspector in the establishment;
3. The Division's office in the establishment;
4. The casino licensee's security podium; and
5. The casino licensee's monitoring rooms.

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32 V.I. R. & Regs. § 434-6.3, 32 VI ADC § 434-6.3

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32 V.I. R. & Regs. § 434-6.4

434-6.4. Operation Certificate; Master Lists of Approved Slot Machines and Table Games.

(a) Prior to the issuance of an Operation Certificate and the commencement of gaming or each casino licensee shall file with the Commission, at the office of the Commission's principal inspector in the hotel casino, and serve on the Division, at its office in the hotel casino, a comprehensive list of the table games in its casino, if any, and similarly shall file and serve a list of the slot machines in its casino (the Slot Machine Master List).

(b) At a minimum, each Slot Machine Master List shall list each slot machine consecutively by location number and shall contain the following information:

1. The date on which the list was prepared;
2. A description of each slot machine by:
 - i. Asset, model and serial number;
 - ii. Computer program number;
 - iii. Denomination; and
 - iv. Manufacturer and machine type, noting with particularity whether the machine is a high-boy, has a bill changer attached, or is a progressive machine;
3. The location at which each slot stool is installed;
4. A cross reference for each slot machine by zone and serial number; and
5. Such other information as the Commission may require.

(c) At a minimum, each Table Game Master List shall contain the following information:

1. The date on which the list was prepared:
2. A description of each table by:
 - i. Type of authorized game;
 - ii. Location number; and
 - iii. Serial and table number; and
3. Such other information as the Commission may require.

(d) Each casino licensee, after obtaining permission to alter, modify or reconfigure its casino floor and the authorized games therein, shall file and serve, in accordance with (a) above, updated master lists of its table games and slot machines to reflect the changes that the Commission has approved.

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32 V.I. R. & Regs. § 434-6.5

434-6.5. Operation Certificate; Effective Date; Duration.

(a) Upon the successful completion of the test period, the Commission shall establish the effective date of each Operation Certificate and the scope of the casino licensee's authority to conduct gaming.

(b) Subject to the Commission's authority to revoke, suspend, limit or otherwise alter an operation certificate in accordance with the terms of the Act and the rules and regulations of the Commission, each such certificate, once issued, shall remain in full force and effect indefinitely under such terms and conditions as the Commission may impose, and shall not be altered, modified or amended except in accordance with the Act and the rules and regulations of the Commission.

(c) The continued effectiveness of each such certificate shall be a prerequisite for the casino to which it applies to remain open to the public for the conduct of gaming.

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32 V.I. R. & Regs. § 434-6.6

434-6.6. Operation Certificate; Amendment to Conform to Approved Alterations.

(a) Each casino licensee shall file with the Commission a description of each proposed physical alteration to its casino which relates to the continued effectiveness of its original operation certificate and any approved amendments thereto, including, without limitation, a description of proposed changes to any of the following:

1. The number of authorized games to be played in the casino, if any;
2. The configuration or floor plan of the casino; and
3. Any restricted area.

(b) Within 30 business days of a casino licensee filing a description of a proposed change governed by (a) above, the Commission shall review such change for compliance with the Act and the rules and regulations of the Commission. Unless the Commission notifies the casino licensee in writing that the change is disapproved, the casino licensee, after obtaining all approvals required by Federal, or local government officials and providing a copy or other acceptable written evidence of such approvals to the Commission, may begin implementing such change upon the earlier of the following:

1. The expiration of such 30 business-day period; or
2. Receipt of written Commission approval for the change.

(c) Each casino licensee, upon final completion of any proposed change to its facility governed by (a) above, shall notify the Commission by filing, at a minimum, a revised blueprint which shall include the following:

1. A comparison showing:
 - i. The authorized square footage of the casino room in effect immediately prior to initiating any change for which approval is sought; and
 - ii. The change made to such square footage after giving effect to the proposal for which approval is sought;

2. A clear delineation of the change, if any, made to the perimeter of the casino room; and

3. A narrative from the architect who is certifying the blueprints that clearly describes the change being made by the proposal, noting with particularity any such change to the perimeter of the casino floor.

(d) The Commission shall inspect the physical change depicted on the blueprint to ensure that it conforms to the blueprint and to the previously submitted description of such proposed change and any properly filed amendments thereto. Following such inspection, the Commission shall notify the casino licensee in writing as to which physical change is approved and which is rejected, whereupon the operation certificate shall be amended to conform to the inspected and approved physical change.

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32 V.I. R. & Regs. § 434-6.7

434-6.7. Operation Certificate; Temporary Amendments for Alternate Pit Configurations.

(a) Except as otherwise provided in this section, each casino licensee shall configure the pits in its casino in accordance with the blueprints provided to the Commission and approved at the time the Operation Certificate originally was issued.

(b) Each casino licensee may temporarily reconfigure, for an initial period not to exceed 30 days, one or more pits by filing an alternate configuration for each such pit with the Commission at least three business days prior to implementing such alternate configuration. Within that three-day period the Commission shall notify the casino licensee whether the alternate configuration is approved.

(c) The Commission shall issue a Temporary Certificate of Operation authorizing, for an initial period of no more than 30 days, each approved alternate pit configuration. Each such alternate pit shall not:

1. Exceed the dimensions approved for the pit that existed immediately prior to the reconfiguration; nor
2. Include any change requiring the approval of any Federal, or local government code without having first obtained that approval and the approval of the Commission.

(d) Each casino licensee, upon application in accordance with this section, may obtain one extension of no more than 30 days for each Temporary Certificate of Operation issued hereunder.

(e) Each casino licensee shall obtain approval for any changes, other than those permitted by this section, to the configuration of the pits in its casino.

(f) Each pit operating under an approved configuration shall have an electrical system, approved by the Commission, which enables a pit clerk or a pit supervisor to transmit a signal that is audibly and visually reproduced in each of the following locations whenever there is an emergency in the pit:

1. The monitoring rooms;
2. The casino security department; and

3. The Division's office in the approved hotel.

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32 V.I. R. & Regs. § 434-6.8

434-6.8. Access to Public and Restricted Areas.

(a) No casino licensee shall permit any person to have access to any restricted area in its establishment unless such access is permitted in accordance with the casino licensee's internal controls.

(b) Each casino licensee may deny or limit access to any public areas in order to preserve the policies of the Act.

(c) Nothing in this section shall limit the authority of Commission members or employees and Division employees or agents from obtaining access to restricted areas during the performance of their respective duties and responsibilities in accordance with the Act and the rules and regulations of the Commission.

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434-7. Subchapter 7. Continuing Obligations of Casino Licensees and Qualifiers

32 V.I. R. & Regs. § 434-7.1

434-7.1. Minutes of Meetings of Boards and Committees.

Each casino licensee or applicant or holding company thereof shall file with the Commission copies of the minutes of all meetings of its board of directors or partnership executive committee, as applicable, and of all committee meetings including, without limitation, the audit committee, within seven days of their formal adoption.

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32 V.I. R. & Regs. § 434-8.1

434-8.1. Employee Internal Controls Submission.

(a) Each casino licensee or applicant shall submit an original and three copies to the Commission of a description of its internal procedures and administrative and accounting controls concerning employee organization pursuant to subsection 455-2 of the Accounting and Internal Controls rules. Unless otherwise directed by the Commission, an initial submission shall be made at least 60 days prior to the projected date of issuance of a Certificate of Operation. Each such submission shall be prepared and maintained in a format provided by the Commission.

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32 V.I. R. & Regs. § 434-8.2

434-8.2. Obligation to Terminate, Suspend or Refuse Employment; Form of Notice.

(a) Each casino licensee shall terminate or suspend the employment of, or shall refuse to employ, any person whose license or registration has been revoked or suspended by the Commission or whose application for licensure or registration has been denied if such licensure or registration is required for such employment by the Act and the Commission's regulations. Any casino licensee required to terminate or suspend the employment of any such person shall do so within 24 hours of receipt of notice from the Commission as defined in (b) below.

(b) The Commission shall, on a monthly basis, notify each casino licensee of the name, date of birth, and license, registration or application number of each person whose license, registration or application has been revoked, suspended or denied by the Commission.

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32 V.I. R. & Regs. § 434-8.3

434-8.3. Employee Reporting and Record keeping Requirements.

(a) Each casino licensee shall maintain a complete, accurate and current record of the employment and licensing or registration status of each employee. Such record shall include, without limitation, the information in (b) below.

(b) Each casino licensee shall file the following reports with the Commission on the first and the 15th calendar day of each month:

1. For each current employee:

- i. The license or registration number;
- ii. The last name, first name and middle initial as indicated on his or her license or registration;
- iii. The date of birth;
- iv. The position, represented by a job code that corresponds with a position described in the casino licensee's approved jobs compendium;
- v. The job title as it appears in the casino licensee's approved jobs compendium and which corresponds with the job code required in (b)1iv above;
- vi. The initial date of hire in the position indicated by the job code in (b)1iv above;
- vii. The effective date of any change in the employee's position or job title;
- viii. The access code, if any, assigned to the employee, which code designates the restricted casino areas that the employee is permitted to enter and remain in for purposes of performing his or her normal duties; and
- ix. The casino code assigned by the Commission to the casino licensee.

2. For each individual whose employment has been terminated since the date of the most recent report filed with the Commission pursuant to this subsection:

i. The information in (b)1i through vi and (b)1viii through ix above; and

ii. The effective date of termination.

3. A record of any and all designations used by a casino licensee to describe categories of its employees, for example, “full time,” “part time,” or “seasonal,” the number of employees in each such category and the total number of all employees in all categories.

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32 V.I. R. & Regs. § 434-8.4

434-8.4. Employee Experiential Hours.

(a) Each casino licensee shall maintain a complete, accurate and current record of the number of actual hours worked in each game by each employee as a pit boss, floorperson, boxperson and dealer; and the number of actual hours worked by each employee as a slot attendant supervisor, slot attendant, lead slot technician, slot technician, chief slot technician and slot shift manager.

(b) A daily log of the actual number of hours worked by each employee in each position listed in (a) above and, as applicable, in each game shall be maintained in each pit and in the slot department, which log shall record the date and time of day when each employee began and ended working in a particular game or in the slot department. Each entry into such log shall be approved by the pit boss or the slot shift manager, as appropriate, or his or her designee, verifying the accuracy of the information therein.

(c) Upon the written request of any employee or former employee, a casino licensee shall verify the number of hours worked by such person in any position listed in (a) above identified in the request. Within 30 days of the receipt of such request, the casino licensee shall provide the employee or former employee with the following documents for submission to the Commission:

1. An affidavit from the casino licensee indicating the number of hours worked by the employee or former employee in each position identified in the request and, if applicable, in each game. The affidavit shall be signed by an assistant casino manager (for table game hours), or an assistant slot manager (for slot department hours) or other management personnel above that level in the casino licensee's organizational structure. The signature of any person authorized to verify experiential hours pursuant to this section must be submitted to the Commission prior to any verification by that person; and
2. An affidavit from the employee or the former employee indicating that he or she agrees with the hours of employment specified by the casino licensee in its affidavit.

(d) No casino licensee shall charge any fee for providing verification of experiential hours pursuant to this section.

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32 V.I. R. & Regs. § 434-8.4, 32 VI ADC § 434-8.4

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32 V.I. R. & Regs. § 434-8.5

434-8.5. Petitions for Casino Hotel and Security Employee Registration.

(a) In accordance with Section 443 (f) of the Act, no casino hotel and security employee registration shall be issued by the Commission except upon the petition of a casino license or applicant. Such petitions shall be in writing and shall include the following:

1. The name and date of birth of the applicant for registration;
2. The position in which the applicant for registration will be employed;
3. A statement by the casino licensee or applicant that it has verified that the applicant for registration is eligible to work and that it has completed the Employment Eligibility Verification Form (Form I-9) provided by the U.S. Department of Justice, Immigration and Naturalization Service, and
4. Either of the following:
 - i. A completed application for casino hotel and security employee registration, which shall be accompanied by a written statement, signed and dated by the applicant for registration and an authorized representative of the casino licensee or applicant, authorizing the casino licensee or applicant to file the application on behalf of the applicant for registration; or
 - ii. A certification by the applicant for registration that he or she has filed a completed application with the Commission.

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32 V.I. R. & Regs. § 434-9.1

434-9.1. Vendor Internal Controls Submission.

(a) Each casino licensee or applicant shall submit an original and three copies to the Commission of a description of its internal procedures and administrative and accounting controls concerning compliance with the vendor licensing and approval requirements of Sections 444 and 463(b). 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 proscribed by the Commission

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32 V.I. R. & Regs. § 434-9.2

434-9.2. Presentation of Agreement; Termination Clause.

(a) Each casino licensee or applicant shall be required, upon directive of the Commission, to present to and file with the Commission a fully signed copy of every written agreement and a precise written description of every other agreement, including the terms thereof and the persons involved therein and associated therewith, regarding either:

1. The realty of its casino hotel facility; or
2. Any business or person doing business with or on the premises of its casino hotel facility.

(b) Each agreement with a casino licensee or applicant whether or not expressly included therein by the parties thereto, shall be deemed to include a provision for its termination without liability on the part of the casino licensee or applicant, or on the part of any qualified party to the agreement or any related agreement the performance of which is dependent upon such agreement, if the Commission shall disapprove thereof in accordance with Section 463(b) of the Act and the regulations of the Commission.

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32 V.I. R. & Regs. § 434-9.3

434-9.3. Review of Agreements.

(a) The Commission may review each agreement to determine the following:

1. The reasonableness of the terms of the agreement, including the terms of compensation;
2. The qualifications of the persons involved in and associated with the agreement in accordance with the standards enumerated in Section 438 of the Act, after which the Commission may make a finding as to the suitability of such persons to be involved or associated with the casino licensee or applicant;
3. Whether any enterprise involved therein or associated therewith is providing or likely to provide goods or services to, or conducting or likely to conduct business with, a casino licensee or applicant, its employees or agents which requires casino servicing entity licensure pursuant to Section 444 of the Act, in which case the Commission shall direct that a casino servicing entity license application be promptly filed by the enterprise; and
4. Whether any action is desirable or necessary to regulate, control or prevent economic concentration in any casino servicing entity or to encourage or preserve competition in any casino servicing entity.

(b) Whenever, pursuant to Section 444(c) of the Act and the regulations of the Commission, the Commission has exempted any person involved in or associated with an agreement from the casino servicing entity license requirement otherwise imposed by Section 444(c) of the Act, the Commission may in its discretion base its findings as to the suitability of the person to be involved or associated with the casino licensee or applicant upon the fact of such exemption.

(c) If the Commission shall disapprove of an agreement or any person associated therewith, the Commission may by directive require the termination of such agreement or association or pursue any remedy or combination of remedies provided for in the Act or the regulations of the Commission. If such disapproved agreement or association is not thereafter promptly terminated as required by Commission directive, the Commission may pursue any remedy or combination of remedies provided for in the Act or the regulations of the Commission.

(d) No provision of this section shall in any way limit the duty and obligation of any enterprise to, on its own initiative, apply for a casino servicing entity or junket enterprise license.

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32 V.I. R. & Regs. § 434-9.4

434-9.4. Purchasing and Disbursement Reports.

(a) Each casino licensee or applicant shall generate a master purchasing and disbursement report in accordance with this subsection for all transactions subject to Section 463(b) of the Act. Such report shall be submitted to the Commission on the first day of each month.

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 name or if applicable, the vendor's license number;
- 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 license 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 license number (if assigned);

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 license number if applicable;

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 license number if applicable;

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 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.

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32 V.I. R. & Regs. § 434-10.1

434-10.1. Renewal; Time for Filing.

(a) The Commission may, upon the written petition of the casino licensee, renew a casino license in accordance 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.

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32 V.I. R. & Regs. § 434-10.2

434-10.2. Contents of Renewal Application.

(a) An application for the renewal of a casino license shall be in a manner proscribed by the Commission, which shall be completed in accordance with the requirements of the Act and the rules and regulations of the Commission and any instructions included with the application materials, including but not limited to:

1. The Casino Renewal License Application;
2. The Personal History Disclosure Forms;
3. Copies of all Tax Returns;
4. Such information as may be requested by the Commission to demonstrate the applicant's good faith efforts to comply with the equal employment and business opportunity and affirmative action requirements of Sections 506 and 507 and any relevant conditions to the current casino license;
5. Such information as may be requested by the Commission to demonstrate compliance with all conditions, restrictions, limitations and covenants in the current casino license and certificate of operation;
6. The license renewal fee; and
7. Any other information or documentation which the Commission 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 form required by (a) above, and an original and four copies of all other information required by (a) above, with the Commission.

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32 V.I. R. & Regs. § 434-10.3

434-10.3. Petitions for Waiver.

Upon the petition of the casino license applicant the Commission, may waive compliance with any qualification requirements for an officer, director, lender, underwriter, agent, employee or security holder of a publicly traded holding or intermediary company of a casino licensee, or for an institutional investor.

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32 V.I. R. & Regs. § 434-10.4

434-10.4. Prehearing Conference; Hearing.

(a) All hearings and prehearing conferences concerning an application for renewal of a casino license shall be conducted in accordance with Act, rules and regulations.

(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.

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32 V.I. R. & Regs. § 434-11.1

434-11.1. Definitions.

The following word and term is defined in the Act and is used in this subchapter as defined in that Act:

“Conservatorship action”

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32 V.I. R. & Regs. § 434-11.2

434-11.2. 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.

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32 V.I. R. & Regs. § 434-11.3

434-11.3. 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.

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32 V.I. R. & Regs. § 434-11.4

434-11.4. 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.

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32 V.I. R. & Regs. § 434-11.5

434-11.5. 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 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.

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32 V.I. R. & Regs. § 434-11.6

434-11.6. Powers and Jurisdiction of the Commission.

(a) At the time of the commencement of a conservatorship action, or at any time thereafter, the Commission shall have the power to enjoin the former or suspended licensee from exercising any of its privileges, from collecting or receiving any debts and from paying out, selling, assigning or transferring any of its property to other than a conservator, except as the Commission may otherwise order.

(b) A conservator shall at all times be subject to the Act and such regulations, limitations, restrictions, terms and conditions as the Commission may from time to time prescribe.

(c) The Commission shall have such further powers as shall be appropriate for the fulfillment of the purposes of the Act.

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32 V.I. R. & Regs. § 434-11.7

434-11.7. Effect of the Conservatorship on Licensed Casino Operation.

Except as may be otherwise provided in the Act, during the period of conservatorship the casino operation in the form of the conservatorship shall be deemed a licensed casino operation and any reference in the Act or regulations to any obligations or responsibilities incumbent upon a casino licensee or those persons dealing with, affiliated with, having an interest in, or employed by a casino licensee shall be deemed to apply to said casino operation.

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32 V.I. R. & Regs. § 434-11.8

434-11.8. Powers, Authorities and Duties of Conservators.

(a) Upon his appointment, the conservator shall become vested with the title of all the property of the former or suspended licensee relating to the casino and the approved hotel, subject to any and all valid liens, claims, and encumbrances.

(b) The conservator shall have the duty to conserve and preserve the assets so acquired to the end that such assets shall continue to be operated on a sound and businesslike basis.

(c) Subject to the general supervision of the Commission and pursuant to any specific order it may deem appropriate, a conservator shall have power to:

1. Take into his possession all the property of the former or suspended licensee relating to the casino and the approved hotel, including its books, records and papers;
2. Institute and defend actions by or on behalf of the former or suspended licensee;
3. Settle or compromise with any debtor or creditor of the former or suspended licensee, including any taxing authority;
4. Continue the business of the former or suspended licensee and to that end enter into contracts, borrow money and pledge, mortgage or otherwise encumber the property of the former or suspended licensee as security for the repayment of the conservator's loans; provided, however, that such power shall be subject to any provisions and restrictions in any existing credit documents;
5. Hire, fire and discipline employees;
6. Review all outstanding agreements to which the former or suspended licensee is a party that fall within the purview of Section 463(b) of the Act and advise the Commission as to which, if any, of such agreements should be the subject of scrutiny, examination or investigation by the Commission; and
7. Do all further acts as shall best fulfill the purposes of the Act.

(d) Except during the pendency of a suspension or during the pendency of an appeal from any action or event which precipitated the conservatorship or in instances in which the Commission finds that the interests of justice so require, the conservator, subject to the prior approval of and in accordance with such terms and conditions as may be prescribed by the Commission, and after appropriate prior consultation with the former licensee as to the reasonableness of such terms and conditions, shall endeavor to and be authorized to sell, assign, convey or otherwise dispose of in bulk, subject to any and all valid liens, claims, and encumbrances, all the property of a former licensee relating to the casino and the approved hotel only upon written notice to all creditors and other parties in interest and only to such persons who shall be eligible to apply for and shall qualify as a casino licensee in accordance with the provisions of the Act.

1. Prior to any such sale, the former licensee shall be granted, upon request, a summary review by the Commission of such proposed sale.

2. As an incident of its prior approval pursuant to this subsection of the sale, assignment, conveyance or other disposition in bulk of all property of the former licensee relating to the casino and the approved hotel, the Commission may, in its discretion, require that the purchaser thereof assume in a form and substance acceptable to the Commission all of the outstanding debts of the former licensee that arose from or were based upon the operation of either or both the casino or the approved hotel.

(e) The Commission may direct that the conservator, for an indefinite period of time, retain the property and continue the business of the former or suspended licensee relating to the casino and the approved hotel. During such period of time or any period of operation by the conservator, he shall pay when due, without in any way being personally liable, all secured obligations and shall not be immune from foreclosure or other legal proceedings to collect the secured debt, nor with respect thereto shall such conservator have any legal rights, claims, or defenses other than those which would have been available to the former or suspended licensee.

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32 V.I. R. & Regs. § 434-11.9

434-11.9. Compensation of Conservators and Others.

In any conservatorship action, the Commission shall allow a reasonable compensation for the services, costs and expenses of the conservator, the attorney for the conservator, the appraiser, the auctioneer, the accountant and such other persons as the Commission may appoint in connection with the conservatorship action.

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32 V.I. R. & Regs. § 434-11.10

434-11.10. Required Reports of the Conservator.

(a) A conservator shall file with the Commission such reports with regard to the administration of the conservatorship in such form and at such intervals as the Commission or the Chairman may prescribe.

(b) The reports of the conservator to the Commission pursuant to this subsection shall be available for examination and inspection by any creditor or party in interest.

(c) The Commission may direct that copies of any such reports of a conservator to the Commission pursuant to this subsection be mailed to such creditors or other parties in interest as it may designate and that summaries of any such reports be published in such newspapers of general circulation as it may designate.

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32 V.I. R. & Regs. § 434-11.11

434-11.11. Review of Action of Conservator.

(a) Any creditor or party in interest aggrieved by any alleged breach of a fiduciary obligation of a conservator in the discharge of his duties shall be entitled to a review thereof upon petitioning the Commission in writing. Such petition shall set forth in detail the pertinent facts and the reasons why such facts constitute the alleged breach.

(b) The Commission shall summarily review any petition filed pursuant to this subsection and take whatever action, if any, that it deems appropriate.

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32 V.I. R. & Regs. § 434-11.12

434-11.12. Payment of Net Earnings During the Period of Conservatorship.

- (a) No payment of net earnings during the period of conservatorship may be made by the conservator without the prior approval of the Commission.
- (b) The Commission may, in its discretion, direct that all or any part of net earnings during the period of conservatorship be paid either to the suspended or former licensee or to the Casino Revenue Fund.
- (c) Subject to subsection (d) of this section the Commission shall direct the payment of net earnings, or any portion thereof, to the Casino Revenue Fund unless the Commission determines that the policies of the Act and public confidence in the integrity of legalized gaming operations would not be eroded by the payment of such net earnings to the former or suspended licensee.
- (d) Notwithstanding any other provisions of this section, the former or suspended licensee shall be entitled to a fair rate of return out of net earnings, if any, during the period of conservatorship on the property retained by the conservator, taking into consideration that which amounts to a fair rate of return in the casino industry or the hotel industry, as the case may be.

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32 V.I. R. & Regs. § 434-11.13

434-11.13. Payments Following a Bulk Sale.

Following any sale, assignment, conveyance or other disposition in bulk of all the property subject to the conservatorship, the net proceeds therefrom, if any, after payment of all obligations owing to the Territory and political subdivisions thereof and of those allowances set forth in the Act, shall be paid by the conservator to the former or suspended licensee.

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32 V.I. R. & Regs. § 434-11.14

434-11.14. Discontinuation of Conservatorship.

(a) The Commission shall direct the discontinuation of any conservatorship action when the conservator has, pursuant to the Act and with the prior approval of the Commission, consummated the sale, assignment, conveyance or other disposition in bulk of all the property of the former licensee relating to the casino and the approved hotel.

(b) The Commission may direct the discontinuance of a conservatorship action when it determines that for any reason the cause for which the action was instituted no longer exists.

(c) Upon the discontinuation of the conservatorship action and with the approval of the Commission, the conservator shall take such steps as may be necessary in order to effect an orderly and timely transfer of the property of the former or suspended licensee.

(d) The sale, assignment, transfer, pledge or other disposition of the securities issued by a former or suspended licensee during the pendency of a conservatorship action shall neither divest, have the effect of divesting, nor otherwise affect the powers conferred upon a conservator by the Act.

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32 V.I. R. & Regs. § 434-11.14, 32 VI ADC § 434-11.14

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Subchapter 434. Casino Licensees

434-12. Subchapter 12. Advertising

32 V.I. R. & Regs. § 434-12.1

434-12.1. Applicability of Advertising Regulations.

(a) Except as otherwise provided in this section, the term “advertisement” means any notice or communication by an applicant or licensee to the public of any information concerning the gaming-related business of an applicant or licensee through broadcasting, publication, or any other means of dissemination. An applicant or licensee shall also be responsible for all advertisements which are made by its agents, regardless of whether the applicant or licensee participated directly in its preparation, placement or dissemination.

(b) The following notices and communications shall not be deemed advertisements for purposes of this chapter, but shall be subject to any review and approval by the Commission otherwise required by the Act or by regulation:

1. Any sign, notice, or other information required to be provided by the Act or by regulation, including, without limitation, the following:

i. Notice regarding the rules of the games;

ii. The posting of information about rules of the games, payoffs of winning wagers and odds;

iii. Gaming guides;

iv. Information imprinted upon gaming table layouts; and

v. Information imprinted, impressed, affixed or engraved on slot machines or bill changers;

2. Any signs or other directional devices contained in a casino for the purpose of identifying the location of authorized games; and

3. The distribution of a prepared statement containing information or news of general interest to persons employed in the reporting of such information or news to the public, such as newspapers or periodicals, or radio or television stations.

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434-12. Subchapter 12. Advertising

32 V.I. R. & Regs. § 434-12.2

434-12.2. Criteria Governing Advertising.

- (a) Advertising shall conform to the requirements of Section 422(o) of the Act and this chapter.
- (b) Any on-site advertising of casino operations shall contain the phrase (choose **“Bet With Your Head, Not Over It”,** or **“If you sweat it, don't bet it”**) or some comparable language approved by the Commission.
- (c) All advertising which appears in print, or on a billboard or sign shall contain the words “If you or someone you know has a gambling problem and wants help, call 1-800-572-4700 or some comparable language approved by the Commission, which contains the words “gambling problem” and “call 1-800-572-4700” to appear legibly on all print.
- (d) Advertising shall be based upon fact, and shall not be false, deceptive or misleading. Without limitation as to the generality of the foregoing requirement, no advertising shall:
1. Use any type, size, location, lighting, illustration, graphic depiction or color resulting in the obscuring of any material fact; or
 2. Fail to specifically designate any material conditions or limiting factors.
- (e) The following practices shall be prohibited with respect to all advertisements:
1. Any representation or description of the size of a casino;
 2. The use or statement of any information concerning the number of games available at a casino;
 3. The use or statement of any information or representation about odds. For purposes of this section, the term odds shall not be limited to numerical information, and shall include, without limitation, the following:
 - i. Use of the word “odds”;
 - ii. Rate of payment for a winning bet; and

iii. House advantage, hold, win or any like indication of the probability of winning or losing at a particular casino at any authorized game;

4. The use or statement of any information, representation, or description which contrasts or compares casino licensees with regard to total payout or the information in 434-12.2(e)1 through 434-12.2(e)3 above;

5. Advertising within a casino hotel complex which violates the obscenity statutes of the Territory or which includes:

i. The portrayal or depiction of acts or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law;

ii. The portrayal or depiction of touching, caressing or fondling of the breasts, anus or genitals;

iii. The portrayal or depiction of the pubic hair, vulva, genitals, anus, female nipple or female areola; and

6. The failure to maintain any offer for the advertised period of availability or in a quantity sufficient to meet reasonably anticipated demand.

(f) The use or statement of the following information shall be permissible with respect to all advertisements:

1. Descriptions of the games available at a licensed casino, or of any variation thereof which is permitted by regulation, including, but not limited to, types of wagers offered, provided, however, that no advertisement may contain information which is prohibited by 434-12.2 (e)3 above;

2. Any special bonus payments or other approved promotional inducements;

3. The hours of a casino's operation; or

4. Descriptions of any amenities available at a casino.

(g) In the event that the proponent of any advertising which is or may be subject to these regulations has a question as to the propriety hereunder or applicability hereto, or both, as the case may be, of such advertising, any person may petition the Commission in writing for an advisory opinion as to such propriety or applicability, or both, as the case may be.

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434-12. Subchapter 12. Advertising

32 V.I. R. & Regs. § 434-12.3

434-12.3. Commission Approval.

(a) All advertising or in the case of standard or recurring advertising, a sample thereof, which is directly related to casino gaming, shall be maintained by the casino licensee or applicant, or the casino servicing entity licensee or applicant for a period of one year from the date of placement of such advertisement. Advertising which must be maintained shall include such advertising as may have been placed for or on behalf of the casino licensee or applicant or casino servicing entity licensee or applicant or the junket representative licensee or applicant or the junket enterprise licensee or applicant. Advertising required to be maintained by this section shall be maintained at the principal place of business of the licensee or applicant, and shall be made available or produced for inspection upon the request of the Commission.

(b) Each casino licensee or applicant shall maintain a file containing samples of the types and forms of advertising and promotional materials not directly related to casino gaming or casino gaming activity for a period of six months from the date of placement of such advertisement or promotion. Such advertising shall be maintained at the principal place of business of the casino licensee or applicant, and shall be made available or produced for inspection upon the request of the Commission.

(c) Standard or recurring advertisement for purposes of this section shall be deemed to be standard advertisements in standard formats which may be used more than once with minor changes to the copy and/or pictures in such advertisement.

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434-13. Subchapter 13. Entertainment

32 V.I. R. & Regs. § 434-13.1

434-13.1. Prohibited Entertainment Activities.

(a) No motion picture shall be exhibited within any casino hotel complex either by direct projection or by closed circuit television which would be classified as obscene material.

(b) No live entertainment shall be permitted within a casino hotel complex which includes:

1. The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law;
2. The actual or simulated touching, caressing or fondling of the breasts, anus, or genitals; or
3. The actual or simulated display of the pubic hair, vulva, genitals, anus, female nipple or female areola.

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434-13. Subchapter 13. Entertainment

32 V.I. R. & Regs. § 434-13.2

434-13.2. Entertainment Within the Casino Room.

(a) No entertainment shall be offered within the casino room itself, unless the casino licensee receives approval from the Commission to provide such entertainment. The casino licensee shall file a written submission with the Commission at least five days prior to the commencement of such entertainment, which submission shall include, at a minimum, the following information:

1. The date and time of the scheduled entertainment;
2. A detailed description of the type of entertainment to be offered;
3. The number of persons involved in the entertainment;
4. The exact location of the entertainment on the casino floor;
5. A description of any additional security measures that will be implemented as a result of the entertainment; and
6. A certification from the supervisors of the casino licensee's security and surveillance departments that the proposed entertainment will not adversely affect the security and integrity of gaming operations.

(b) The submission in (a) above shall be deemed approved by the Commission unless the casino licensee is notified in writing to the contrary within three days of filing.

(c) The Commission may at any time after the granting of approval require the licensee to immediately cease any entertainment offered within the casino room if the entertainment provided is in any material manner different from the description contained in the submission filed pursuant to (a) above, or in any way compromises the integrity of gaming operations.

(d) In reviewing the suitability of an entertainment proposal, the Commission shall consider the extent to which the entertainment proposal:

1. May unduly interfere with efficient casino operations;

2. May unduly interfere with the security of the casino room or any restricted casino area; or

3. May unduly interfere with surveillance operations.

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32 V.I. R. & Regs. § 434-13.2, 32 VI ADC § 434-13.2

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434-14. Subchapter 14. Underage Gambling

32 V.I. R. & Regs. § 434-14-1

434-14-1. UNDERAGE GAMING- VIOLATIONS

(a) No casino licensee or agent or employee thereof, shall allow, or permit any person under the age of 18 to purchase and consume alcoholic beverages (“under age person”),

(b) No casino licensee or agent or employee thereof shall allow or permit any person under age to:

1. Enter a casino
2. Remain in a casino unless the underage person is licensed under the Act and is acting in the regular course of the person's licensed activities;
3. Wager at any game;
4. Be rated as a player;
5. Receive complimentary services or
6. Utilize credit.

(c) Each violation of any of the provisions of (a) or (b) above as to a single underage person shall be considered a separate and distinct violation.

(d) Each employee and agent of a casino licensee shall have an affirmative obligation to ensure that no underage person engage in any of the activities listed in (a) and (b) above. Each employee or agent of a casino licensee who violates any provision of this section may be held jointly or severally liable for any such violation.

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32 V.I. R. & Regs. § 434-14-2

434-14-2. UNDERAGE GAMING VIOLATIONS-AFFIRMATIVE DEFENSES

(a) No casino licensee or employee or agent thereof shall be held liable for any violation of Section 480 of the Act if such person can establish the affirmative defense authorized by Section 480(b) of the Act.

(b) For purposes of establishing an affirmative defense to the violation of the term “writing” shall include the following:

1. A photographic driver's license;
2. A photographic or similar identification card issued by any Territory or the Federal government; or
3. A writing which is made and signed by the underage person, and which contains, at a minimum, the following information:
 - i. The name, address, age and date of birth of the person; and
 - ii. A statement that the representation of age is being made to induce the licensee to permit the person to enter, remain or wager at a game in a casino to be rated, receive complimentary, obtain approval of a credit limit, or to utilize credit.

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Subchapter 436. Applications

436-1. Subchapter 1. License and Registration Requirements

32 V.I. R. & Regs. § 436-1.1

436-1.1. Employee Licenses

(a) Casino Key Employee License.

1. Any natural person employed by a casino licensee in a supervisory capacity or in a position that includes any responsibility or authority to make discretionary decisions including, without limitation, pit bosses, shift managers, credit managers, casino cashier supervisors, cage managers, count room managers, casino managers, slot machine managers, and casino security or surveillance managers shall be required to hold, prior to such employment, a current and valid casino key employee license.
2. Any natural person employed by a casino licensee in any position that has the responsibility or authority to develop or administer policy relating to the management of an approved hotel regardless of job title, including, without limitation, hotel managers, entertainment directors, and food and beverage directors shall be required to hold, prior to such employment, a current and valid casino key employee license.
3. Any natural person who will be employed in a position designated by the Commission, for reasons consistent with the policies of the Act, as a casino key employee, shall be required to hold a current and valid casino key employee license prior to such employment.

(b) Casino Employee License

1. Any natural person who will be employed by a casino licensee whose duties involve maintenance or operation of gaming equipment or activities including, without limitation, boxperson, dealers or croupiers, floor person, machine mechanics, casino security employees, count room personnel, cage personnel, slot machine and slot booth personnel, collection personnel, casino surveillance personnel, and data processing personnel, shall be required to hold prior to such employment a current and valid casino employee license, unless a casino key employee license is otherwise required.
2. Any other natural person whose employment duties require or authorize access to restricted casino areas including, without limitation, appropriate maintenance personnel, waiters and waitresses, and secretaries, shall be required to hold prior to such employment a current and valid casino employee license, unless a casino key employee license is otherwise required.

(c) Casino Hotel and Security Employee Registration

Any natural person who will be employed to perform services or duties in the conduct of the business of an approved hotel which do not require a casino key employee license or a casino employee license shall hold a current and valid casino hotel employee registration.

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Subchapter 436. Applications

436-1. Subchapter 1. License and Registration Requirements

32 V.I. R. & Regs. § 436-1.2

436-1.2. Employee Licensing and Registrant Requirements

(a) No person shall be employed as a casino key employee pursuant to Section 441 of the Act or a casino employee, pursuant to Section 442 of the Act unless he or she is 21 years of age or older, and is a citizen of the United States or is authorized pursuant to federal law to work in the United States.

(b) No person shall be employed as a casino hotel or security employee pursuant to Section 443 of the Act unless he or she is 18 years of age or older, and is a citizen of the United States or is authorized pursuant to federal law to work in the United States.

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Subchapter 436. Applications

436-1. Subchapter 1. License and Registration Requirements

32 V.I. R. & Regs. § 436-1.3

436-1.3. Employee License Credentials and Access Badges; Display;
Temporary Credentials; Obligation to Obtain Renewed Credentials.

(a) Each casino key employee and casino employee shall wear a Commission issued license in a conspicuous manner at all times while employed in a public or restricted area including, without limitation, the casino and casino simulcasting facility floors, the cashiers' cage and satellite cages, the count rooms, the catwalk areas and the surveillance room.

(b) Each employee of a casino licensee authorized to access restricted areas shall wear in a conspicuous manner a badge (an "access badge") as required pursuant to casino licensees' approved internal controls submitted in accordance with Section 455 of the Act for purposes of identifying the restricted areas in the employer's establishment to which that employee may obtain access in the course of the performance of his or her normal duties.

(c) No casino licensee shall permit any of its employees to work in a public or restricted area unless the employee is wearing the appropriate license credential or access badge as required by this section.

(d) Notwithstanding (a) through (c) above, the Chairman may, upon written request by a casino licensee and upon a showing of good cause, exempt certain positions, titles or persons from the requirements of this section.

(e) The casino licensee shall be responsible for issuing the access badge.

(f) The casino security department may issue a temporary license credential to any casino key employee or casino employee, if the casino security department:

1. Verifies that the employee is listed in the casino licensee's current employee status report
2. Verifies that the employee holds a valid license with appropriate endorsements to perform the job requirements of the position title in which the employee will be working
3. Verifies that the employee is authorized to obtain access to the public and restricted areas in which he or she will be working while in possession of the temporary license credential
4. Confirms the above employment, access and licensure information with the supervisor of the employee

5. Verifies that fewer than 7 temporary license credentials have been issued to the particular employee in the past 12 months

6. Immediately notifies the Commission in writing that a temporary license credential has been issued, which notice shall include:

- i. The name, license number and position title of the employee to whom the temporary credential was issued
- ii. A list of the public and restricted areas to which the employee may obtain access while wearing the credential
- iii. The date and time that the temporary credential was issued
- iv. The name and license number of the casino security department employee issuing the temporary credential.

(g) A temporary license credential issued pursuant to (f) above shall:

1. Contain the following information:

- i. The name and license number of the employee to whom it was issued, and the public and restricted areas to which the employee is permitted access while wearing the credential
- ii. The position title for which it was issued and the applicable position endorsements, if any
- iii. A conspicuous statement printed on the face thereof which provides that the credential is void 24 hours after the time of its issuance
- iv. The date and time it was issued
- v. The name and license number of the casino security department employee who issued it

2. Be void 24 hours after the time of its issuance

3. Be worn in a conspicuous manner by the employee to whom it is issued

4. Be sequentially numbered

5. Be stored in the offices of the casino security department adjacent to the casino floor and distributed by that department in accordance with the casino licensee's internal controls submitted to and approved by the Commission.

(h) No more than 7 temporary license credentials shall be issued to an employee in a 12-month period.

(i) Licensee's shall have the duty to promptly report to the Commission the loss or destruction of:

1. A Commission license credential to the Commission.

2. An access badge to the casino security department of the casino licensee by which such holder is employed.

(j) As soon as possible following the loss or destruction of a license credential or an access badge, the person to whom the license credential or access badge was originally issued shall apply to:

1. The Commission for a replacement license credential

2. The department of the casino licensee responsible for the issuance of replacement access badges in accordance with the casino licensee's internal controls for a replacement access badge.

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32 V.I. R. & Regs. § 436-1.3, 32 VI ADC § 436-1.3

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436-1. Subchapter 1. License and Registration Requirements

32 V.I. R. & Regs. § 436-1.4

436-1.4. Scope and Applicability of Employee Licensing and Registration Requirements.

(a) In determining whether a natural person who will provide services to a casino licensee or applicant must hold a license or registration as an employee or, alternatively, be registered as a casino service industry or junket enterprise pursuant to 32 V.I.C. 444 and 32 V.I.C. 461, it shall be presumed that any such person will be required to hold the appropriate license or registration as an employee if the provision of services by such person is characterized by any of the following indicia of an employment relationship:

1. The natural person will, for a period of time unrelated to any specific project or for an indefinite period of time, directly supervise one or more employees of the casino licensee or applicant
2. The casino licensee or applicant will withhold territorial and federal income taxes or make regular deductions for unemployment insurance, social security, or other wage deductions required by law from any payments made to the natural person
3. The natural person will be given the opportunity to participate in any benefit plans offered by the casino licensee or applicant to its employees, including, without limitation, health insurance plans, life insurance plans, pension plans or profit sharing plans
4. The natural person will not, during the time that services are rendered to the casino licensee or applicant, maintain an autonomous business enterprise, seek or provide services to other business clients, or practice a trade or profession other than for the benefit of the casino licensee or applicant
5. There is or will be a written or verbal promise of employment or an employment contract offered by the casino licensee or applicant in return for the services of the natural person
6. The natural person has an employee license or registration application pending before the Commission or will submit such an application during the time the services are being rendered, the cost of which has been or will be paid for or reimbursed by the casino licensee or applicant.

(b) A casino licensee or applicant which, or a natural person who, is a party to a contractual agreement for the provision of services to the casino licensee or applicant by such natural person as an enterprise subject to the casino service industry junket registration or casino service industry licensure requirements of the Act and the rules and regulations of the Commission may

request, a declaratory ruling that, notwithstanding the presumption established by (a) above, the provision of such services in accordance with the terms of the agreement shall not require the natural person to obtain an employee license or registration.

(c) The Commission may, upon consideration of the factors in 436-1.4(a)1 through 436-1.4(a) 6 above and any other relevant information, require any natural person to obtain an employee license or registration prior to providing or continuing to provide any services to a casino licensee or applicant notwithstanding any agreement between the casino licensee or applicant and such natural person to the contrary.

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32 V.I. R. & Regs. § 436-1.5

436-1.5. Position endorsements

(a) In accordance with Sections 441, 442, 444 and 461 of the Act, casino key employee or casino employee license issued by the Commission shall be endorsed with the particular positions which the licensee is qualified to hold.

(b) An employee licensee with a position endorsement in a particular core game may also perform the functions of that position in any variation game thereof without further endorsement of his or her license, provided that he or she completes any additional minimum training required by the Commission for the variation game. For the purposes of this subchapter: blackjack, craps, baccarat/minibaccarat, roulette, are “core games”

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436-1. Subchapter 1. License and Registration Requirements

32 V.I. R. & Regs. § 436-1.6

436-1.6. Experience and training requirements

(a) Each employee licensee or applicant shall establish by clear and convincing evidence that he or she meets the education, training and experience requirements for the particular position for which an application for endorsement has been filed.

(b) Any experience requirement set forth in Section 436-1.7 shall be satisfied only by employment in a legally operated gaming establishment in any jurisdiction or, where otherwise specified, in a licensed gaming school in the United States Virgin Islands.

(c) No experience shall be credited toward the requirements in Section 436-1.7 unless such experience is evidenced at the time of application by accurate records which indicate the following information:

1. The nature of the position;
2. The location of the gaming establishment or, where applicable, the gaming school;
3. Date of hire and date of termination;
4. Whether employment was full-time or part-time;
 - i. For purposes of this subchapter, “full-time” employment means employment for a minimum of 130 hours per month;
5. Whether the period of employment was continuous or intermittent; and
6. The number of hours worked, recorded in accordance with or, for experience acquired in another jurisdiction, the months of employment and the approximate number of hours worked per month.

(d) For purposes satisfying the experience requirements in Section 436-1.7:

1. One “month: means 130 hours; and

2. For purposes of satisfying any experiential requirement which is expressed in hours, no more than 130 hours of experience shall be credited for hours worked in any one calendar month unless such hours were recorded.

(e) In addition to any other requirement set forth in this subchapter, no person shall be employed by a casino licensee to perform the duties and responsibilities of a “casino manager,” “shift manager,” “surveillance director,” “surveillance supervisor” or “surveillance employee” as set forth in Section 436-1.7 unless he or she demonstrates knowledge of the basic rules of each authorized game offered by the casino licensee, evidenced by either:

1. Experience in that game; or
2. Completion of an approved training course in that game.

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436-1. Subchapter 1. License and Registration Requirements

32 V.I. R. & Regs. § 436-1.7

436-1.7. Qualification standards: table games positions

(a) The qualification standards for a “dealer” endorsement are as follows:

1. Satisfactory completion of an approved course of study in a gaming school in the United States Virgin Islands in the game for which endorsement is sought; or
2. At least five months of experience as a dealer or supervisor in the game for which endorsement is sought.

(b) The qualification standards for a “boxperson” endorsement are as follows:

1. Both of the following:
 - i. The experience or training required in (a) above for a “dealer” endorsement in craps; and
 - ii. At least 1,500 hours or 12 months or additional experience as a dealer, boxperson or floorperson in craps; or
2. At least 12 months experience as a dealer, boxperson, floorperson or pit boss in craps if such experience was acquired within the three years preceding application.

(c) The qualification standards for a “floorperson” endorsement are as follows:

1. For blackjack, baccarat/minibaccarat, roulette, as the first game in which “floorperson” endorsement is sought, and either of the following:
 - i. At least 1,500 hours or 12 months of additional experience as a dealer or supervisor for the game in which “floorperson” endorsement is sought; or
 - ii. At least 1,125 or nine months of additional experience as a dealer or supervisor for the game for which “floorperson” endorsement is sought, if such experience was acquired within the three years preceding application; or

- iii. At least 12 months of experience as a dealer or supervisor in the game for which “floorperson” endorsement is sought, if such experience was acquired within the three years preceding application;
2. For craps as the first game in which “floorperson” endorsement is sought:
 - i. The experience or training required in (b) above for a “boxperson” endorsement; and
 - ii. Either of the following:
 - (1) At least 1,000 hours or eight months as a boxperson or floorperson in craps; or
 - (2) At least 750 hours or six months as a boxperson or floorperson in craps, if such experience was acquired within the three years preceding application;
3. For blackjack, baccarat/minibaccarat, roulette, as the second or subsequent game in which a “floorperson” endorsement is sought:
 - i. The experience or training required in (a) above for a “dealer” endorsement in the game in which floorperson endorsement is sought, and either:
 - (1) At least 500 hours or four months of additional experience as a dealer or supervisor in the game for which “floorperson” endorsement is sought, if the applicant has a total of at least 1,500 hours of experience as a boxperson or supervisor in any one or more authorized games; or
 - ii. For blackjack, baccarat/minibaccarat, roulette at least 4,500 total hours or 36 months of experience as a supervisor, including experience in at least two authorized games,
 - (1) Completion of an approved supervisory course in the game in which “floorperson” endorsement is sought; or
4. An employee licensee with a “boxperson” endorsement may apply for a “floorperson” endorsement in blackjack, baccarat/minibaccarat, roulette in accordance with the standards in 436- 1.7(c)3 above; and
5. For craps as the second or subsequent game in which a “floorperson” endorsement is sought:
 - i. The experience or training required in 436-1.7(b) above for a “boxperson” endorsement; and
 - ii. Either of the following:

(1) At least 500 hours or four months of additional experience as a boxperson, floorperson or pit boss in craps; or

(2) At least 350 hours or three months of additional experience as a boxperson, floorperson or pit boss in craps, provide that the applicant has a total of at least 1500 hours as a floorperson or pit boss.

(d) The qualification standards for a “pit boss” endorsement are as follows:

1. For the first game in which “pit boss” endorsement is sought:

i. A total of least 24 months of experience in one or more of the following positions:

(1) Boxperson, floorperson or pit boss in any authorized game;

(2) Instructor in licensed gaming school in the U.S. Virgin Islands; and “floorperson” endorsement in the game for which “pit boss” endorsement is sought;

2. For blackjack, baccarat/minibaccarat, roulette as the second or subsequent game in which “pit boss” endorsement is sought:

i. The experience or training required in 436-1.7(c)3i above for a “floorperson” endorsement in the game in which “pit boss” endorsement is sought; and

ii. Both of the following:

(1) The experience or training required in 436-1.7(c)3ii above for a “flooperson” endorsement in the game in which “pit boss” endorsement is sought; and

(2) At least 350 hours of additional experience as a dealer or supervisor in the game for which “pit boss” endorsement is sought; experience as a pit boss, or 7,500 hours or 60 months of experience as a supervisor, including experience in at least two authorized games, and either of the following:

(1) Completion of an approved supervisory training course in the game in which “pit boss” endorsement is sought; or

3. For craps as the second or subsequent game in which “pit boss” endorsement is sought;

(f) Notwithstanding the above:

1. An applicant for a “boxperson,” “floorperson,” or “pit boss,” endorsements may satisfy up to one-fourth of the experiential requirements set forth in 436-1.7(b), (c), (d) or (e) above with experience in variation of the game in which endorsement is sought as follows:

i. For endorsement in any game, credit equal to one-third of the total hours or months of experience dealing or supervising Big Six;

2. An applicant for “floorperson” endorsement may satisfy the experiential requirements in 436-1.7 (c) above as follows:

i. For “floorperson” endorsement in any authorized game, credit equal to the total hours employed on the casino floor in assisting and orienting a new dealer in the game in which “floorperson” endorsement is sought;

ii. For “floorperson” endorsement in roulette, credit equal to the total hours or months of experience as a roulette chip mucker, provided that such experience was acquired subsequent to receiving a certificate of graduation in roulette from a licensed gaming school; and

iii. For “floor person” endorsement in blackjack, craps, baccarat/minibaccarat, credit equal to one-third of the total hours or months of experience as a roulette chip mucker, provided that such experience was acquired subsequent to receiving a certificate of graduation in roulette from a licensed gaming school.

(g) The qualification standards for a “shift manager” endorsement are as follows:

1. A thorough knowledge of each authorized game, evidenced by any one of the following:

i. Experience in that game;

ii. Completion of an approved supervisory training course in that game; or

iii. Completion prior to (the operative date of this rule) of an approved dealer training course in that game;

2. A total of at least 48 months of experience dealing or supervising one or more authorized games, including at least 12 months of experience as a pit boss or table games executive; and

3. Qualification in accordance with 436-1.7(d)1 and 436-1.7(d)2 above for “pit boss” endorsement in a first and at least one subsequent game.

(h) The qualification standards for “casino manager” endorsement are as follows:

1. A thorough knowledge of each authorized game, evidenced by any one of the following:
 - i. Experienced in that game;
 - ii. Completion of an approved supervisory training course in that game; or
 - iii. Completion prior to (the operative date of this rule) of an approved dealer training course in that game;
2. A total of at least 60 months of experience dealing or supervising one or more authorized games, including at least 24 months of experience as a pit boss or table games executive; and
3. Qualification in accordance with (d)1 and (d)2 above for “pit boss” endorsement in a first and at least one subsequent game.

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32 V.I. R. & Regs. § 436-1.7, 32 VI ADC § 436-1.7

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.1

436-2.1. Personal History Disclosure Form 1 (Level 1 Casino Key Employee/Qualifier Form).

A Personal History Disclosure Form 1 (Casino Key Employee/Qualifier Form or PHD-1) shall be in a format prescribed by the Commission. Any natural person, as described in Section 436-1.1(a), shall be required to file a PHD-1.

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32 V.I. R. & Regs. § 436-2.1, 32 VI ADC § 436-2.1

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.2

436-2.2. Personal History Disclosure Form 2 (Level 2 Casino Employee License Application).

A Personal History Disclosure Form 2 (Casino Employee License Application or PHD-2) shall be in a format prescribed by the Commission. Any natural person, as described in Section 436-1.1(b), shall be required to file a PHD-2.

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32 V.I. R. & Regs. § 436-2.2, 32 VI ADC § 436-2.2

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32 V.I. R. & Regs. § 436-2.3

436-2.3. Personal History Disclosure Form 3 (Level 3 Casino
Hotel and Security Employee Registration Application).

A Personal History Disclosure Form 3 (Casino Hotel and Security Employee Registration Application or PHD-3) shall be in a format prescribed by the Commission. Any natural person, as described in Section 436-1.1(c), shall be required to file a PHD-3.

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.4

436-2.4. Casino Servicing Entity - Gaming Related Disclosure Form (Gaming Related Supplier Application).

A Casino Service Entity - Gaming Related Disclosure Form (Gaming Related supplier Application or CSE) shall be in a format prescribed by the Commission. Any entity or natural person, as described in Section 444-1.2, shall be required to file a Casino Servicing Entity application form.

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32 V.I. R. & Regs. § 436-2.4, 32 VI ADC § 436-2.4

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.5

436-2.5. Casino Servicing Entity - Gaming Related Disclosure
Form SHORT (Gaming Related Supplier Application).

A Casino Servicing Entity - Gaming Related Disclosure Form SHORT(Gaming Related Supplier Application or CSE SHORT) shall be in a format prescribed by the Commission. Any entity or natural person, as described in Section 444-1.2, shall be required to file a Casino Servicing Entity application form SHORT.

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32 V.I. R. & Regs. § 436-2.5, 32 VI ADC § 436-2.5

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.6

436-2.6. Casino Servicing Entity - Non-Gaming Related
Disclosure Form (Non-Gaming Related Supplier Application).

A Casino Servicing Entity - Non-Gaming Related Disclosure Form (Non-Gaming Related Supplier Application or CSE) shall be in a format prescribed by the Commission. Any entity or natural person, as described in Section 444-1.3, shall be required to file a Casino Servicing Entity application form.

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32 V.I. R. & Regs. § 436-2.6, 32 VI ADC § 436-2.6

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.7

436-2.7. Casino Disclosure Form (Casino License Application).

A Casino Disclosure Form (Casino License Application or CL) shall be in a format prescribed by the Commission. Any entity or natural person, as described in Section 434-1.1, shall be required to file a Casino License application form.

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32 V.I. R. & Regs. § 436-2.7, 32 VI ADC § 436-2.7

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.8

436-2.8. Renewal Disclosure Forms.

All applicable Renewal Forms shall be in a format prescribed by the Commission. Any entity or natural person required to file an application pursuant to this Section, shall be required to file a Renewal Form.

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32 V.I. R. & Regs. § 436-2.8, 32 VI ADC § 436-2.8

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.9

436-2.9. Labor Organization Registration Statement

A Labor Registration Statement shall be in a format prescribed by the Commission.

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32 V.I. R. & Regs. § 436-2.9, 32 VI ADC § 436-2.9

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436-2. Subchapter 2. Forms

32 V.I. R. & Regs. § 436-2.10

436-2.10. Labor Organization Individual Statement

An Individual Labor Registration Statement shall be in a format prescribed by the Commission

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32 V.I. R. & Regs. § 436-2.10, 32 VI ADC § 436-2.10

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436-3. Subchapter 3. Statements of Compliance

32 V.I. R. & Regs. § 436-3.1

436-3.1. General Provisions.

The Commission may in its discretion, issue a revocable statement of compliance to an applicant for any license certifying that all requirements relating to a particular specified eligibility criterion or stage in the license consideration process have been complied with at any time the Commission is satisfied that any such requirements have been established by the applicant in accordance with the Act and regulations of the Commission.

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436-3. Subchapter 3. Statements of Compliance

32 V.I. R. & Regs. § 436-3.2

436-3.2. Contents.

(a) Every statement of compliance shall:

1. Specify the particular criterion or stage complied with and indicate that such applicant has qualified for licensure in relation to the criterion or stage specified;
2. Set forth, as its date of issuance, the date as of which such compliance existed;
3. Set forth its date of expiration;
4. Indicate, that it is automatically revoked without further Commission action as of the day following its date of expiration;
and
5. Indicate that it may be revoked by the Commission upon a finding that a change of circumstances has affected such compliance, that the applicant has otherwise failed to qualify for licensure, that the applicant has failed to comply with any conditions imposed by the Commission or that any other reason for revocation exists.

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32 V.I. R. & Regs. § 436-3.3

436-3.3. Issuance of Licenses.

No license shall be issued to any person to whom a statement of compliance has been issued unless every qualification of such person as of the time of the issuance of such license shall have first been established in accordance with the Act and regulations of the Commission.

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32 V.I. R. & Regs. § 436-3.3, 32 VI ADC § 436-3.3

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436-3. Subchapter 3. Statements of Compliance

32 V.I. R. & Regs. § 436-3.4

436-3.4. Commitments That Casino Licenses Shall Be Reserved.

(a) No commitment to reserve a casino license in accordance with Section 433(c) of the Act shall accompany a statement of compliance certifying satisfaction of the requirements of Section 436(e) of the Act unless:

1. The applicant is eligible in accordance with every provision of the Act including those of Section 434(b) which require that the proposed hotel, in the judgment of the Commission, can become a hotel within 30 months;
2. The applicant has satisfied all of the requirements of Section 436(e) of the Act with respect to his specific casino hotel proposal;
3. The commitment to reserve is for a period not to exceed 30 months; and
4. The applicant qualifies for a casino license within a period not to exceed 18 months of the date of such commitment.

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32 V.I. R. & Regs. § 436-3.5

436-3.5. Reservations of Other Licenses.

No license shall be reserved by the Commission other than a casino license in accordance with Section 433, 434 and 436 of the Act and regulations of the Commission.

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436-4. Subchapter 4. Information

32 V.I. R. & Regs. § 436-4.1

436-4.1. Affirmative Responsibility to Establish Qualifications.

It shall be the affirmative responsibility and continuing duty of each applicant, licensee and registrant to produce such information, documentation and assurances as may be required to establish by clear and convincing evidence his qualifications in accordance with the Act and regulations of the Commission. No license shall be granted to any applicant who fails to so prove his qualifications.

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436-4. Subchapter 4. Information

32 V.I. R. & Regs. § 436-4.2

436-4.2. Application for Casino Hotel Employee and Casino
Hotel Security Employee Registration; Filing Requirements.

(a) No casino hotel employee license or registration shall be issued by the Commission unless:

1. The applicant for license or registration has an offer of employment from a casino licensee or applicant; and
2. The applicant has been a resident of the Virgin Islands for at least 3 months prior to filing this application unless waived by the Commission pursuant to Section 443(c) of the Act;
3. A petition requesting that the Commission issue the license or registration has been filed by the casino licensee or applicant pursuant to Section 443 of the Act.

(b) A completed application for a casino hotel employee or casino hotel security employee license or registration shall be filed as follows:

1. The applicant for license or registration may provide the casino licensee or applicant with his or her written authorization to file the application on his or her behalf.
2. The applicant for a license or registration may submit the completed application directly to the Commission by mail or in person at the address specified by the Commission, provided that:
 - i. The application is accompanied by a written offer of employment from a casino licensee or applicant; and
 - ii. The applicant provides the casino licensee or applicant with a signed and dated certification stating that he or she has filed a completed application with the Commission.

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32 V.I. R. & Regs. § 436-4.2, 32 VI ADC § 436-4.2

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32 V.I. R. & Regs. § 436-4.3

436-4.3. Duty to Disclose and Cooperate.

It shall be the affirmative responsibility and continuing duty of each applicant, licensee, registrant and person required to be qualified to provide all information, documentation and assurances pertaining to qualifications required or requested by the Commission and to cooperate with the Commission in the performance of their duties. Any refusal by any such person to comply with a formal request for information, evidence or testimony shall be a basis for denial, revocation or disqualification. No license shall be granted to any applicant who fails to provide information, documentation and assurances required by the Act or requested by the Commission or who fails to reveal any fact material to qualification.

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32 V.I. R. & Regs. § 436-4.4

436-4.4. Duty to Promptly Furnish Information.

It shall be the duty of each applicant to promptly furnish all information, documentation, assurances, consents, waivers, fingerprint impressions, photographs, handwriting exemplars or other materials required or requested by the Commission or Division. Failure to furnish same within five days after receipt of request therefor shall constitute grounds for delaying consideration of the application.

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32 V.I. R. & Regs. § 436-4.5

436-4.5. Required Information.

A. Identification.

(a) Each natural person who seeks to apply for a license or registration under the Act shall establish his or her identity to a reasonable certainty.

(b) A natural person may establish his or her identity pursuant to 436-4.5 (a) providing either:

1. One of the following authentic documents:

i. A current United States passport;

ii. A Certificate of United States Citizenship, or a Certificate of Naturalization, issued by the United States Department of Justice, Immigration and Naturalization Service (INS); or

iii. A current INS alien registration card which contains a photograph and fingerprints; or

2. Any two of the following authentic documents:

i. A certified copy of a birth certificate issued, by a state, territory, county or municipal authority in the United States bearing an official seal;

ii. A current driver's license containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address;

iii. A current identification card issued to persons who serve in the United States military or their dependents by the United States Department of Defense containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address;

iv. A current student identification card containing a photograph, an expiration date, the seal or logo of the issuing institution, and the signature of the card holder;

v. A current identification card issued by a federal, state or local government agency containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address;

vi. A current identification card issued by INS containing a photograph or identifying information such as name, date of birth, sex, height, color of eyes and address; or

vii. An unexpired foreign passport with an authorization issued by the INS.

(c) Any natural person may request that the Commission change the name designated on his or her application, license or registration by establishing identity pursuant to 436-4.5(b) above or by providing a certificate of marriage, a divorce decree or court order from the United States Virgin Islands or any state, or Territory which evidences the requested name change.

(d) Any person whose application or name change is not accepted for failure to meet the requirements of 436-4.5(b) or (c) above may request a hearing in accordance with these regulations.

B. Photographing.

Each applicant, licensee, registrant and person required to be qualified shall be photographed under the supervision of the Commission without charge and in quadruple. One set of the said photographs shall be provided by the Commission to the Division, one shall be filed with the Commission and one shall be filed with the U.S. Virgin Islands Police Department.

C. Fingerprinting.

Each applicant, licensee, registrant and person required to be qualified shall be fingerprinted under the supervision of the commission without charge, except that an applicant for individual qualification may alternatively submit two sets of classifiable fingerprints on fingerprint impression cards provided by the Commission.

D. Handwriting Exemplars.

Each applicant, licensee, registrant and person required to be qualified shall, in writing, consent to the supplying of handwriting exemplars in the form and manner directed upon the request of the Commission.

E. Signatures.

(a) All applications, registrations, and other forms shall be signed by each of the following persons:

1. If of a corporation, by its president, its chairman of the board, any other chief executive officer thereof, its secretary and its treasurer;
2. If of a partnership, by each of its partners; if a limited partnership, only by each of its general partners;
3. If of any other business enterprise, organization or association or of a governmental agency, by its chief executive officer, its secretary and its treasurer; and
4. If of a natural person, by the person himself.

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32 V.I. R. & Regs. § 436-4.6

436-4.6. Waiver of Liability for Disclosure of Information.

Each applicant, licensee, registrant and person required to be qualified shall, in writing, waive liability as to the United States Virgin Islands and its instrumentalities and agents for any damages resulting from any disclosure or publication of any material or information acquired during the license consideration process or during any inquiries, investigations or hearings.

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32 V.I. R. & Regs. § 436-4.7

436-4.7. Consent to Examination of Accounts and Records.

Each applicant, licensee and registrant shall, in writing, consent to the examination of all accounts, bank accounts and records in his possession or under his control and authorize all third parties in possession or with control of such accounts or records to allow such examination thereof as may be deemed necessary by the Commission.

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32 V.I. R. & Regs. § 436-4.8

436-4.8. Consent to Inspections, Searches and Seizures.

Each applicant, licensee, registrant, holding company and intermediary company shall consent in writing to inspections, searches and seizures authorized by law.

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32 V.I. R. & Regs. § 436-4.9

436-4.9. Oath or Affirmation and Attorney Certification.

All applications, registrations, and all other papers relating thereto submitted to the Commission by or on behalf of an applicant shall be sworn to or affirmed and subscribed and dated by the applicant and, if different, the author of the said form or paper before a person legally competent to take an oath or affirmation, who shall himself subscribe and date the signature of the affiant and indicate the basis of his authority to take oaths or affirmations. The affiant, if requested, shall again swear to or affirm and subscribe and date any such paper in the presence of a representative of the Commission or Division. All such forms and papers shall also be signed by the applicant's attorney of record, if any, which shall constitute a certification by him that he has read the said paper and that, to the best of his knowledge, information and belief, its contents are true.

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32 V.I. R. & Regs. § 436-4.10

436-4.10. Untrue Information.

The Commission shall deny a license or registration to any applicant who shall supply information to the Commission or Division which is untrue or misleading as to a material fact pertaining to the qualification criteria.

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436-5. Subchapter 5. Application

32 V.I. R. & Regs. § 436-5.1

436-5.1. Receipt.

All application papers, unless otherwise directed by the Chair, shall initially be submitted to and received by the Chair, or such members of the Commission staff as the Chair may designate, who shall cause to be endorsed thereon the date of such receipt.

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436-5. Subchapter 5. Application

32 V.I. R. & Regs. § 436-5.2

436-5.2. Filing.

(a) The Chair, or such members of the Commission staff as the Chair may designate, shall determine the date of filing as to each application received and shall cause to be endorsed thereon the date of such filing. No application shall be deemed filed until the applicant shall satisfy the Chair or his or her designee:

1. That all papers presented conform to all requirements relating to format, signature, oath or affirmation, attorney certification and copies;
2. That all appropriate application, registration, and other forms have been properly completed and presented;
3. That all required consents, waivers, fingerprint impressions, photographs and handwriting exemplars have been properly presented;
4. That all other information, documentation, assurances and other materials required or requested at that preliminary stage pertaining to qualifications have been properly presented; and
5. That all required fees have been properly paid and all required bonds have been properly furnished.

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436-5. Subchapter 5. Application

32 V.I. R. & Regs. § 436-5.3

436-5.3. Processing.

(a) Upon a determination that all prerequisites for filing have been met by the Chair, or such members of the Commission staff as the Chair shall designate, shall:

1. Accept the application for filing and cause same to be docketed by the Executive Secretary of the Commission;
2. Notify the applicant or his attorney, if any, in writing, of the fact that the application has been accepted for filing and docketed, the date of such acceptance for filing and the docket number thereof and of the further fact that such acceptance for filing and docketing of the application shall constitute no evidence whatsoever that any requirement of the act or of the regulations of the Commission have been satisfied;
3. Direct the staff of the Commission to analyze, obtain and evaluate such information of either a factual nature or otherwise as may be necessary to determine the qualifications of the applicant and any other matter relating to the application;
4. Request the Division to promptly and in reasonable order conduct such investigation and provide such information as may be necessary to determine the qualifications of the applicant and any other matter relating to the application;

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32 V.I. R. & Regs. § 436-5.3, 32 VI ADC § 436-5.3

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436-5. Subchapter 5. Application

32 V.I. R. & Regs. § 436-5.4

436-5.4. Amendment.

It shall be the duty of each applicant to promptly file with the Chair, or such members of the Commission staff as the Chair shall designate, a written amendment to his or her application explaining any changed facts or circumstances whenever any material or significant change of facts or circumstances shall occur with respect to any matter set forth in the application or other papers relating thereto. Any applicant may be permitted by the Chair or his or her designee to file any other amendment to his application at any time prior to final action thereon by the Commission.

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32 V.I. R. & Regs. § 436-5.5

436-5.5. Withdrawal.

(a) Except as otherwise provided in 436-5.5(b) below, a written notice of withdrawal of application may be filed by an applicant at any time prior to final Commission action thereon. No application shall be permitted to be withdrawn, however, unless the applicant shall have first established to the satisfaction of the Commission that withdrawal of the application would be consistent with the public interest and the policies of the Act. The Commission shall have the authority to direct that any applicant so permitted to withdraw his application shall not be eligible to apply again for licensure, registration or approval until after the expiration of one year from the date of such withdrawal. Unless the Commission shall otherwise direct, no fee or other payment relating to any application shall become refundable by reason of withdrawal of the application.

(b) Where a hearing on an application has been requested by a party or directed by the Commission, the Commission shall not permit withdrawal of said application after:

1. The application matter has been assigned to a hearing examiner authorized by law to hear such matter; or
2. The Commission has made a determination to hear the application matter directly.

(c) Notwithstanding the foregoing, the Commission may accept and consider a written notice of withdrawal after the time specified herein and if the Commission after consultation with the Division, is satisfied that there exists extraordinary circumstances justifying withdrawal.

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436-5. Subchapter 5. Application

32 V.I. R. & Regs. § 436-5.6

436-5.6. Reapplication by Natural Person After Denial or Revocation.

(a) Any natural person whose licensure, registration, qualification or approval is denied or revoked by the Commission for failure to satisfy the affirmative qualification criteria of the Act or due to a Commission finding that such person is disqualified pursuant to Section 438 of the Act, or both, may not, except as otherwise provided by this section, reapply for licensure, registration, qualification or approval until 5 years have elapsed from the date of denial or revocation. Notwithstanding the foregoing:

1. If the denial or revocation was based upon conviction of a disqualifying offense pursuant to Section 438(c) of the Act and reapplication is to be evaluated under the standards of Section 441 of the Act, reapplication is permitted after the lapse of 10 years from the date of conviction;
2. If the denial or revocation was based on acts constituting a Section 438(c) disqualifying offense pursuant to Section 438(g) and reapplication is to be evaluated under the standards of Section 441 of the Act, reapplication is permitted after the lapse of 10 years from the date of the conduct in question; and
3. If the Commission approves an agreement resolving an application for or a complaint seeking the revocation of licensure, registration, qualification or approval which results in denial or revocation but permits reapplication after a stated period of less than 5 years, eligibility for reapplication shall be determined as specified in the agreement and not by the provisions of this section.

(b) Any natural person whose licensure, registration, qualification or approval is denied or revoked by the Commission on the basis of any of the statutory or regulatory provisions specified in 436-5.6(b)1 through 436-5.6(b)5 below may reapply for licensure, registration, qualification or approval upon satisfaction of the relevant requirements stated below. If the denial or revocation was based upon two or more statutory or regulatory provisions, the Commission shall permit reapplication only upon compliance with the requirements of this subsection as to each such provision. Any person seeking to reapply pursuant to this subsection shall file a certified petition stating with particularity the satisfaction of the specified requirements.

1. Lack of financial stability pursuant to Sections 442(b)(1) or 442(b) of the Act: Reapplication is permitted upon said person achieving status of financial stability.
2. Failure to satisfy residency requirement pursuant to Sections 441(b)(4) or 442(b) of the Act: Reapplication is permitted upon said person actually establishing residency as required, or upon a Commission finding that such residency will be obtained prior to the completion of the processing of said reapplication, or upon a Commission finding that the residency requirements should be waived pursuant to Sections 441(b)(4) or 442(c) of the Act.

3. Failure to satisfy age requirement. Reapplication is permitted upon said person attaining the requisite age or upon a Commission finding that such age will be attained prior to the completion of the processing of said reapplication.

4. Pending charges for a section 438(c) disqualifying offense pursuant to section 438(d) of the Act: Reapplication is permitted upon the disposition of pending charges.

5. Any statutory or regulatory provision which is subsequently repealed or modified: Reapplication is permitted upon a showing that the subsequent repeal or modification of the statutory or regulatory provision obviates the grounds for denial or revocation and justifies the conclusion that the prior decision should no longer bar reapplication.

(c) This regulation applies with equal force and effect to the denial or revocation of any application by a natural person for licensure, registration, qualification or approval, and to any denial or revocation of any reapplication for licensure, registration, qualification or approval which was filed after compliance with this section.

(d) Any natural person who is barred from reapplication for 5 years by 436-5.6(a) above may request permission to reapply at an earlier date by filing a petition in accordance with this subsection.

1. A petition for early reapplication may be filed at any time after one year has elapsed since the date of denial or revocation or at such earlier date as the Commission may specify in its order; provided, however, that no person shall, within the five-year period of restriction, file more than one such petition for each type of license, registration, qualification or approval authorized by the Act or regulations.

2. Such petition shall be certified and shall include written argument for the relief sought. The petition shall state with particularity the grounds upon which denial or revocation was based, and significant facts and circumstances arising since the denial or revocation which warrant early reapplication.

3. Upon receipt of such petition, the Commission shall offer the Division an opportunity to state its position in writing. Based upon the petition and any written submission from the Division, the Commission may deny the petition or, if it finds that the facts and circumstances presented are reasonably likely to result in licensure, registration, qualification or approval if considered in a plenary hearing, grant the petition. Factors that may be considered by the Commission may include, where appropriate, evidence which would support:

i. A finding of rehabilitation pursuant to Sections 442 and 443 of the Act; or

ii. A waiver of disqualification pursuant to Section 443 of the Act.

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32 V.I. R. & Regs. § 436-5.6, 32 VI ADC § 436-5.6

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.1

436-6.1. General Description of Fees and Policy.

- (a) The Commission shall collect fees from applicants, licensees and registrants.
- (b) Each applicant or licensee shall be responsible for investigatory or regulatory costs attributable to that applicant or licensee.
- (c) In the event that the investigatory or regulatory costs are not recovered by the Commission, Casino applicants and licensees shall assumed such debts. The Casino applicants and licensees shall be responsible for a pro-rata portion of the uncollected investigatory and regulatory costs.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.2

436-6.2. Payment of Fees and Civil Penalties.

(a) No application shall be accepted for filing by the Commission or processed by the Commission except upon proper and timely payment of all required fees and civil penalties in accordance with the Act and the regulations of the Commission. Any portion of a fee which is incurred or determined after the filing of the application or which is estimated in accordance with this subchapter, and any civil penalty imposed by the Commission, shall be payable upon demand made by the Commission. Failure to promptly remit any amount so demanded shall be deemed a failure to timely pay the required fee or civil penalty unless the Commission finds cause to permit an extension of time in which to remit the demanded amount.

(b) Any fee or civil penalty required to be paid in accordance with this subchapter or pursuant to an order of the Commission shall be paid before the Commission shall consider the application for issuance or renewal of licensure, unless the Commission finds cause to permit an extension of time in which to pay such fee or civil penalty.

(c) All fees and civil penalties shall be paid by check or money order made payable, to the "Casino Control Fund", and presented to the Commission at its offices. No check so presented shall be deemed payment until the Commission shall be satisfied that sufficient funds are contained in the account against which it is drawn.

(d) Any required fee or civil penalty that a person fails to pay despite demand therefor shall constitute cause for the Commission to dismiss administratively any application submitted by such person, or to suspend administratively any license or registration held by such person, including a license or registration that has been issued, or an application that has been submitted, before the debt arose.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.3

436-6.3. Casino License Fees.

(a) No application for the issuance or renewal of a casino license shall be accepted for filing by the Chairman unless a nonrefundable deposit of at least 50% of \$100,000 - \$900,000, depending upon which tier is applied for, shall first have been paid in full. Such deposit shall be applied to the initial license fee or renewal fee if the application is approved.

(b) No casino license shall be issued unless the applicant shall first have paid in full an issuance fee of not less than the amount required pursuant to Section 510 of the Act.

(c) No casino license shall be renewed unless the applicant shall first have paid in full a renewal fee of not less than \$80,000 - \$750,000, depending upon which tier, for each 1-year license renewal.

(d) As a component of its initial license fee or renewal fee and as a condition of casino licensure, each applicant or licensee shall be required to pay for the efforts of the Commission on matters directly related to the applicant or licensee at hourly rates to be set by the Commission in accordance with this subsection, and to reimburse any unusual costs or out of pocket expenses incurred by the Commission or the Division in regard to such matters.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.4

436-6.4. Slot Machine Fees.

(a) In addition to any other tax or fee imposed by the Act or the regulations of the Commission and as required by Section 511 of the Act, each casino operator shall pay an annual license fee of \$ 500.00 upon every slot machine maintained for use in or in use in the licensed casino establishment. The annual slot machine license fee shall be imposed as of the first day of July of each year with regard to all slot machines maintained for use or in use on that date, and on a pro rata basis thereafter during the year with regard to all slot machines maintained for use or placed in use after July 1.

(b) In accordance with Section 456(h) of the Act, no slot machine shall be used to conduct gaming unless it is identical to a model thereof which has been specifically tested. Any person seeking the approval of a slot machine, shall be required to pay for any costs associated with the examination, testing and consideration of the prototype slot machine at hourly rates to be set by the Commission.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.5

436-6.5. Casino Hotel Alcoholic Beverage Licenses.

(a) Under Section 462 of the Act no business may expose for sale, solicit or promote the sale of, possess with intent to sell, give, dispense, or otherwise transfer or dispose of alcoholic beverages in, on or about any portion of the premises of a casino hotel unless said business possesses an appropriate casino hotel alcoholic beverage license.

(b) The fee for the issuance or renewal of a casino hotel alcoholic beverage license for a casino licensee conducting alcoholic beverage activity in a casino hotel shall be assessed as follows:

1. Payment for the efforts of the Commission on matters directly related to the casino hotel alcoholic beverage license or application at hourly rates to be set by the Commission, and
2. Payment for any expenses incurred by agents or employees of the Commission and Division on matters directly related to the casino hotel alcoholic beverage license or application.

(c) The fee for the issuance of a casino hotel alcoholic beverage license for a casino service industry licensee which is not affiliated with any casino licensee shall be \$4,000 for two years, and a renewal fee of fee of \$ 2,000 for two years for each location approved by the Commission for any or all of the activities listed in section 462 of the Act.

(d) The fee for the issuance of any permit or approval required by the Act or any other applicable law or regulation relating to an alcoholic beverage activity which is not included within a casino hotel alcoholic beverage license shall be assessed:

1. For a casino licensee, in accordance with 436-6.5(b) above;
2. For all other persons, at a rate of \$ 75.00 per day.

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32 V.I. R. & Regs. § 436-6.5, 32 VI ADC § 436-6.5

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.6

436-6.6. Gaming Related Casino Servicing Entity License Fee.

(a) In accordance with subsections 444(a) and (b) of the Act, all casino servicing entities offering goods and services which directly relate to casino or gaming activity, including gaming equipment manufacturers, suppliers and repairers, schools teaching gaming and dealing techniques, and casino security services, shall be licensed by the Commission. Such a license shall be issued for an initial term of two years and for a term of two years for all subsequent renewals.

(b) The initial license fee shall be \$4000 for two years. In addition to the application fee, applicants are subject to active investigation costs and out of pocket expenses. A deposit in an amount as shall be determined by the Commission to be fair and reasonable shall be posted with the application.

(c) The renewal license fee shall be \$2000.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.7

436-6.7. Non-Gaming Related Casino Service Industry License Fee.

(a) In accordance with subsection 444 (c) of the Act, all casino servicing entities 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. Such license shall be issued for a three year period and shall be renewable for additional four year periods.

(b) The initial application and issuance fee for a three year non-gaming related casino servicing entity license shall be \$ 1,800 for a three year period. An additional application charge may be required for processing, investigative and out of pocket expenses.

(c) The application and issuance fee for the renewal of a four year non-gaming related casino servicing entity license shall be \$ 1,600 for a four year period.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.8

436-6.8. Junket Enterprise License Fees.

(a) In accordance with subsection 461(c) of the Act, all qualifiers of junket enterprises shall meet the standards established for casino key employees in order for the junket enterprise to be licensed. Under subsection 446(d) of the Act, a junket enterprise license shall be issued for a three year period and shall be renewable for additional four year periods.

(b) The initial application and issuance fee for a three year junket enterprise license shall be \$ 3,000.

(c) The application and issuance fee for the renewal of a four year junket enterprise license shall be \$ 2,400.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.9

436-6.9. Labor Organization Registration Fee.

Under section 445 of the Act, each labor organization seeking to represent employees licensed or registered under the Act and employed by a casino hotel or a casino licensee shall register with the Commission annually. The fee for each annual registration of a labor organization shall be \$ 200.

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32 V.I. R. & Regs. § 436-6.10

436-6.10. Casino Key Employee License Fees.

(a) Under section 441 of the Act, no person may be employed as a casino key employee unless such person is the holder of a valid casino key employee license.

(b) The fee for the issuance of a casino key employee license shall be as follows:

1. A minimum application charge of \$600, which shall be credited to the total fee; and
2. Payment for the efforts of the Commission and the Division on matters directly related to the applicant at hourly rates to be set by the Commission.
3. Payment for all out of pocket expenses incurred by the Commission and the Division on matters directly related to the applicant or licensee.

(c) The fee for the renewal of a casino key employee license shall be \$ 400.

(d) A key employee license shall have an initial term of two years.

(e) A key employee license shall be renewed every two years.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.11

436-6.11. Junket Representative License Term and Fees.

(a) In accordance with 461 of the Act, all junket representatives employed by a casino licensee, an applicant for a casino license or an affiliate of a casino licensee shall meet the standards established for key casino employees. Such a license shall be issued for an initial term of three years and for a term of four years for all subsequent renewals.

(b) The issuance fee for an initial three year license shall be \$ 450. The renewal fee for a four year license shall be \$ 400.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.12

436-6.12. Gaming School Resident Director License Fees.

(a) Under Section 444(b) of the Act, a gaming school resident director shall be qualified to the standards for a casino employee. A resident director license shall be issued for 3 years and be renewable for 4 year periods thereafter.

(b) The issuance fee or renewal fee for a resident director license shall be as follows:

1. A minimum application charge of \$ 450.00 which shall be credited to the total fee; and
2. Payment for the efforts of the Commission and the Division on matters directly related to the applicant or licensee at hourly rates to be set by the Commission.
3. Payment of any out of pocket expenses incurred by the Commission or the Division on matters directly related to the application.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.13

436-6.13. Gaming School Instructor, Principal Employee and Sales Representative License Fees.

(a) Under Section 444(b) of the Act, each gaming school instructor, principal employee and sales representative shall be qualified and licensed to the standards established for casino employees. A license for each such person shall be issued for 3 years and be renewable for 4 year periods thereafter.

(b) The issuance fee for a 3 year gaming school instructor license, gaming school principal employee license or gaming school sales representative license shall be \$ 350.

(c) The renewal fee for a four-year gaming school instructor license, gaming school principal employee license or gaming school sales representative license shall be \$ 300.

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32 V.I. R. & Regs. § 436-6.14

436-6.14. Casino Employee License Fees.

(a) Under section 442 of the Act, no person may be employed as a casino employee unless such person is the holder of a valid casino employee license.

(b) A casino employee license shall be issued for three years and be renewable for four year periods thereafter. The issuance fee for such a three year license shall be \$ 450. The renewal fee for such a four-year license shall be \$ 400.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.15

436-6.15. Casino Hotel and Security Employee Registration Fee.

(a) Under section 443 of the Act, no person may be employed as a casino hotel and security employee unless such person is registered with the Commission. A casino service employee registration shall remain in effect unless revoked, suspended, limited, or otherwise restricted by the Commission in accordance with the provisions of the Act. The one time registration fee for a casino service employee shall be \$ 50.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.16

436-6.16. Miscellaneous Administrative Fees.

- (a) Lost licenses shall be replaced for a fee to be determined by the Commission.
- (b) Requests to change a name or address on a license shall require a fee to be determined by the Commission.
- (c) The Commission may assess a returned check fee in an amount to be determined by the Commission.

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436-6. Subchapter 6. Fees

32 V.I. R. & Regs. § 436-6.17

436-6.17. 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) Amounts actually paid by an applicant or licensee in accordance with the Act and this subchapter shall not be refundable.

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436-7. Subchapter 7. Applications for the Renewal of Employee Licenses

32 V.I. R. & Regs. § 436-7.1

436-7.1. Scope of Subchapter; Effect of Expiration of License.

(a) This subchapter shall govern all applications for the renewal of any employee licensee

(b) No applicant for the renewal of an employee license may, after the expiration date of that license, be employed on the basis of that license by a casino licensee or gaming school in any position which requires the possession of a current and valid employee license.

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436-7. Subchapter 7. Applications for the Renewal of Employee Licenses

32 V.I. R. & Regs. § 436-7.2

436-7.2. Time for Filing.

(a) An application for the renewal of an employee license shall be mailed to each employee licensee at the address on file with the Commission at least 7 months prior to the expiration date of his or her license. The completed application for renewal shall be filed with the Commission no later than the last day of the month which is 5 months prior to the month in which the current license term expires. The filing deadlines for employee license renewal applications are as follows:

If the Current License Term	Then the Renewal Application
Expires on the Last Day of:	Must be Filed by the Last Day of:
January	August of prior year
February	September of prior year
March	October of prior year
April	November of prior year
May	December of prior year
June	January of current year
July	February of current year
August	March of current year
September	April of current year
October	May of current year
November	June of current year
December	July of current year

(b) No application shall be considered filed in accordance with (a) above unless:

1. The application contains all application materials as determined by the Commission; and

2. All application materials have been completed in accordance with the requirements of the Act, the Commission's regulations and any instructions included with the materials.

(c) Any applicant for the renewal of an employee license who files an incomplete renewal application within the filing deadline specified in (a) above shall be promptly notified by the Commission of any deficiency in the renewal application. To qualify as an "incomplete renewal application" for purposes of this section, an application must include, at a minimum, the license renewal fee and an Employee License Renewal Application form. Any licensee filing an incomplete renewal application shall have until the filing deadline established in (a) above or 21 days from the date of service of the deficiency notice, whichever is later, to file a complete renewal application.

(d) Failure of a licensee to file a complete renewal application with the Commission in accordance with the requirements of (a) through (c) above shall be deemed a failure to apply for renewal of the license and shall result in the termination of the license on its stated expiration date.

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436-7. Subchapter 7. Applications for the Renewal of Employee Licenses

32 V.I. R. & Regs. § 436-7.3

436-7.3. Contents of Renewal Application.

(a) An application for the renewal of an employee license shall be on forms proscribed by the Commission.

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32 V.I. R. & Regs. § 436-7.3, 32 VI ADC § 436-7.3

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436-7. Subchapter 7. Applications for the Renewal of Employee Licenses

32 V.I. R. & Regs. § 436-7.4

436-7.4. Processing.

(a) Upon the receipt of a complete renewal application within the time period required by these rules and regulations, the renewal application shall be investigated to determine the continued qualification of the applicant.

(b) If an applicant for renewal requests a hearing in accordance with the rules and regulations of the Commission, the Commission shall provide the applicant with a document permitting the applicant to remain employed under his or her existing license credential until such application has been finally determined by the Commission;

(c) The Commission shall notify an applicant in writing when a renewal application is granted, and the applicant shall appear in person at the Commission's office within 30 days of the notice to obtain his or her new license credential. Should the applicant fail to appear as required by this subsection, the Commission may notify casino licensees that the applicant can no longer be employed in the licensed position after the expiration of the applicant's current license credential until the applicant appears as required and receives his or her new license credential.

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32 V.I. R. & Regs. § 436-7.4, 32 VI ADC § 436-7.4

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436-7. Subchapter 7. Applications for the Renewal of Employee Licenses

32 V.I. R. & Regs. § 436-7.5

436-7.5. Duration of Renewed Licenses.

(a) Casino employee licenses shall be renewed for a term of four years.

(b) Casino key employee licenses shall be renewed for a term of two years.

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32 V.I. R. & Regs. § 436-7.5, 32 VI ADC § 436-7.5

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32 V.I. R. & Regs. § 444-1.1

444-1.1. Definitions.

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

“Gaming equipment” means any mechanical, electrical or electronic contrivance or machine used in connection with gaming or any game and includes, without limitation, roulette wheels, big six wheels, slot machines, slot tokens, prize tokens, cards, dice, chips, plaques, automatic shuffling devices, card dealing shoes, drop boxes, and other devices, machines equipment, items, or articles determined by the Commission to be so utilized in gaming as to require licensing of the manufacturers, distributors or services, or as to require Commission approval in order to contribute to the integrity of the gaming industry or to facilitate the operation of the Commission or the Division.

“Gaming equipment distributor” means any person who distributes, sells, supplies or markets gaming equipment.

“Gaming equipment industry” means gaming equipment manufacturers, gaming equipment distributors, and gaming equipment services.

“Gaming equipment manufacturer” means any person who manufactures, produces or assembles gaming equipment.

“Gaming equipment service or repairer” means any person who provides maintenance, service, or repair of gaming equipment or devices, machines, equipment, items, or articles governed by subsection 444-1.2(b) in any manner which has the capacity to affect the outcome of the play of an authorized game or calculation, storage, collection, or control of gross revenue.

“Sales representative” means any person owning an interest in, employed by or representing a casino servicing entity licensed in accordance with Sections 444(a) and (b) of the Act, who solicits the goods and services or business thereof.

“Security business” or “casino security service” means any non-governmental enterprise providing physical security services to a casino, a casino licensee, to an approved hotel or to any premises located within a casino hotel complex.

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32 V.I. R. & Regs. § 444-1.2

444-1.2. Gaming-Related Casino Servicing Entity License Requirements.

(a) No entity shall provide goods for service directly related to casino, or gaming activity to, or otherwise transact business directly related to casino, or gaming activity with a casino applicant, or licensee, its employees or agents unless licensed in accordance with Sections 444(a) and (b) of the Act.

(b) In determining whether an entity shall be licensed pursuant to this section, the Commission shall consider, without limitation, whether the entity satisfies one or more of the following criteria.

1. Whether the entity manufactures, supplies or distributes devices, machines, equipment, items or articles which:

i. are specifically designed for use in the operation of a casino:

ii. are needed to conduct an authorized game;

iii. have the capacity to affect the outcome of the play of an authorized game; or

iv. have the capacity to affect the calculation, storage, collection, or control of gross revenue.

2. Whether the entity is a gaming equipment service or repairer;

3. Whether the entity provides services directly related to the operation, regulation or management of a casino; or

4. Whether the entity provides such other goods or services determined by the Commission to be so utilized in or incident to gaming, or casino activity as to require licensing in order to contribute to the public confidence and trust in the credibility and integrity of the gaming industry in the United States Virgin Islands.

(c) Entity required to be licensed in accordance with Sections 444(a) and (b) of the Act and 444-1.2 (a) above shall include, without limitation, the following:

1. Manufacturers, suppliers, distributors, services and repairers of roulette wheels, big six wheels, slot machines, cards, dice, gaming plaques, slot tokens, prize tokens, dealing shoes, automatic shuffling devices, drop boxes, computerized gaming monitoring systems, and credit voucher machines;
2. Schools teaching gaming and dealing techniques; and
3. Casino credit reporting services, electronic fund transfer services, and suppliers of casino security services.

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32 V.I. R. & Regs. § 444-1.2, 32 VI ADC § 444-1.2

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32 V.I. R. & Regs. § 444-1.3

444-1.3. Non-Gaming-Related Casino Servicing Entity and Junket Enterprise License Requirements

(a) Unless otherwise licensed in accordance with Sections 444 (a) and (b) of the Act and Subsection 444-1.2, no entity shall, on a regular or continuing basis, provide goods or services regarding the realty, construction, maintenance, or business of a proposed or existing casino hotel or related facility to a casino licensee, or applicant, its employees or agents unless such entity is licensed or exempted in accordance with Sections 444 (c) and (d) of the Act. The Commission may, however, permit the entity to continue to provide such goods and services or conduct such business if the application is prepared and filed within a reasonable time.

(b) In determining whether an entity is subject to the requirements of this subsection, it shall not matter whether the casino licensee or applicant is a party to any agreement pursuant to which said goods or services are being provided. Entity required to be licensed in accordance with subsection 444 (c) and (d) of the Act and 444-1.3 (a) above shall include, without limitation, the following:

1. Suppliers of alcoholic beverages, food, and nonalcoholic beverages, gaming table layouts and non-value gaming chip sorters.
2. Licensors of authorized games to casino licensees and applicants;
3. Casino credit reporting services, electronic fund transfer services and suppliers of casino security services.

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32 V.I. R. & Regs. § 444-1.3, 32 VI ADC § 444-1.3

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32 V.I. R. & Regs. § 444-1.3

444-1.3. Non-Gaming-Related Casino Servicing Entity and Junket Enterprise License Requirements

(a) Unless otherwise licensed in accordance with Sections 444 (a) and (b) of the Act and subsection 444-1.2, no entity shall, on a regular or continuing basis, provide goods or services regarding the realty, construction, maintenance or business of a proposed or existing casino hotel or related facility to a casino licensee or applicant, its employees or agents unless such entity is licensed or exempted in accordance with Sections 444 (c) and (d) of the Act. The Commissions may, however, permit the entity to continue to provide such goods and services or conduct such business if the application is prepared and filed within a reasonable time.

(b) In determining whether an entity is subject to the requirements of this subsection, it shall not matter whether the casino licensee or applicant is a party to any agreement pursuant to which said goods or services are being provided. Entity required to be licensed in accordance with subsections 444 (c) and (d) of the Act and 444-1.3 (a) above shall include, without limitation, the following:

1. Suppliers of alcoholic beverages, food and non alcoholic beverages, gaming table layouts and non-value gaming chop sorters;
2. Licensors of authorized games to casino licensees and applicants;
3. Garbage handlers, vending machine providers, water suppliers, linen suppliers and maintenance companies;
4. Shopkeepers located within the approved hotel;
5. Limousine services and construction companies contracting with casino licensees or applicants their employees or agents; and
6. Casino credit and reporting services

(c) In determining if a person or entity does or will, on a regular or continuing basis, conduct business as a junket enterprise or provide goods or services regarding the realty, construction, maintenance, or business of a proposed or existing approved hotel or related facility to casino licensees or applicants, their employees or agents, the following factors, without limitation, shall be considered:

1. Numbers of transactions;
2. Frequency of transactions;
3. Dollar amounts of transactions;
4. Nature of goods or services provided or business transacted;
5. Maximum potential period of time necessary to fully provide the goods, perform the services, or complete the business which is the subject of the transaction; and
6. The public interest and the policies established by the Act.

(d) Notwithstanding the provisions of (d) above, persons and enterprises which conduct business as a junket enterprise or provide, or imminently will provide, goods or services regarding the realty, construction, maintenance, or business of a proposed or existing casino hotel or related facility casino licensees or applicants, their employees or agents shall, unless otherwise determined by the Commission, be deemed to be transacting such business on a regular basis if:

1. The total dollar amount of such transactions with any casino licensee or applicant, its employees or agents, is or will be equal to or greater than \$ 15, 000, within any 12-month period;
2. The total dollar amount of such transactions with any casino licensee or applicant, its employees or agents, is or will be equal to or greater than \$ 30,000, over three consecutive 12-month periods;

(e) Based upon an analysis of the factors contained in 444-1.3 (c) above, the Commission may, in its discretion, require an enterprise which is otherwise governed by the provisions of Section 444(c) of the Act and (a) above to be licensed as a Section 444(c) of the Act casino servicing entity prior to conducting any business whatsoever with a casino licensee or applicant if the Commission determines that such action is necessary in order to contribute to the public confidence and trust in the credibility and integrity or the gaming industry in the Territory. Entities subject to this requirement shall include manufacturers, suppliers and distributors of non-value gaming chip sorters and licensors of authorized games to casino licensees and applicants.

(f) In determining whether a person or entity has exceeded or will exceed the dollar thresholds established in 444-1.3(d) above, all types of business, including junket business, transacted by that person or enterprise with casino licensees or applicants, their employees or agents shall be accumulated.

(g) The Commission may expressly prohibit any unlicensed entity from providing goods or services to or conducting business with a casino licensee or applicant, its employees or agent on the basis that, after having been directed to file a casino servicing entity or junket enterprise license application, such enterprise failed to properly file such application within reasonable time. Any unlicensed entity prohibited from providing goods or services or conducting business on the basis of its failure to properly file an application may resume providing goods or services or conducting business:

1. Thirty days following the proper filing of its casino servicing entity or junket enterprise license application and after the payment of an additional late filing license fee of \$ 500; or

2. Immediately following a determination that the enterprise is not required to be licensed as a casino servicing entity or junket enterprise.

(h) No waiver of all or any portion of the 30-day period mandated by 444-1.3(g)1 above shall be granted by the Commission on the ground of economic hardship or loss to the unlicensed casino servicing entity or junket enterprise in question.

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32 V.I. R. & Regs. § 444-1.4

444-1.4. Temporary License.

(a) Notwithstanding sections 444-1.2(a) or 444-1.3(e), upon application by a casino licensee or applicant, the Commission may issue a temporary license to permit an applicant for a casino servicing entity license to conduct business transactions for a period not to exceed six (6) months with the casino licensee or applicant prior to the licensure of the casino servicing entity license applicant if:

1. A completed application for the appropriate casino servicing entity license has been filed by the applicant.
2. At least 30 days has elapsed since the filing of such completed application;
3. The Division does not object to the granting of the temporary license based upon an initial background investigation of the applicant; and
4. The casino licensee or applicant shows good cause for granting the temporary license.

(b) Each applicant required to be licensed as a casino servicing entity in accordance with Section 444(a) and (b) of the Act, except as otherwise required for gaming schools, shall, prior to the issuance of any casino servicing entity license, produce such information, documentation and assurances to establish by clear and convincing evidence:

1. The final stability, integrity and responsibility of the applicant;
2. The applicant's good character, honesty, and integrity;
3. That all owners, management and supervisory personnel, principal employees and sales representatives qualify under the standards, except residency, established for qualifications of a casino key employee;
4. The integrity of all financial backers, investors, mortgagees, bondholders, and holders of indentures, notes or other evidences of indebtedness, either in effect or proposed, which bears any relationship to the entity; and
5. The integrity of all officers, directors, and trustees of the applicant.

(c) Each applicant required to be licensed as a casino servicing entity in accordance with Sections 444(c) and (d) of the Act or as a junket enterprise in accordance with section 461(c) of the Act shall, prior to the issuance of any casino servicing entity or junket enterprise license, produce such information, documentation, including without limitation as to the generality of the foregoing, its financial books and records, and assurances to establish by clear and convincing evidence its good character, honesty and integrity.

1. Each applicant for a casino servicing entity license issued pursuant to Sections 444(c) and (d) of the Act shall also be required to establish the good character, honesty and integrity of each of the persons required to be qualified pursuant to the provisions of Section 444-1.17.

2. Each applicant for a junket enterprise license shall also be required to establish that such of its owners, management and supervisory personnel, junket representatives and other principal employees as the Commission may consider appropriate for qualification pursuant to Section 444-1.17 shall qualify under the standards, except for residency, established for the qualification of a casino key employee.

(d) Any entity directed to file an application for a casino servicing entity license pursuant to Section 444(c) and (d) of the Act, other than a junket enterprise, may request permission from the Commission to submit a modified form of such application. The Commission, in its discretion, may permit such modification if the entity can demonstrate to the Commission's satisfaction that securities issued by it are listed, or are approved for listing upon notice of issuance, on the New York Stock Exchange, the American Stock Exchange, or the National Association of Securities Dealers' Automated Quotation System (NASDAQ) National Market System.

(e) Any modifications of a casino servicing entity license application permitted pursuant to this section may be in any form deemed appropriate by the Commission except that every such application shall include the following:

1. The appropriate Personal History Disclosure Forms for all those individuals required to so file by the Commission pursuant to Section 444-1.17(a)2; and
2. Copies of all filings required by the Securities and Exchange Commission including all 10K's, 10Q's, 8K's, proxy statements and quarterly reports issued by the applicant during the immediately two preceding fiscal years; and
3. Properly executed Consents to Inspections, Searches and Seizures; Waivers of Liability for Disclosures of Information and Consents to Examination of Accounts and Records in forms as prescribed by the Commission; and
4. Payment of the appropriate casino servicing entity license fee; and
5. Any other information or documentation required at any time by the Commission.

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32 V.I. R. & Regs. § 444-1.4, 32 VI ADC § 444-1.4

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32 V.I. R. & Regs. § 444-1.6

444-1.6. Application for Initial Casino Servicing Entity License.

(a) An application for an initial casino servicing entity license pursuant to 444(a) and (b) of the Act shall consist of the appropriate fee and a completed original and one copy of the following:

1. A Casino Servicing Entity-Gaming Related Disclosure Form (CSE Gaming) for the applicant and for each holding company of the applicant.
2. A Personal History Disclosure Form-1 (PHD-1), for each person required to be qualified pursuant to Section 444(a) and (b) of the Act; and
3. Both of the following in a format prescribed by the Commission:
 - i. A notarized acknowledgment of the equal employment and business opportunity obligations which shall be signed and dated by the president, chief executive officer, partner or sole proprietor, as applicable; and
 - ii. A statistical report of the composition of the applicant's work force.
4. A Casino Servicing Entity-Gaming Related Disclosure SHORT (CSE SHORT) may be filed if the applicant is currently licensed and in good standing in either New Jersey or Nevada provided that the CSE SHORT FORM is accompanied by the most recent submission by the applicant to either New Jersey or Nevada and the applicant provides an update from that point of licensure to the present.

(b) An application for an initial casino servicing entity license pursuant to Section 444(c) shall consist of the appropriate fee and a completed original and one copy of the following:

1. A Casino Servicing Entity Non-Gaming Related Supplier Application for the applicant;
2. A Personal History Disclosure Form -2 (PHD 2), for each person required to be qualified pursuant to Section 444(c) of the Act;

3. If the applicant is required to obtain a license prior to conducting business with a casino licensee or applicant, two copies of the following documents:

- i. The applicant's Federal tax returns and related documents for the three years preceding application; and
- ii. The Federal tax returns and related document for the one year preceding application for each person required to be qualified;

4. Both of the following in a format prescribed by the Commission:

- i. A notarized acknowledgment of the equal employment and business opportunity, obligations which shall be signed and dated by the president, chief executive officer, partner or sole proprietor, as applicable; and
- ii. A statistical report of the composition of the applicant's work force.

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32 V.I. R. & Regs. § 444-1.7

444-1.7. Application for Renewal of Casino Servicing Entity License.

(a) An application for renewal of a casino servicing entity license pursuant to section 444(a) and (b) of the Act shall consist of the appropriate fee and a completed original and one copy of the following:

1. A CSE Gaming Renewal Application for the applicant and for each holding company of the applicant;
2. A PHD-1 for each person required to be qualified pursuant to Section 444(a) and (b) of the Act who has not previously been found qualified;
3. A PHD-1 Renewal Form, for each person required to be qualified pursuant to Section 444(a) and (b) of the Act who has previously been found qualified;
4. Both of the following, in a format prescribed by the Commission:
 - i. A notarized affidavit of the compliance with the equal employment and business opportunity requirements which shall be signed and dated by the president, chief executive officer, partner or sole proprietor of the applicant, as applicable; and
 - ii. A statistical report of the composition of the applicant's work force;

(b) An application for renewal of a casino servicing entity license pursuant to Section 444(c) of the Act shall consist of the appropriate fee and an original and one copy of the following:

1. A CSE Non-Gaming Renewal Application for the applicant except that documents which were included in a prior application may be incorporated by reference if there is no change in the information contained therein;
2. A PHD-2 for each person required to be qualified pursuant to Section 444(c) of the Act and who has not previously been found qualified;
3. A PHD-2 Renewal Form for each person required to be qualified pursuant to Section 444 (c) of the Act who has previously been found qualified;

4. Both of the following, in a format prescribed by the Commission:

i. A notarized affidavit of compliance with the equal employment and business opportunity requirements which shall be signed and dated by the president, chief executive officer, partner or sole proprietor of the applicant, as applicable; and

ii. A statistical report of the composition of the applicant's work force.

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32 V.I. R. & Regs. § 444-1.8

444-1.8. Disqualification Criteria.

A casino servicing entity or junket enterprise license may be denied to any applicant who has failed to prove by clear and convincing evidence that the applicant or any of the persons required to be qualified, are in fact qualified in accordance with the Act and with the provisions of these rules and regulations, or who has violated any of the provisions of the Act or these rules and regulations or who is disqualified under any of the criteria set forth in Section 438 of the Act.

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32 V.I. R. & Regs. § 444-1.9

444-1.9. Competition.

The Commission shall have the power and the duty to regulate, control and prevent economic concentration in casino operations and in casino servicing entities so as to encourage and preserve competition.

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32 V.I. R. & Regs. § 444-1.10

444-1.10. Investigations; Supplementary Information.

The Commission may make any inquiry or cause any investigation relating to an applicant or licensee including any person involved with an applicant or licensee at any time including the initial application process or at any time thereafter. It shall be the continuing duty of all applicants and licensees to provide full cooperation to the Commission in the conduct of such inquiry or investigation and to provide any supplementary information requested by the Commission.

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32 V.I. R. & Regs. § 444-1.11

444-1.11. Duration of Licenses; Renewal.

(a) Licensure pursuant to Section 444(a) of the Act is granted for an initial term of two years, and for a term of two years for all subsequent renewals; provided, however that the Commission shall reconsider the granting of such a license at any time at the request of the Division. Licensure pursuant to Sections 444(c) and 461 of the Act is granted for an initial term of three years and or a term of four years for all subsequent renewals. An application for renewal of a license shall be filed no later than 30 days and no sooner than 60 days prior to the expiration of that license.

(b) A change in any item that was a condition of the original license or of a license renewal must be approved by the Commission. A change in ownership shall invalidate any approval previously given by the Commission. The proposed new owner shall be required to submit an application for licensure and fulfill the requirements of a qualified licensee.

(c) The Commission shall notify each licensed casino servicing entity at least 60 days prior to the expiration of the current license term, whether that entity or enterprise licensee is conducting business on a regular or continuing basis.

1. If the Commission determines that an entity licensee is conducting business on a regular or continuing basis, the entity shall be required to file an application for the renewal of its license in accordance with the provisions of (a) above.

2. If the Commission determines that an entity licensee is not conducting business on a regular basis or continuing basis, the entity shall not be required to renew its casino servicing entity license. Any entity licensee notified that it is not required to renew its license shall:

i. Have the option to renew its entity license voluntarily by complying with the requirements of (a) above; and

ii. Be required, until the expiration of its current license, to notify the Commission immediately of any agreements, whether contemplated or in effect, which would result in cumulative transactions which would meet the regular or continuing business criteria.

(d) Upon receipt of a notice required to be filed by a casino servicing entity licensee pursuant to the provisions of 444-1.11 (c) 2ii above, the Commission shall redetermine whether the casino servicing entity licensee shall be required to renew its casino servicing entity license. The Commission shall notify the entity licensee of its determination as soon as practicable and, if renewal is required, direct that an application for renewal be filed within 30 days; provided, however, that the Commission may, upon written request by the casino servicing entity licensee and for good cause shown, grant the casino servicing entity licensee an additional 30 days within which to file its renewal application.

(e) Any casino servicing entity which is not required to, or chooses not to, renew its casino servicing entity license pursuant to (c) above shall not transact business with any casino licensee or applicant or any employee or agent thereof upon the expiration of such license.

(f) Notwithstanding (c) above, any shopkeeper or lessee of space on the premises of an approved casino hotel is licensed as a casino servicing entity shall be required to file an application for renewal of such license in accordance with (a) above.

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32 V.I. R. & Regs. § 444-1.12

444-1.12. Record Keeping.

(a) All casino servicing entity licensees shall maintain in a place secure from theft, loss, or destruction, adequate records of business operations which shall be made available to the Commission. These records shall include:

1. All correspondence with the Commission, Division and other governmental agencies on the Territorial and Federal level;
2. All correspondence concerning the realty, construction, maintenance, or business of a proposed or existing casino hotel or related facility;
3. Copies of all promotional material and advertising;
4. A personnel file on each employee of the licensee, including sales representatives;
5. Financial records of all transactions concerning the realty, construction, maintenance, or business of a proposed or existing approved hotel or related facility.

(b) The records listed in 444-1.12(a) above shall be held for at least five years.

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32 V.I. R. & Regs. § 444-1.13

444-1.13. Causes for Suspension, Failure to Renew or Revocation of a License.

(a) Any of the following shall be cause for suspension, refusal to renew or revocation of a casino service industry license, although suspension, refusal to renew or revocation may be made for sufficient cause other than those listed:

1. Violation of any provision of the Act or these rules and regulations;
2. Conduct which would disqualify the applicant, or any other person required to be qualified, if such person were applying for original licensure;
3. Failure to comply with all applicable Federal and Territorial statutes and rules and regulations;
4. A material departure from any representation made in the application for licensure.

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32 V.I. R. & Regs. § 444-1.14

444-1.14. Equal Employment Opportunity.

The rules and regulations relating to equal employment opportunity and affirmative action program requirements for casino and Business servicing entities are set forth in section 506 of the Act and the rules and regulations concerning Equal Employment Opportunity.

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32 V.I. R. & Regs. § 444-1.14, 32 VI ADC § 444-1.14

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32 V.I. R. & Regs. § 444-1.15

444-1.15. Fees.

The general rules relating to the fees for the issuance and renewal of casino service industry and junket enterprise licensure are set forth in section 436 of the regulations regarding applications. Additional rules relating to fees for the issuance of a casino servicing entity license to a gaming school are set forth in the Gaming Schools regulations.

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32 V.I. R. & Regs. § 444-1.15, 32 VI ADC § 444-1.15

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32 V.I. R. & Regs. § 444-1.16

444-1.16. Exemption.

(a) Exemption of persons or fields of commerce from licensure as casino servicing entities are set forth in Section 444(c) of the Act.

(b) The Commission may, upon the written request of any person, or upon its own initiative, exempt any person or field of commerce, other than a junket enterprise, from the casino servicing entity licensure requirements of Sections 444(c) and (d) of the Act.

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32 V.I. R. & Regs. § 444-1.16, 32 VI ADC § 444-1.16

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32 V.I. R. & Regs. § 444-1.17

444-1.17. Casino Servicing Entity Licenses; Persons Required to be Qualified.

(a) No casino servicing entity license shall be issued unless the individual qualifications of each of the following persons shall have first been established in accordance with the Act and of the rules and regulations of the Commission.

1. In the case of casino servicing entity licenses issued in accordance with Sections 444(a) and (b) of the Act.

i. The entity;

ii. If the entity is, or if it is to become a subsidiary, each holding company and each intermediary company which the Commission deems necessary in order to further the purposes of the Act.

iii. Each owner of the entity who directly or indirectly holds any beneficial interest or ownership in excess of five percent of the entity;

iv. Each owner of a holding company or intermediary company who the Commission deems necessary in order to further the purpose of the Act;

v. Each director of the entity except that a director who, in the opinion of the Commission is not significantly involved in or connected with the management or ownership in excess of five percent of the entity;

vi. Each officer of the entity who is significantly involved in or has authority over the conduct of business directly related to casino gaming activity and each officer whom the Commission may consider appropriate for qualification in order to insure the good character, honesty and integrity of the entity;

vii. Each officer of a holding company or intermediary company whom the Commission may consider appropriate for qualification in order to insure the good character, honesty and integrity of the entity;

viii. The management employee supervising the local office which employs the sales representative who will solicit business or deal directly with a casino licensee;

ix. Each employee who will act as a sales representative or otherwise regularly engage in the solicitation of business from casino licensees;

x. Any other person whom the Commission may consider appropriate for approval or qualification.

2. In the case of casino servicing entity or junket enterprise licenses issued in accordance with Sections 444(c) and (d) or Section 461 of the Act.

i. The entity;

ii. If the entity is, or if it is to become a subsidiary, each holding company and each intermediary company which the Commission deems necessary to qualify or approve in order to further the purposes of the Act;

iii. Each owner of the entity who directly or indirectly holds any beneficial interest or ownership in excess of five percent;

iv. Each owner of a holding company or intermediary company who the Commission deems necessary to qualify or approve in order to further the purpose of the Act.

v. Each director of the entity except that a director who, in the opinion of the Commission, is not significantly involved in or connected with the management or ownership of the entity shall not be required to qualify;

vi. Each officer of the entity significantly involved in the conduct of business with a casino licensee and each officer whom the Commission may consider appropriate for qualification in order to insure the good character, honesty, and integrity of the entity;

vii. Each officer of a holding company or intermediary company whom the Commission may consider appropriate for qualification in order to insure the good character, honest and integrity of the entity;

viii. The management employee supervising the local office which employs the sales representative or junket representative soliciting business or dealing with a casino licensee;

ix. Each employee who will act as a sales representative or otherwise regularly engage in the solicitation of business from casino licensees and each junket representative who will directly with casino licensees or their employees;

x. Any other person whom the Chairman may consider appropriate for approval or qualification.

(b) 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 the 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 may be required to pursue a determination as to the qualifications of the junket representative regardless of whether the employment relationship with junket representative has been terminated.

3. Any person required to establish the qualifications of 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 representative has been terminated.

(c) Additional rules relating to the persons required to be qualified prior to the issuance of a casino servicing entity license to a gaming school are set forth in 444a-1 of the Gaming School regulations.

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32 V.I. R. & Regs. § 444-1.18

444-1.18. Advertising.

(a) Any advertisement by an applicant for or holder of a casino servicing entity license or by an agent thereof shall be subject to the provisions of these rules and regulations to the same extent as if such advertisement were by a casino licensee or applicant.

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Subchapter 444A. Gaming Schools

444a-1. Subchapter 1. Definitions

32 V.I. R. & Regs. § 444A-1.1

444A-1.1. Definitions.

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

“Administrative employee” shall mean any person employed by a gaming school in a nonteaching capacity including, but not limited to, the business manager, director of admissions, and the director of placement.

“Course” shall mean a unit of educational instruction or training in a specific subject area of gaming and playing or dealing techniques which upon successful completion may be used to satisfy any experiential or training requirements imposed by the Commission as a prerequisite to licensure as a casino key employee or casino employee.

“Gaming school” shall mean any person or school, whether or not a governmental agency, teaching any course or program of instruction, which is a casino service industry enterprise, as defined in the Act or the regulations of the Commission, or which shall enroll any student or offer any course to the public in this jurisdiction or do any other business whatsoever in the United States Virgin Islands, whether for compensation or not, relating to such teaching. All gaming schools are hereby deemed to be casino service industry enterprises and are required to be licensed as gaming schools in accordance with sections 444(a) and (b) of the Act and the regulations of the Commission.

“Governmental agency” shall mean any office, department, division, bureau, board, Commission, agency, authority, institution, or like governmental entity of the United States Virgin Islands or a political subdivision thereof or of any other state or political entity of the United States.

“Instructor” shall mean any person employed by a gaming school to train, teach or instruct the students enrolled in such school.

“Or” shall mean the disjunctive “or” as well as the conjunctive “and” unless a different meaning clearly appears from the context in which it is used.

“Program of instruction” shall mean a grouping of courses designed to educate a student in a broad subject area or one or more units of such educational instruction or training designed to qualify a student for employment in one or more specific casino operations.

“Resident director” shall mean the person who is responsible for the day-to-day operation or administration of the school or who has supervisory authority over all employees of the school.

“Sales representative” shall mean any person owning an interest in, employed by or representing a gaming school and who solicits or enrolls any person for education, training or instruction in such school.

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32 V.I. R. & Regs. § 444A-1.1, 32 VI ADC § 444A-1.1

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444a-2. Subchapter 2. Gaming School License Requirements

32 V.I. R. & Regs. § 444A-2.1

444A-2.1. Necessity of License; Conduct of School.

No gaming school shall enroll any student or offer any course to the public in the United States Virgin Islands or do any other business whatsoever in the United States Virgin Islands, whether for compensation or not, relating to the teaching of gaming or playing or dealing techniques unless a casino servicing entity gaming related license authorizing the particular gaming school (hereinafter, a gaming school license) shall have first been issued to the gaming school.

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32 V.I. R. & Regs. § 444A-2.1, 32 VI ADC § 444A-2.1

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444a-2. Subchapter 2. Gaming School License Requirements

32 V.I. R. & Regs. § 444A-2.2

444A-2.2. License; Providing Goods or Services.

(a) No gaming school shall, on a regular or continuing basis, provide any goods or services to or conduct any business whatsoever with a casino, a casino licensee, its employees or agents, whether or not said goods, services or business directly relates to casino or gaming activity, unless a gaming school license shall have first been issued to the gaming school.

(b) Any gaming school licensee which enters into an agreement with a casino licensee or an applicant for a casino license to provide any course or program of instruction, must file with the Commission prior to the commencement of such training, a copy of said agreement. Each such agreement shall describe the training to be offered in sufficient detail to allow the Commission to properly evaluate that training. This description shall include but need not be limited to:

1. The course or program title;
2. The number of persons involved in such training and the maximum number of students that will be permitted to enroll in any one session of such training;
3. A description of the plan of instruction to be used;
4. The tuition and other charges or costs to the persons trained and to the parties to the agreement;
5. The name, license number and employer of every instructor to be utilized for such training;
6. The name, license number and employer of any support personnel to be used in such training;
7. The location where such training is to be conducted; and
8. Any certificate or other documentation to be awarded to persons successfully completing such training program.

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444a-2. Subchapter 2. Gaming School License Requirements

32 V.I. R. & Regs. § 444A-2.3

444A-2.3. Casino Licensee Offering Any Course or Program of Instruction.

For purposes of this chapter, the issuance of a casino license shall be deemed to include the issuance of a gaming school license to the casino license holder without the necessity of a separate gaming school license being issued provided that the casino licensee has met all the requirements for licensing as a casino service industry. A casino licensee may offer any course or program of instruction provided that the casino licensee shall have first been issued a certificate of operation authorizing the operation of a gaming school in compliance with these regulations.

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444a-2. Subchapter 2. Gaming School License Requirements

32 V.I. R. & Regs. § 444A-2.4

444A-2.4. Registration and Qualifications; Corporations.

No corporation shall be eligible to apply for or hold a gaming school license unless each corporate and noncorporate holding company and intermediary company with respect thereto shall first register with the Commission and establish such qualifications as the Commission shall deem necessary.

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444a-2. Subchapter 2. Gaming School License Requirements

32 V.I. R. & Regs. § 444A-2.5

444A-2.5. Waivers.

Upon written application from a public school district or public institution of higher education, the Commission in its discretion may waive any licensure or qualification of any individuals except those instructors and other principal employees responsible for the teaching of any course or program of instruction.

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444a-2. Subchapter 2. Gaming School License Requirements

32 V.I. R. & Regs. § 444A-2.6

444A-2.6. Application for Initial License.

(a) An application for initial issuance of a gaming school license pursuant to Sections 444a and b of the Act shall consist of the fee and a completed original and one copy of the following:

1. Casino Servicing Entity Gaming Related (CSE-GR) Application form for the applicant.
2. Both of the following in a format prescribed by the Commission;
 - i. A notarized acknowledgment of the equal employment and business opportunity obligations imposed by Sections 506 and 507 of the Act which shall be signed and dated by the president, chief executive officer, partner or sole proprietor, as applicable; and
 - ii. A statistical report of the composition of the applicant's work force;
3. The appropriate CSE-GR form in 444a-2.6 (a)1 above for each holding company of the applicant; and
4. A completed application in accordance with 436-2.4, including Personal Disclosure Form--1 (PDF-1) as set forth in 436-2.1, for each person required to be qualified pursuant to Sections 444(a) and (b) of the Act and Subsection 444A-2.1.

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444a-2. Subchapter 2. Gaming School License Requirements

32 V.I. R. & Regs. § 444A-2.7

444A-2.7. Renewal Application.

(a) An application for renewal of a gaming school license shall consist of the fee specified in 436-6.6 and a completed original and one copy of the following:

1. CSE-GR form for the applicant; except that documents in which were included in a prior application may be incorporated by reference if there is no change in the information contained therein;
2. Both of the following, in a format prescribed by the Commission:
 - i. A notarized affidavit of compliance with the equal employment and business opportunity requirements of Section 506 and 507 of the Act which shall be signed and dated by the president, chief executive officer, partner or sole proprietor of the applicant, as applicable; and
 - ii. A statistical report of the composition of the applicant's work force;
3. The appropriate CSE-GR form as set forth in (a)1 above for each holding company of the applicant;
4. A completed application including a Personal Disclosure Form--1 (PDF-1) for each person required to be qualified pursuant to Sections 444a and b of the Act and section 444A-3.4 who has not previously been found qualified; and
5. An Employee License Renewal Application for each person required to be qualified pursuant to Sections 444a and b of the Act and section 444A-3.4 who has previously been found qualified.

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444a-3. Subchapter 3. Gaming School License Standards

32 V.I. R. & Regs. § 444A-3.1

444A-3.1. Gaming School License Standards.

(a) No gaming school license shall be issued unless the qualifications of the gaming school enterprise shall have first been established in accordance with sections 438, 441 and 444(b) of the Act and regulations of the Commission which qualifications shall include but shall not be limited to:

1. Its financial stability, integrity and responsibility;
2. Its good reputation for honesty and integrity;
3. The sufficiency of its business ability and experience to adequately establish the likelihood of its success and efficiency as a gaming school;
4. If the gaming school enterprise is a corporation, that it:
 - i. Either was incorporated in the United States Virgin Islands or is authorized to do business in the United States Virgin Islands;
 - ii. Maintains a registered office in the premises licensed or to be licensed and has designated and maintains in the United States Virgin Islands a registered agent;
 - iii. Complies with all requirements of the laws of the United States Virgin Islands pertaining to corporations;
 - iv. Maintains a ledger in its registered office in the United States Virgin Islands reflecting the current ownership of every class of security issued by the said corporation;
 - v. If not a publicly traded corporation, that it has appropriate charter or bylaw provisions, upon Commission disapproval of any future transfer of any corporate security of, share of or other interest in the applicant corporation or any holding company intermediary company or subsidiary thereof, such corporations and companies shall have the absolute obligation to purchase and the transferee shall have the obligation to sell same; and

vi. If a publicly traded corporation, that it has appropriate charter or bylaw provisions that, upon Commission disqualification of any holder of any security of the applicant corporation, such holder shall dispose of his security interest therein.

5. If the gaming school enterprise is not a corporation, that it maintains an office in the United States Virgin Islands and has designated to the Commission and maintains in the United States Virgin Islands an agent for the acceptance of service of process;

6. The adequacy of its affirmative action program for both its employees and students; and

7. The appropriate individuals associated with or employed by the gaming school be properly qualified as required by the Act and these regulations.

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444a-3. Subchapter 3. Gaming School License Standards

32 V.I. R. & Regs. § 444A-3.2

444A-3.2. Gaming School Certificate of Operation Standards.

(a) Notwithstanding the issuance of a license, no gaming school may enroll students or offer any course or program of instruction unless and until a valid Certificate of Operation has been issued to the gaming school licensee by the Commission.

(b) No Certificate of Operation shall be issued unless the gaming school licensee has established qualifications, to the satisfaction of the Commission, in each of the following areas:

1. The adequacy of its courses or programs of instruction;
2. The adequacy of its proposed facilities, supplies and equipment to provide thorough instruction and training to the students enrolled, and to effectively accommodate its students and faculty;
3. The adequacy of its system of record keeping;
4. The adequacy of its bulletin and enrollment agreement;
5. The school has a properly licensed resident director in its employ and such individual shall have established his qualifications in accordance with the casino key employee standards as set forth in sections 438, 441, and 444(b) of the Act and the regulations of the Commission;
6. The adequacy of its insurance coverage;
7. For schools whose facilities are leased or rented, the adequacy of its contract or lease agreement;
8. The adequacy of its surety bond; and
9. The school has in its employ properly licensed instructors for the courses it proposes to offer and that any other individuals employed by the gaming school are properly licensed as required by these regulations.

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444a-3. Subchapter 3. Gaming School License Standards

32 V.I. R. & Regs. § 444A-3.3

444A-3.3. Changes.

(a) A change in any item that was found necessary for the issuance of, or made a condition on, the gaming school license must be approved by the Commission prior to any announcement or implementation of the change by the gaming school.

(b) A change in any item that was found necessary for the issuance of, or made a condition on, the gaming school Certificate of Operation must be approved by the Commission prior to any announcement or implementation of the change by the gaming school.

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444a-3. Subchapter 3. Gaming School License Standards

32 V.I. R. & Regs. § 444A-3.4

444A-3.4. Persons Required to Be Qualified.

(a) No gaming school license shall be issued unless the individual qualifications of:

1. Each of the following persons or agencies shall have first been established in accordance with the casino key employee standards as set forth in sections 444(b), 438 and 441 of the Act and the rules and regulations of the Commission:

- i. The enterprise;
- ii. The owners of the gaming school;
- iii. Its management personnel;
- iv. Its supervisory personnel;
- v. Its principal employees, and
- vi. Such other persons whom the Commission may consider appropriate for approval or qualification.

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444a-4. Subchapter 4. Gaming School Employee License

32 V.I. R. & Regs. § 444A-4.1

444A-4.1. Establishment of Qualifications.

(a) No natural person shall be employed by a licensed gaming school as an instructor, administrative employee or a sales representative unless he or she shall first have established his qualifications in accordance with the casino employee standards set forth in sections 444(b), 438 and 442 of the Act and the regulations of the Commission and unless a gaming school employee license authorizing the person to hold the particular position of employment shall first have been issued to him, or her provided, however, that notwithstanding the provisions of this section, the licensure of clerical personnel shall not be required.

(b) No natural person shall be employed as a resident director of a gaming school unless he or she shall first have established his or her qualifications in accordance with Sections 438, 442 and 444(b) of the Act and the rules of the Commission unless he or she holds a valid resident director gaming school license or a casino key employee license with a resident director endorsement.

(c) Notwithstanding any other requirements of this subchapter, guest lecturers who do not possess a gaming school instructor's license may be employed for a period not to exceed ten (10) days per school year. Provided that prior notice is filed with the Commission and Division and that an individual who possesses a valid instructor's license is responsible for the conduct of the class and is in attendance during the sessions conducted by the guest lecturer.

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444a-4. Subchapter 4. Gaming School Employee License

32 V.I. R. & Regs. § 444A-4.2

444A-4.2. Establishment of Thorough Knowledge of Regulations.

(a) In addition to the requirements set forth in Subsection 444A-4.1, no natural person shall be employed in the following positions unless he or she shall have first established that he or she has a thorough knowledge of the regulations of the Commission relevant to the position and that:

1. In the case of a resident director, he or she has had not less than four years experience as a dealer, stickman, floorman, pit boss, shift boss, or casino manager or such educational, managerial or administrative position so as to have provided him or her with the necessary experience to competently and effectively undertake the responsibilities of resident director;
2. In the case of an instructor, he has had not less than two years of experience in a position identical to or closely related to that about which he will instruct;
 - i. If the instructor will teach a supervisory training course pursuant to Subsection 444A-7.6, such experience shall include at least one year of experience as a supervisor in the game about which he will instruct;
3. In the case of an administrative employee, he or she has had such administrative experience or training so as to have provided him or her with the necessary knowledge and ability to competently and effectively undertake the responsibilities of his or her position; and
4. In the case of sales representative, he or she has had such training so as to have become fully knowledgeable of the programs, courses, facilities, admission requirements, graduation requirements, policies and regulations of the gaming school.

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444a-5. Subchapter 5. Duration and Display of Licenses

32 V.I. R. & Regs. § 444A-5.1

444A-5.1. Duration of Licenses.

(a) Licensure as a gaming school shall be granted for a period of two years, and shall be renewable for two year periods thereafter.

(b) Licensure as a gaming school resident director, instructor, principal employee or sales representative shall be granted for a period of three years and shall be renewable for four year period thereafter.

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32 V.I. R. & Regs. § 444A-5.2

444A-5.2. Display of Licenses.

The school shall display its gaming school license in a prominent place. The licenses of its director, administrators, instructors and sales representatives must be produced upon the reasonable request of any person.

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32 V.I. R. & Regs. § 444A-5.2, 32 VI ADC § 444A-5.2

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444a-6. Subchapter 6. Name of Gaming School

32 V.I. R. & Regs. § 444A-6.1

444A-6.1. Name of Gaming School.

(a) Each applicant for a gaming school license shall submit its proposed name to the Commission for approval and shall not change such name or utilize another name without the prior approval of the Commission.

(b) A gaming school shall not infringe on the name of any other school whatsoever. It shall not use any title, name, label, insignia or designation which can be construed as misleading or deceiving to prospective students with respect to the nature of the school or its accreditation, courses or programs or methods of instruction.

(c) The words “St. Croix”, “St. Thomas”, “St. John”, “Virgin Islands”, “United States Virgin Islands” or “Territory” shall not be used in the name of a gaming school unless such school is part of a duly authorized Territorial school, college or university.

(d) The words “district” or the name of any district of this Territory shall not be used in the name of a gaming school unless such school is part of a duly authorized district, school or university of this Territory.

(e) No gaming school shall adopt or use any title or name commonly accepted as descriptive of any school, college or university institution unless such gaming school is a duly authorized branch, unit or extension division of such school, college or university.

(f) No gaming school shall adopt or use any title or name of any casino authorized to operate in the United States Virgin Islands or elsewhere unless such school is owned or operated by such casino.

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444a-7. Subchapter 7. Courses and Programs of Instruction

32 V.I. R. & Regs. § 444A-7.1

444A-7.1. Approval.

No person or school, whether or not a governmental agency, shall offer any course or program of instruction or enroll any student in any course or program of instruction unless an approval authorizing such course or program of instruction shall have first been obtained from the Commission.

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444a-7. Subchapter 7. Courses and Programs of Instruction

32 V.I. R. & Regs. § 444A-7.2

444A-7.2. Outline.

(a) For each course or program submitted to the Commission for approval, the gaming school shall submit a course or program outline in sufficient detail for proper evaluation which outline shall include, but need not be limited to:

1. The course or program title;
2. The objective or goal the course or program is intended to meet;
3. For courses, the content in outline form showing the major elements or items of instruction, the number of teacher contact hours of instruction for each element of the course, the number of laboratory or practice hours required and the total number of hours for the course;
4. For programs, a description of the program in outline form showing the courses or elements or items of instruction comprising the program, the number of teacher contact hours of instruction for each course or element of the program, the number of laboratory or practice hours required and the total number of hours required for completion of the program;
5. A description of the plan of instruction to be used which shall include daily lesson plans;
6. A description of the space, equipment, tools and audio-visual material to be used for each course or program;
7. The entrance requirements, if any, such as education, physical fitness or dexterity, and the procedure for determining compliance with such;
8. The proposed tuition and other charges or cost to the student;
9. The maximum number of students that will be permitted to enroll in any one session of the course or program taking into account the facilities available;
10. The capacity of the school for any one session of the course or program showing the number of work stations in the shop or laboratory, the number of classroom spaces and the number and type of gaming tables and equipment to be utilized;

11. The nature of skill and knowledge students are expected to have upon completion of the course or program and occupational and other outcomes expected from the course or program, and the testing program to be used to test students for these competencies and the standards to be used;
12. A description of the method and frequency by which the course will be evaluated in relation to its goals and objectives;
13. The student-teacher, student-table and table-teacher ratios for each course or program; and
14. A copy of all textual material to be used in the course or program of instruction.

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32 V.I. R. & Regs. § 444A-7.2, 32 VI ADC § 444A-7.2

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Subchapter 444A. Gaming Schools

444a-7. Subchapter 7. Courses and Programs of Instruction

32 V.I. R. & Regs. § 444A-7.3

444A-7.3. Minimum Hours.

(a) Any training or instruction designed to prepare a student for employment as a dealer shall satisfy the following minimum requirements:

1. For a student being trained to deal a first game the following minimum hours of training and instruction shall be required:

- i. 160 hours to deal blackjack;
- ii. 200 hours to deal baccarat and minibaccarat;
- iii. 200 hours to deal roulette; and
- iv. 240 hours to deal craps.

2. For a student being trained to deal a second or subsequent game the following minimum hours of training and instruction shall be required:

- i. For a student certified to deal blackjack:
 - (1) 180 hours to deal craps;
 - (2) 120 hours to deal roulette; and
 - (3) 80 hours to deal baccarat and minibaccarat.
- ii. For a student certified to deal roulette:
 - (1) 180 hours to deal craps;

(2) 95 hours to deal blackjack; and

(3) 95 hours to deal baccarat and minibaccarat.

iii. For a student certified to deal craps:

(1) 120 hours to deal roulette;

(2) 95 hours to deal blackjack; and

(3) 95 hours to deal baccarat and minibaccarat.

iv. For a student certified to deal baccarat:

(1) 180 hours to deal craps;

(2) 120 hours to deal roulette; and

(3) 80 hours to deal blackjack.

v. For a student certified to deal blackjack and baccarat, five hours shall be required to deal minibaccarat.

(b) For any training or instruction not listed in (a) above, the required minimum hours of training and instruction shall be determined by the Commission on a case by case basis.

(c) A supervisory training course pursuant to Subsection 444A-7.6 shall include the following minimum hours of training and instruction:

1. For a student holding the appropriate license and position endorsement required to supervise blackjack, baccarat or minibaccarat:

i. 60 hours to supervise blackjack;

ii. 60 hours to supervise baccarat and minibaccarat; and

iii. 95 hours to supervise roulette; or

2. For a student holding the appropriate license and position endorsement required to supervise roulette or craps:

- i. 70 hours to supervise blackjack;
- ii. 70 hours to supervise baccarat and minibaccarat; and
- iii. 95 hours to supervise roulette.

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32 V.I. R. & Regs. § 444A-7.3, 32 VI ADC § 444A-7.3

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444a-7. Subchapter 7. Courses and Programs of Instruction

32 V.I. R. & Regs. § 444A-7.4

444A-7.4. Certificate.

Upon satisfactory completion of any course or program of instruction, the gaming school shall, in writing, certify directly to the Commission that the student has successfully or satisfactorily completed the said course or program of instruction.

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32 V.I. R. & Regs. § 444A-7.4, 32 VI ADC § 444A-7.4

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444a-7. Subchapter 7. Courses and Programs of Instruction

32 V.I. R. & Regs. § 444A-7.5

444A-7.5. Standards.

No course or program of instruction shall be approved by the Commission unless the Commission shall have first been satisfied that the student-teacher ratio, physical facilities, equipment and classroom and laboratory space shall be such as to afford each student an adequate opportunity to master the subject matter and to afford the gaming school an adequate opportunity to determine the student's progress by testing, observation or performance.

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32 V.I. R. & Regs. § 444A-7.5, 32 VI ADC § 444A-7.5

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444a-7. Subchapter 7. Courses and Programs of Instruction

32 V.I. R. & Regs. § 444A-7.6

444A-7.6. Supervisory Training Course.

(a) A course designed to prepare a student for employment as a floorperson or pit boss in a particular second or subsequent game shall include the minimum hours of training and instruction required by Subsection 444A- 7.3 including, at a minimum, training and instruction which addresses the following for the particular game:

1. The rules of the game;
2. The handling of customer disputes;
3. Methods of cheating and marking cards;
4. Supervisory concerns; and
5. Simulated casino experience.

(b) For purposes of Subsection 444A-7.4, no student shall be deemed to have satisfactorily completed a supervisory training course pursuant to (a) above unless he or she:

1. Holds the appropriate license and position endorsement required to supervise a first game and at least one subsequent game; and
2. Satisfied the supervisory experience requirements set forth in the rules and regulations.

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32 V.I. R. & Regs. § 444A-7.6, 32 VI ADC § 444A-7.6

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444a-8. Subchapter 8. Facilities, Supplies and Equipment

32 V.I. R. & Regs. § 444A-8.1

444A-8.1. Sufficient Physical Facilities and Equipment.

(a) The physical facilities and equipment of each gaming school shall be sufficient for attainment of the school's purposes and shall be safe and adequate in quality, size, and number to effectively accommodate students, faculty and staff. The school shall have sufficient space, equipment and supplies on hand to provide a shop, laboratory or classroom space for each of the students in attendance at every session of instruction or training.

(b) No gaming school shall alter its physical facility unless prior notice, which shall include a diagram detailing the proposed change, has been submitted to and approved by the Commission.

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32 V.I. R. & Regs. § 444A-8.1, 32 VI ADC § 444A-8.1

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444a-8. Subchapter 8. Facilities, Supplies and Equipment

32 V.I. R. & Regs. § 444A-8.2

444A-8.2. Compliance with Appropriate Laws and Rules.

Physical facilities of all gaming schools shall meet all applicable Territorial laws, rules and regulations with regard to space, safety, health, fire, construction, sanitation, lighting, ventilation, zoning and environmental protection and such other standards as may from time to time be adopted by the Commission.

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32 V.I. R. & Regs. § 444A-8.2, 32 VI ADC § 444A-8.2

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444a-8. Subchapter 8. Facilities, Supplies and Equipment

32 V.I. R. & Regs. § 444A-8.3

444A-8.3. Leases.

Facilities leased or rented which house the instructional program of the school shall be bound by contract or lease agreement between the owner of the school and the owner of the facilities. Said contract or lease agreement shall stipulate length of lease, conditions of lease and shall be signed by both parties. A copy of the agreement must be filed with the Commission prior to the issuance of a Certificate of Operation.

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32 V.I. R. & Regs. § 444A-8.3, 32 VI ADC § 444A-8.3

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444a-8. Subchapter 8. Facilities, Supplies and Equipment

32 V.I. R. & Regs. § 444A-8.4

444A-8.4. Equipment.

(a) Unless the Commission shall otherwise determine, all gaming equipment utilized by a gaming school shall conform to all requirements set forth in the regulations of the Commission governing gaming equipment utilized by casino licensees. Each gaming school shall keep an itemized list of its dealing shoes, gaming tables, slot machines, and roulette and big six wheels.

(b) Unless the Commission shall otherwise determine, each gaming table shall have the name of the gaming school, or some other identifying attribute as approved by the Commission, permanently imprinted thereon in letters at least one inch in height and shall, as to each slot machine, also have permanently affixed on it a serial number which, together with the location of the table or machine, shall be filed with the Commission.

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32 V.I. R. & Regs. § 444A-8.4, 32 VI ADC § 444A-8.4

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444a-8. Subchapter 8. Facilities, Supplies and Equipment

32 V.I. R. & Regs. § 444A-8.5

444A-8.5. Gaming Chips and Plaques.

(a) Unless the Commission shall otherwise determine, 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.

(b) No gaming school shall issue or cause to be utilized in its gaming school any gaming chips or plaques until such gaming chips and plaques are submitted to and approved by the Commission.

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32 V.I. R. & Regs. § 444A-8.5, 32 VI ADC § 444A-8.5

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444a-8. Subchapter 8. Facilities, Supplies and Equipment

32 V.I. R. & Regs. § 444A-8.6

444A-8.6. Security.

Each gaming school shall provide adequate security of its premises for the protection of its equipment. No such equipment shall be removed from the premises of the school or sold or transferred to any person without the prior approval of the Commission; provided, however, that gaming chips and plaques may be removed by students for practice purposes without the necessity of any approval of the Commission.

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32 V.I. R. & Regs. § 444A-8.6, 32 VI ADC § 444A-8.6

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444a-8. Subchapter 8. Facilities, Supplies and Equipment

32 V.I. R. & Regs. § 444A-8.7

444A-8.7. Use of Gaming Chips and Plaques and Equipment.

Gaming chips and plaques and equipment of a gaming school shall be used for training, instructional and practice purposes only. Utilization of same for actual gaming by any person shall be prohibited and may constitute cause for the suspension or revocation of the gaming school license.

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32 V.I. R. & Regs. § 444A-8.7, 32 VI ADC § 444A-8.7

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444a-8. Subchapter 8. Facilities, Supplies and Equipment

32 V.I. R. & Regs. § 444A-8.8

444A-8.8. Telephone Listing.

Each gaming school shall have a telephone listed in the local telephone directory.

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32 V.I. R. & Regs. § 444A-8.8, 32 VI ADC § 444A-8.8

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Subchapter 444A. Gaming Schools

444a-9. Subchapter 9. Financial Stability, Insurance and Annual Budget Andaudited Financial Statement

32 V.I. R. & Regs. § 444A-9.1

444A-9.1. Insurance.

No gaming school Certificate of Operation shall be issued unless the Commission shall have first been satisfied that the said gaming school has insurance adequate to protect its financial interest, to maintain its solvency in the case of loss by fire or other causes and to afford it reasonable protection in instances of personal and public liability.

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32 V.I. R. & Regs. § 444A-9.1, 32 VI ADC § 444A-9.1

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444a-9. Subchapter 9. Financial Stability, Insurance and Annual Budget Andaudited Financial Statement

32 V.I. R. & Regs. § 444A-9.2

444A-9.2. Annual Budget.

(a) An annual budget covering all existing and contemplated operations of the gaming school in a form as shall be specified and approved by the Commission and the Division shall accompany each application for a gaming school license and shall include, but need not be limited to, the following items:

1. Anticipated income for the year, identified by source and amount, which shall include the following:

- i. Cash on hand at beginning of year;
- ii. Income, actual or anticipated, by source and amount for the year; and
- iii. Total anticipated income.

2. Anticipated expenditures which shall include the following categories:

- i. Administration: A list of all administrative personnel by name, position and proposed salary, including living quarters, automobile and attendant services to be furnished by the school. Other expenses of administration are to be listed by purpose and amount;
- ii. Instruction: A list of all instructional personnel, actually under contract or anticipated, by name and position and proposed salary, including living quarters, automobile and attendant services to be furnished by the school. Included also shall be an estimate of moneys to be expended for textbooks, library services and other expenses of instruction;
- iii. Miscellaneous and auxiliary services: A list of proposed expenditures by category for health services, food services, student body activities, summer school, evening extension services, recreation and community services;
- iv. Transportation expenditures: The cost of equipment or contract services for vehicle maintenance and operation or transportation and insurance;
- v. Operation of school: The cost for care of buildings and grounds, light, water, utilities, supplies and other expenses.

vi. Maintenance of plant: The cost for repair of buildings, grounds and equipment, replacement of equipment and other expenses;

vii. Fixed charges: Included but not limited to the expenditures for the rental of land and buildings, insurance of buildings and equipment, other insurance including workman's compensation, unemployment insurance, liability insurance; and

viii. Capital outlay: The proposed expenditures for new buildings, remodeling buildings, additions to buildings, sites, site development and equipment.

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32 V.I. R. & Regs. § 444A-9.2, 32 VI ADC § 444A-9.2

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444a-9. Subchapter 9. Financial Stability, Insurance and Annual Budget And audited Financial Statement

32 V.I. R. & Regs. § 444A-9.3

444A-9.3. Financial Statements.

An annual audited financial statement in a form as shall be specified and approved by the Commission certified by a certified public accountant licensed to practice in the United States Virgin Islands shall accompany each application for a gaming school license.

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32 V.I. R. & Regs. § 444A-9.3, 32 VI ADC § 444A-9.3

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444a-9. Subchapter 9. Financial Stability, Insurance and Annual Budget Andaudited Financial Statement

32 V.I. R. & Regs. § 444A-9.4

444A-9.4. Fiscal Year.

Each gaming school shall operate for financial reporting purposes on the basis of a fiscal year beginning on July 1 and ending on June 30 unless otherwise permitted by the Commission.

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32 V.I. R. & Regs. § 444A-9.4, 32 VI ADC § 444A-9.4

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Subchapter 444A. Gaming Schools

444a-10. Subchapter 10. Surety Bond

32 V.I. R. & Regs. § 444A-10.1

444A-10.1. Surety Bond Requirements.

No gaming school Certificate of Operation shall issue to other than a governmental agency unless the gaming school shall have first posted with the Commission a surety bond with a responsible surety company acceptable to the Commission in an amount to be determined by the Commission conditioned for the faithful performance of all agreements and contracts with the students enrolled therein and for payment of any and all fees imposed pursuant to these regulations.

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32 V.I. R. & Regs. § 444A-10.1, 32 VI ADC § 444A-10.1

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Subchapter 444A. Gaming Schools

444a-10. Subchapter 10. Surety Bond

32 V.I. R. & Regs. § 444A-10.2

444A-10.2. Amount of Surety Bond.

The Commission shall consider the maximum potential liability of the gaming school to the students enrolled therein in determining the required amount of the surety bond.

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32 V.I. R. & Regs. § 444A-10.2, 32 VI ADC § 444A-10.2

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444a-10. Subchapter 10. Surety Bond

32 V.I. R. & Regs. § 444A-10.3

444A-10.3. Notice, Form of Surety Bond.

The surety bond shall be drawn in favor of the “United States Virgin Island's Casino Control Commission” on bond forms provided or approved by the Commission which contain a provision requiring the surety company to provide both the Commission and the gaming school at least 30 days notice in writing before withdrawing as surety on the bond or modifying materially any term or condition of the bond. In the event of any such withdrawal by the surety company, a failure of the said gaming school to post a new surety bond prior to the expiration of the said 30 day period shall be grounds for suspension of its gaming school Certificate of Operation.

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32 V.I. R. & Regs. § 444A-10.3, 32 VI ADC § 444A-10.3

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444a-10. Subchapter 10. Surety Bond

32 V.I. R. & Regs. § 444A-10.4

444A-10.4. Exemptions.

The Commission may exempt any gaming school from the requirements of this section in any instance in which it is satisfied that a gaming school has provided other financial assurances which adequately guarantee its faithful performance of all agreements and contracts with the students enrolled therein and for payment of any and all fees unpaid pursuant to these regulations.

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32 V.I. R. & Regs. § 444A-10.4, 32 VI ADC § 444A-10.4

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Subchapter 444A. Gaming Schools

444a-11. Subchapter 11. Tuition, Fees and Other Charges

32 V.I. R. & Regs. § 444A-11.1

444A-11.1. Filing Requirements.

The school shall establish tuition rates, fees and other charges as deemed necessary which shall be filed with the Commission.

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32 V.I. R. & Regs. § 444A-11.1, 32 VI ADC § 444A-11.1

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444a-11. Subchapter 11. Tuition, Fees and Other Charges

32 V.I. R. & Regs. § 444A-11.2

444A-11.2. Tuition.

The tuition charges shall be expressed on the basis of individual courses where applicable. In the case of a program of instruction, the tuition may be expressed either on the basis of the individual courses making up the program or on the basis of the full program of instruction or on the basis of a time period such as a semester, quarter, term or school year.

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32 V.I. R. & Regs. § 444A-11.2, 32 VI ADC § 444A-11.2

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444a-11. Subchapter 11. Tuition, Fees and Other Charges

32 V.I. R. & Regs. § 444A-11.3

444A-11.3. Application Fee.

Where applicable, the school may establish an application fee to defray the expense of processing the application, procuring records or transcripts and testing the applicant. The amount of this fee, which may be nonrefundable, shall be limited to a maximum of \$ 25.00.

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32 V.I. R. & Regs. § 444A-11.3, 32 VI ADC § 444A-11.3

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444a-11. Subchapter 11. Tuition, Fees and Other Charges

32 V.I. R. & Regs. § 444A-11.4

444A-11.4. Registration Fee.

Upon accepting the applicant for admission, the school may require the payment of a registration fee which shall not exceed 15 per cent of the total tuition for the course or program of instruction or \$ 100.00, whichever shall be the lesser amount; and which shall be credited to the tuition account.

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32 V.I. R. & Regs. § 444A-11.4, 32 VI ADC § 444A-11.4

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444a-11. Subchapter 11. Tuition, Fees and Other Charges

32 V.I. R. & Regs. § 444A-11.5

444A-11.5. Other Charges.

The school may establish such other charges as are deemed necessary. These charges shall be expressed separately from the tuition and shall be clearly stated in the school bulletin, enrollment agreement and application for enrollment. These charges may include such items as laboratory fees, deposits against breakage, graduation fees and student activities fees.

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32 V.I. R. & Regs. § 444A-11.5, 32 VI ADC § 444A-11.5

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444a-11. Subchapter 11. Tuition, Fees and Other Charges

32 V.I. R. & Regs. § 444A-11.6

444A-11.6. Books, Equipment and Supplies.

Where books, equipment and supplies are not included in the tuition charges, the school shall list the items required and indicate the approximate cost to the student. The school shall not require the student to purchase the books, equipment and supplies from the school if such items are available on the general market.

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32 V.I. R. & Regs. § 444A-11.6, 32 VI ADC § 444A-11.6

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444a-11. Subchapter 11. Tuition, Fees and Other Charges

32 V.I. R. & Regs. § 444A-11.7

444A-11.7. Changes/Increases in Tuition or Fees; Filing; Effect.

(a) Changes in tuition or fees shall not be made prior to the filing of such changes with the Commission.

(b) Increases in tuition or fees shall not apply to students already accepted for enrollment or attendance in a course or program of instruction except that increases in tuition or fees applicable to programs of instruction which are divided into periods such as quarters, terms, semesters or phases may apply to the time period following the period for which the student either has been accepted or is in attendance at the time of the announced increase.

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32 V.I. R. & Regs. § 444A-11.7, 32 VI ADC § 444A-11.7

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444a-11. Subchapter 11. Tuition, Fees and Other Charges

32 V.I. R. & Regs. § 444A-11.8

444A-11.8. Other Agencies

Nothing in this regulation shall be deemed to permit institutions within the jurisdiction of the Board of Education to set fees in excess of these already established by law or board policy.

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32 V.I. R. & Regs. § 444A-11.8, 32 VI ADC § 444A-11.8

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Subchapter 444A. Gaming Schools

444a-12. Subchapter 12. Refund Policy

32 V.I. R. & Regs. § 444A-12.1

444A-12.1. Refund Policy; Generally.

(a) In the event of student withdrawal or dismissal prior to the completion of a course or program of instruction, the following refund policy shall apply except that the school may determine its refund policy on a more liberal basis:

1. The school may retain all or part of the registration fee;
2. The school may require that all books, equipment and tools purchased by the student be retained by the student; and
3. The school may retain a pro rata portion of the tuition calculated on a weekly basis.

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32 V.I. R. & Regs. § 444A-12.1, 32 VI ADC § 444A-12.1

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444a-12. Subchapter 12. Refund Policy

32 V.I. R. & Regs. § 444A-12.2

444A-12.2. Discontinuance of Course or Program.

In the event of discontinuance of a course or program of instruction by the school, the school may be required by the Commission to refund to the student in full or in part any fee paid by the student for the course or program of instruction.

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32 V.I. R. & Regs. § 444A-12.2, 32 VI ADC § 444A-12.2

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Subchapter 444A. Gaming Schools

444a-13. Subchapter 13. Scholarships and Financial Assistance

32 V.I. R. & Regs. § 444A-13.1

444A-13.1. Scholarships and Financial Assistance.

Gaming schools may offer financial assistance, scholarships, loans or deferred payment plans in the manner prescribed by law.

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32 V.I. R. & Regs. § 444A-13.1, 32 VI ADC § 444A-13.1

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444a-14. Subchapter 14. Bulletin

32 V.I. R. & Regs. § 444A-14.1

444A-14.1. Official School Bulletin; Attachments

(a) Each gaming school shall prepare an official school bulletin which, after approval by the Commission, shall be published and a copy given to each student prior to or upon enrollment. The bulletin shall be revised and updated, subject to approval of the Commission, as conditions warrant.

(b) Certain information that is subject to change, such as the schedule of tuition and fees and the list of instructional staff, may be prepared as attachments to the bulletin. In such cases, the attachment shall be physically affixed to the bulletin and the bulletin shall include a specific reference to the attached information.

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32 V.I. R. & Regs. § 444A-14.1, 32 VI ADC § 444A-14.1

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444a-14. Subchapter 14. Bulletin

32 V.I. R. & Regs. § 444A-14.2

444A-14.2. New Courses or Programs.

Subsequent to the publication of the bulletin, if the school requests approval of a new course or program of instruction, a condition of the approval shall be either the publication of a revised bulletin or the publication of a supplement to the bulletin containing the pertinent information regarding each new offering.

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32 V.I. R. & Regs. § 444A-14.2, 32 VI ADC § 444A-14.2

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444a-14. Subchapter 14. Bulletin

32 V.I. R. & Regs. § 444A-14.3

444A-14.3. Contents of Bulletin.

(a) The school bulletin shall be the official statement of the school's policies, regulations, charges and fees, and shall include the following items:

1. Identifying data, such as volume, number and date of publication;
2. Name of the school, names of the members of the governing body and names of officials and full-time instructors;
3. A calendar of the school showing legal holidays and other important dates;
4. School policy and regulations on enrollment with respect to date of enrollment and specific entrance requirements for each course or program of instruction;
5. School policy and regulations relative to leave, absences, class cuts, make-up work, tardiness and interruptions for unsatisfactory attendance;
6. School policy and regulations relative to standards of progress required of the student which shall define the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, a description of the probationary period, if any, allowed by the school and conditions of reentrance for those students dismissed for unsatisfactory progress;
7. School policy and regulations relating to student conduct and conditions of dismissal for unsatisfactory conduct;
8. Detailed schedules of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits and all other charges;
9. Policy and regulations relative to the refund of the unused portion of tuition fees and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom;
10. A course or program summary for each approved course or program of instruction showing subjects or units in the course or program, type of work or skill to be learned and the total number of clock hours of the course or program;

11. A description of the available space, facilities and equipment;

12. Policy and regulations relative to granting credit for previous education and training;

13. Policy and regulations relative to the awarding of a diploma, certificate or other evidence of successful completion of a course or program of instruction; and

14. Reproduction on the cover in 14 point type of the following: "Graduation from this School does not assure the graduate that he or she will be licensed by the United States Virgin Islands Casino Control Commission. All individuals must meet the Commission's standards to work in a Casino."

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32 V.I. R. & Regs. § 444A-14.3, 32 VI ADC § 444A-14.3

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444a-15. Subchapter 15. Enrollment Agreement

32 V.I. R. & Regs. § 444A-15.1

444A-15.1. Enrollment Agreement.

(a) Each gaming school shall use an enrollment agreement which shall be the contract between the school and the student and shall:

1. Be prepared in duplicate, dated and signed by the student and a designated representative of the school; the student shall be furnished a copy of the agreement immediately upon execution;
2. Contain the name, address and telephone number of the school;
3. Contain pertinent information on the name and length of the course or program of instruction, the tuition and other costs and the methods of payment;
4. Contain information regarding the scheduled hours of instruction, the date of the start of the program and the approximate completion date;
5. Contain a statement of the registration fee and the refund policy in the event a student does not start the course or discontinues prior to completion;
6. Contain a statement of the school policy regarding termination of enrollment of students or a specific reference to the location in the school bulletin where such policy is enumerated;
7. Contain on the first page in 14 point boldface print or larger the following statement: "Graduation from this School does not assure the graduate that he or she will be licensed by the United States Virgin Islands Casino Control Commission. All individuals must meet the Commission's standards to work in a Casino. Any questions or problems concerning this school which have not been satisfactorily answered or resolved by the institution should be directed in writing to the Casino Control Commission";
8. Contain immediately above the student's signature in 14 point boldface print or larger the following statement: "This agreement may be voided by the student within four business days after receipt by him of a copy thereof executed by an authorized school official by notifying the school in writing, within that time period, of his intent not to be bound by the agreement"; and

9. Contain on the same page that the student's signature is required, the total financial obligation that the student shall incur upon enrollment, in numbers or letters or both which are of larger print than the rest of the agreement.

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32 V.I. R. & Regs. § 444A-15.1, 32 VI ADC § 444A-15.1

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32 V.I. R. & Regs. § 444A-15.2

444A-15.2. Execution; Avoidance.

The enrollment agreement may be executed at the school, the home or by mail. The agreement shall not become binding until receipt by the student of a copy thereof executed by an authorized school official. The enrollment agreement, however, shall be void if the student, within four business days after his receipt of the executed copy thereof, notifies the school in writing of his intent not to be bound by such agreement.

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32 V.I. R. & Regs. § 444A-15.2, 32 VI ADC § 444A-15.2

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Subchapter 444A. Gaming Schools

444a-16. Subchapter 16. Publicity, Advertising and Public Representations

32 V.I. R. & Regs. § 444A-16.1

444A-16.1. Publicity, Advertising and Public Representations; Requirements.

(a) All publicity, advertising and public representations sponsored, procured, utilized, published, endorsed, presented or otherwise disseminated by, at the direction or on behalf of a gaming school shall be based upon fact and shall not be false, deceptive or misleading in any manner whatsoever. Furthermore, no such publicity, advertising or representation shall:

1. Use any name, label, insignia or designation which can reasonably be construed as misleading or deceiving prospective students with respect to the nature of the school, its accreditation, programs of instruction, courses or methods of instruction;
2. Misrepresent, directly or indirectly, by use of a name or in any other manner, that it is a part of or connected with an agency of the Federal, Territorial, municipal government;
3. Misrepresent that it is an employment agency or authorized training facility for another industry or otherwise deceptively conceal the fact that it is a school;
4. Misrepresent that it is affiliated with a public or private, religious or charitable institution or political organization;
5. Misrepresent that applications for enrollment will be considered for only a limited period of time or that they must be submitted by a certain date;
6. Misrepresent, directly or indirectly, the size, reputation, location, facilities or equipment of the school through use of photographs, illustrations or any other depictions in catalogues, advertisements or other promotional materials;
7. Misrepresent the nature or efficacy of its courses, training devices, methods or equipment or the number, qualifications, training or experience of its faculty or personnel; whether by means of endorsements or otherwise;
8. Misrepresent that it owns, operates or supervises a dormitory, eating or other living accommodations;
9. Represent that it is an accredited school unless all the programs of instruction have been accredited by an authorized accrediting agency recognized by the Virgin Islands Department of Education, the Virgin Islands Board of Education or the United States Department of Education;

10. Misrepresent that students completing a course or program of instruction may transfer credit to another school without factually documenting such transferability to the Commission prior to the time such representation is made to the students;

11. Misrepresent that only those who make an acceptable grade or complete successfully a certain test or examination will be admitted;

12. Represent at any time that it will provide or arrange for part or full-time employment of the students in the gaming industry unless the school has a formal agreement or commitment with a casino whereby the casino has agreed to employ students from the school, in which case the school shall disclose to the students the full terms of such agreement in making any representation as to employment; or

13. Misrepresent, directly or indirectly, that it is a nonprofit organization.

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32 V.I. R. & Regs. § 444A-16.1, 32 VI ADC § 444A-16.1

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444a-16. Subchapter 16. Publicity, Advertising and Public Representations

32 V.I. R. & Regs. § 444A-16.2

444A-16.2. Advertising

- (a) A school shall advertise only as a school and under the approved name and address of the school.
- (b) All advertising and promotional literature used by a school must clearly indicate that training or education is being offered and not employment.
- (c) Schools using classified columns of newspapers or other publications to procure students must use only such columns as are headed by "Education", "Schools", or "Instruction". Classification such as "Business Opportunities", "Employment", "Help Wanted", may be used only to procure employees or agents for the school.
- (d) Any advertising of the price of tuition must state the exact name of the course or program of instruction immediately followed by the number of instructional hours of each course or program. When the cost of tuition is advertised, the cost of tools, supplies and all other charges shall be included in the advertising.

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32 V.I. R. & Regs. § 444A-16.2, 32 VI ADC § 444A-16.2

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444a-16. Subchapter 16. Publicity, Advertising and Public Representations

32 V.I. R. & Regs. § 444A-16.3

444A-16.3. Illustrations.

Illustrations in bulletins, circulars or advertisements shall relate solely to the school being advertised. In the case of a school that operates two or more separate facilities, all illustrations shall clearly indicate which facility is being shown.

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32 V.I. R. & Regs. § 444A-16.3, 32 VI ADC § 444A-16.3

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444a-16. Subchapter 16. Publicity, Advertising and Public Representations

32 V.I. R. & Regs. § 444A-16.4

444A-16.4. Membership in Organization or Association; Accreditation

(a) A school that is a member of any organization or association of schools shall limit any statement in this regard to “A member of Association”.

(b) A school that is accredited by an accrediting agency recognized by the Virgin Islands Department of Education or by the United States Department of Education shall limit any statement in this regard to “Accredited by”.

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32 V.I. R. & Regs. § 444A-16.4, 32 VI ADC § 444A-16.4

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444a-16. Subchapter 16. Publicity, Advertising and Public Representations

32 V.I. R. & Regs. § 444A-16.5

444A-16.5. Approved by the Commission.

A school shall refer to the fact that it has been approved by the Commission only in the following terminology: “Licensed by the Casino Control Commission of the United States Virgin Islands.”

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32 V.I. R. & Regs. § 444A-16.5, 32 VI ADC § 444A-16.5

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32 V.I. R. & Regs. § 444A-16.6

444A-16.6. Exterior Advertising.

When used on the exterior of a school building or on a signboard, lettering in any advertising must be in compliance with the plan of the United States Virgin Islands. The sign to be displayed must comply with the policies of the Act and the regulations promulgated thereunder.

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32 V.I. R. & Regs. § 444A-16.6, 32 VI ADC § 444A-16.6

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444a-17. Subchapter 17. Records

32 V.I. R. & Regs. § 444A-17.1

444A-17.1. Record Keeping.

(a) The schools shall maintain, for at least five years, in a place secure from theft or destruction, adequate records which shall be made available to the Commission or Division upon request. These records shall include:

1. Correspondence with the Commission or Division and other government agencies;
2. All correspondence between students or prospective students and the school;
3. Copies of all promotional material, bulletins and advertising;
4. Records for each student showing attendance, absence, progress, grades, completion date of course or program of instruction and such placement information as is known at the time of completion of course or program;
5. A personnel file on each employee of the school, including sales representatives;
6. Enrollment agreements and applications for enrollment;
7. A financial record for each student showing the amount of money paid by the student, the amount of money due from him for his tuition and other charges and any refunds due or paid to him; and
8. Records for each year showing the total number of students applying for entry to the school, total number of students accepted in each course or in each program and total number of students graduated from each course or program.

(b) A permanent record, in a form approved by the Commission, shall be maintained for each student indefinitely. This record shall show the course or program or instruction attended, the total amount of tuition paid or owed, the total hours of training actually received, the date of completion or withdrawal and, for students enrolled in a course designed for second or subsequent game training, verification that the student meets the minimum hours of training and instruction required for enrollment in such a course. In the event of the closing of a school, the student's permanent record shall be forwarded to the Commission.

(c) Each gaming school licensee shall maintain a record of all its advertisements which shall include, at a minimum, the following:

1. A description of the advertisement; and
2. The date and method of broadcast or publication.

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32 V.I. R. & Regs. § 444A-17.1, 32 VI ADC § 444A-17.1

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Subchapter 454. Casino Simulcasting
454-1. Subchapter 1. General Provisions

32 V.I. R. & Regs. § 454-1.1

454-1.1. Definitions

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

“Breakage” means the odd cents over a multiple of five or 10 cents arising from the computation of odds and payouts on amounts wagered on a simulcast horse race, as determined by the law governing the sending track.

“Casino Control Act” means the United States Virgin Islands Casino and Resort Control Act.

“Casino Control Fund” means that fund established by 32 V.I.C. § 514.

“Casino pari-mutuel cashier” means a casino employee who sells pari-mutuel tickets representing simulcast wagers, sells credit vouchers for simulcast wagers, pays cash for credit vouchers, and makes simulcast payouts in a casino simulcasting facility.

“Casino simulcasting” means the simultaneous transmission by picture of running or harness horse races conducted at racetracks to casino licensees and pari-mutuel wagering at casino facilities operated by casino licensees on the results of those races.

“Casino simulcasting facility” means a facility in an approved hotel operated by a casino licensee which conforms to the provisions of this chapter.

“Casino simulcast licensee” means the holder of a casino simulcast license issued jointly by the V.I. Horse Racing Commission and the Casino Control Commission. The V.I. Horse Racing Commission shall have licensed to simulcast horseracing and the Casino Control Commission shall have licensed as a casino service industry, gaming related pursuant to 32 V.I.C. § 444 (a).

“Commission” means the U.S. Virgin Islands Casino Control Commission.

“Credit voucher” means a ticket issued by:

1. A casino pari-mutuel cashier in exchange for cash, gaming chips, slot tokens or coupons.
2. A credit voucher machine in exchange for cash; or
3. A self-service pari-mutuel machine as a simulcast payout or as the balance returnable after a simulcast wager has been placed.

“Credit voucher machine” means a mechanical, electrical or other device connected to a totalisator which, upon the insertion of cash, automatically issues a credit voucher of an equal value.

“Dedicated line” means a telephone which is reserved for the exclusive use of transmitting pari-mutuel wagering data between a simulcasting facility and a sending track.

“Delay period” means the time between off-time and the start of a simulcast horse race.

“Dial-up line” means a telephone line between a casino simulcasting facility and a sending track which is not reserved for the exclusive use of transmitting pari-mutuel wagering data.

“Division” means the Division of Gaming Enforcement of the United States Virgin Islands Department of Justice.

“Hub facility” means a facility located in this territory which acts as an intermediary between a casino simulcasting facility and a sending track which is operated by a casino simulcast licensee.

“Territorial sending track” means a racetrack within the United States Virgin Islands which is operated by a license holder and is equipped to conduct casino simulcasting.

“Manual merge” means the process used in the event of a systems or communications failure by which a casino simulcasting facility transmits to a sending track through telephone, facsimile machine, cellular telephone or other means of communication, the casino simulcasting facility's pari-mutuel wagering information and the process by which the sending track includes such pari-mutuel wagers in the common pari-mutuel pool in such event.

“Minus pari-mutuel pool” means a pari-mutuel pool in which insufficient monies have been wagered to permit the minimum pay-offs of winning wagers required by the rules of pari-mutuel wagering governing the race.

“Off-time” for the purposes of this chapter, means when the first horse is loaded into the starting gate in a running race and when the starting gate reaches the recall pole in a harness race. In a race, such as a steeplechase, where there is no starting gate, off-time shall mean approximately 15 seconds before the anticipated start of the race.

“Out-of -Territory sending track” means a racetrack in a jurisdiction other than the US Virgin Islands which is equipped to conduct casino simulcasting and the operator of which is lawfully permitted to conduct a horse race meeting and to provide simulcast horse races to a casino licensee.

“Outstanding pari-mutuel ticket” means a winning or refundable pari-mutuel ticket which is not claimed within six months of the date of its sale.

“Pari-mutuel machine” means a mechanical, electrical or other device which is connected to a totalisator and which generates pari-mutuel tickets and credit vouchers, reads pari-mutuel tickets and receives from the totalisator the amount to be paid for winning, canceled or refunded pari-mutuel tickets, and reads credit vouchers and calculates the amount to be paid therefor.

“Pari-mutuel ticket” means a ticket issued by a pari-mutuel machine or a self-service pari-mutuel machine which represents a wager on a simulcast horse race.

“License holder” means the holder of a license issued by the V.I. Horseracing Commission to conduct a horse race meeting.

“Pool definition” means a computer-generated printout, itself generated by a sending track, of the pari-mutuel wagering format and scratch information for that day's racing program.

“Racing Commission” means the V.I. Horse Racing Commission.

“Receiving track” means a racetrack which is equipped to receive simulcast horse races and to conduct intertrack wagering on those races.

“Scratch” means the withdrawal of an entered horse from a race after the closing of overnight entries.

“Self-service pari-mutuel machine” means a mechanical, electrical or other device connected to a totalisator which, upon the insertion of a credit voucher, coupon or currency, or any combination thereof, and the selection of a permissible simulcast wager automatically issues a pari-mutuel ticket together with a credit voucher for any balance which may be due, and which, upon the insertion of a winning or refunded pari-mutuel ticket, reads the ticket and automatically issues a credit voucher in the amount of the correct payout.

“Sending track” means an in-Territory or out-of-Territory sending track.

“Simulcast horse race” means a running or harness horse race conducted at a racetrack which is simultaneously transmitted by picture to a casino simulcast facility.

“Totalisator” means a computer, which, among other things, directly or indirectly through one or more other totalisators, receives pari-mutuel wagering information, calculates payoffs for winning pari-mutuel tickets, and generates reports with respect to such information.

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32 V.I. R. & Regs. § 454-1.1, 32 VI ADC § 454-1.1

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454-1. Subchapter 1. General Provisions

32 V.I. R. & Regs. § 454-1.2

454-1.2. Rules of Racing Commission

Except as otherwise provided in this chapter, the rules of racing and conduct of pari-mutuel wagering in casino simulcasting facilities shall be subject to the rules of the V.I. Horseracing Commission.

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32 V.I. R. & Regs. § 454-1.2, 32 VI ADC § 454-1.2

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Subchapter 454. Casino Simulcasting

454-2. Subchapter 2. Conduct of Casino Simulcasting

32 V.I. R. & Regs. § 454-2.1

454-2.1. Conduct of casino simulcasting

A casino licensee may conduct casino simulcasting is a casino simulcasting facility in accordance with the provisions of this chapter.

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32 V.I. R. & Regs. § 454-2.1, 32 VI ADC § 454-2.1

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32 V.I. R. & Regs. § 454-2.2

454-2.2. Hub facility

A casino licensee which conducts casino simulcasting shall, absent approval from the Commission and the Racing Commission to do otherwise, utilize a CSL and a hub facility.

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32 V.I. R. & Regs. § 454-2.2, 32 VI ADC § 454-2.2

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32 V.I. R. & Regs. § 454-2.3

454-2.3. Receipt of races from in-Territory sending tracks

A casino licensee which conducts casino simulcasting shall, as a condition of continued operation of casino simulcasting, receive all live races which are transmitted by in-Territory sending tracks. A CSL which is authorized by the Racing Commission to conduct simulcasting shall have discretion to transmit all or some of the live horse races conducted at the racetrack to casino simulcasting facilities; provided, however, any race which is transmitted from an in-Territory sending track shall be transmitted to all casino simulcasting facilities. A CSL which wishes to transmit some, but not all, of its live horse races to casino simulcasting facilities shall do so only with the prior approval of the Racing Commission.

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32 V.I. R. & Regs. § 454-2.3, 32 VI ADC § 454-2.3

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454-2. Subchapter 2. Conduct of Casino Simulcasting

32 V.I. R. & Regs. § 454-2.4

454-2.4. Agreements with Casino Simulcasting Licensees

(a) Agreements for casino simulcasting between a casino licensee and a casino simulcasting licensee shall be in writing and filed with the Racing Commission and with the Commission. Such agreements may be negotiated on behalf of casino licensees by an entity jointly established by casino licensees.

(b) Every agreement between a casino licensee and a casino simulcasting licensee shall, in a manner consistent with the provisions of this chapter, define, and provide for the distribution of, outstanding pari-mutuel tickets and define and provide for the allocation of losses in the event of, a minus pari-mutuel pool. Every such agreement shall also provide for the manual merging in the event of a systems or communications failure and shall further set forth a procedure, acceptable to the Commission and Racing Commission, which shall be followed in the event that manual merging is not possible.

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32 V.I. R. & Regs. § 454-2.4, 32 VI ADC § 454-2.4

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454-2. Subchapter 2. Conduct of Casino Simulcasting

32 V.I. R. & Regs. § 454-2.5

454-2.5. Hours of operation

A casino simulcasting facility may be open only during permitted hours of casino operation, and shall be open and operated during such hours whenever simulcast horse races are being transmitted to a casino licensee.

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32 V.I. R. & Regs. § 454-2.5, 32 VI ADC § 454-2.5

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454-2. Subchapter 2. Conduct of Casino Simulcasting

32 V.I. R. & Regs. § 454-2.6

454-2.6. Gaming and simulcast wagering by certain persons prohibited

It shall be unlawful for any person who is prohibited from wagering at a game in a casino in this Territory to wager in a casino simulcasting facility on either an authorized game or on casino simulcasting.

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32 V.I. R. & Regs. § 454-2.6, 32 VI ADC § 454-2.6

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32 V.I. R. & Regs. § 454-2.7

454-2.7. Wagering limited to casino simulcasting facility

Wagering on simulcast horses within the premises of a casino licensee shall be conducted only in a casino simulcast facility. However, pictures and sound of simulcast horse races may be shown in such other areas of the establishment as approved by the Commission.

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32 V.I. R. & Regs. § 454-2.7, 32 VI ADC § 454-2.7

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32 V.I. R. & Regs. § 454-2.8

454-2.8. No fee to be charged

No fee shall be charged for placing a wager on a simulcast horse race in addition to the amount wagered.

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32 V.I. R. & Regs. § 454-2.8, 32 VI ADC § 454-2.8

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454-2. Subchapter 2. Conduct of Casino Simulcasting

32 V.I. R. & Regs. § 454-2.9

454-2.9. Ticket claims

(a) A winning pari-mutuel ticket purchased at a casino simulcasting facility shall be presented for cashing at a pari-mutuel window at that facility.

(b) No claims shall be considered for tickets which have been discarded, lost, altered, destroyed, or mutilated beyond identification,

(c) Payment of wagers shall be made only upon presentation of appropriate pari-mutuel tickets.

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32 V.I. R. & Regs. § 454-2.9, 32 VI ADC § 454-2.9

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454-2. Subchapter 2. Conduct of Casino Simulcasting

32 V.I. R. & Regs. § 454-2.10

454-2.10. Expiration of pari-mutuel tickets

A pari-mutuel ticket shall be claimed within six months of the date of its sale, after which it becomes an outstanding pari-mutuel ticket to be paid to the Commission and to be deposited into the Casino Control Fund. Notice of this expiration provision shall be prominently posted in a casino simulcasting facility or printed on the pari-mutuel tickets sold at the casino simulcasting facility.

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32 V.I. R. & Regs. § 454-2.10, 32 VI ADC § 454-2.10

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454-3. Subchapter 3. Casino Simulcasting Facility

32 V.I. R. & Regs. § 454-3.1

454-3.1. Location

A casino simulcasting facility shall be a contiguous area located within an approved hotel operated by a casino licensee and may be adjacent to, but shall not be part of, the room in which casino gaming is conducted pursuant to the provisions of the Casino Control Act. Notwithstanding the above, a casino licensee may construct barriers within the room for purposes of permitting the conduct of authorized games and simulcast wagering in a manner maximizing patron comfort and the efficient operation of the facility, provided that such barriers are approved by the Commission and do not interfere with security or surveillance within the facility.

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32 V.I. R. & Regs. § 454-3.1, 32 VI ADC § 454-3.1

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32 V.I. R. & Regs. § 454-3.2

454-3.2. Space not to reduce space for authorized casino gaming

The space required to establish and maintain a casino simulcasting facility shall not reduce the space authorized for casino gaming pursuant to 32 V.I.C. § 435.

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32 V.I. R. & Regs. § 454-3.2, 32 VI ADC § 454-3.2

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454-3. Subchapter 3. Casino Simulcasting Facility

32 V.I. R. & Regs. § 454-3.3

454-3.3. Square footage requirements

(a) A casino licensee which wishes to conduct casino simulcasting shall establish and maintain a casino simulcasting facility of sufficient square footage to promote:

1. Maximum comfort for patrons and efficient operation of the facility;
2. Viewing of simulcast horse races by patrons in a comfortable manner which is not obtrusive to the conduct of authorized games within the facility; and
3. Optimum security of the facility, which shall include the installation and maintenance of security and surveillance equipment, including closed circuit television equipment, according to specifications approved by the Commission. The Commission and Division shall have direct access to the system or its signal.

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32 V.I. R. & Regs. § 454-3.3, 32 VI ADC § 454-3.3

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.1

454-4.1. Horse races from in-Territory tracks

Sums wagered in a casino simulcasting facility on horse races at in-Territory sending track shall be included in the appropriate pari-mutuel pool generated at the in-Territory sending track for the race being transmitted. Pari-mutuel pay-offs at casino simulcasting facilities shall be made in accordance with the odds generated at the in-Territory sending track.

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32 V.I. R. & Regs. § 454-4.1, 32 VI ADC § 454-4.1

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.2

454-4.2. Horse races from out-of-Territory sending tracks

(a) Except as provided in this section, sums wagered in a casino simulcasting facility on horse races at an out-of-Territory sending track shall be combined with comparable pari-mutuel pools at the out-of-Territory sending track, and the types of wagering, takeout, distribution of winnings, rules of racing and percentage of deposits remaining undistributed from pari-mutuel pools after payment is made to winning ticket holders shall be determined in accordance with the law or policy applicable to the Out-of-Territory sending track.

(b) With the prior approval of the Racing Commission and the concurrence of an out-of-Territory sending track, a casino simulcasting licensee may form an interstate common pool with receiving tracks or entities in other states other than the state in which the sending track is located.

(c) In any event, however, monies resulting from breakage on amounts wagered on horse races in a casino simulcasting facility and outstanding pari-mutuel tickets sold at a casino simulcasting facility shall in all instances be paid to the Commission and deposited in the Casino Control Fund.

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32 V.I. R. & Regs. § 454-4.2, 32 VI ADC § 454-4.2

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.3

454-4.3. Transmission data line

A transmission data line shall be a dedicated line. There shall be a minimum of one back-up line, which may be a dial-up line. In addition, each out-of-Territory sending track shall maintain a cellular phone in its totalisator room. The dedicated line requirement line may be waived for good cause shown with the prior approval of the Commission and Racing Commission.

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32 V.I. R. & Regs. § 454-4.3, 32 VI ADC § 454-4.3

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.4

454-4.4. Facsimile machines and telephone lines

A simulcast counter, hub facility and the totalisator room at a sending track shall each contain a facsimile machine and a direct dial-up telephone line, the numbers of which shall be provided to the Commission, Division and Racing Commission.

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32 V.I. R. & Regs. § 454-4.4, 32 VI ADC § 454-4.4

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.5

454-4.5. Pool definition

Prior to the opening of wagering on a simulcast horse race, a sending track shall transmit a pari-mutuel pool definition to a casino simulcasting facility. Upon receipt of the pool definition, pari-mutuel machines at a casino simulcasting facility may be opened for wagering.

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32 V.I. R. & Regs. § 454-4.5, 32 VI ADC § 454-4.5

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.6

454-4.6. Scratches

A sending track shall at all times inform a casino simulcasting facility of scratches and pool change information, and any scratch from a simulcast horse race after wagering has commenced shall be verified immediately by facsimile from the sending track to the casino simulcasting facility.

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32 V.I. R. & Regs. § 454-4.6, 32 VI ADC § 454-4.6

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.7

454-4.7. Locking of pari-mutuel machines

All pari-mutuel machines in a casino simulcasting facility shall be locked at off-time.

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32 V.I. R. & Regs. § 454-4.7, 32 VI ADC § 454-4.7

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.8

454-4.8. Ticket sales

No ticket may be issued after the totalisator has been locked or wagering has ceased, whatever occurs first.

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32 V.I. R. & Regs. § 454-4.8, 32 VI ADC § 454-4.8

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.9

454-4.9. Cease wagering

Wagering shall cease not later than off-time.

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32 V.I. R. & Regs. § 454-4.9, 32 VI ADC § 454-4.9

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.10

454-4.10. Cancellation of tickets

- (a) Except as provided in this section, no pari-mutuel ticket shall be canceled.
- (b) A pari-mutuel ticket with a total value of \$500.00 or less may be canceled at any time prior to off-time.
- (c) A pari-mutuel ticket of any value may be canceled prior to the end of the delay period if the patron has not left the pari-mutuel window at which the ticket was purchased or if the patron left the window without paying for or accepting the ticket.
- (d) A pari-mutuel ticket of any value may be canceled prior to off-time if the ticket is on a wager (such as trifecta) where probable payoffs or odds are not displayed to the public.
- (e) A pari-mutuel ticket of any value may be canceled if the ticket is on an advance race and the race immediately preceding the race for which the cancellation has been requested has not been declared official.
- (f) A pari-mutuel ticket with a total value exceeding \$500.00 which is not otherwise cancellable pursuant to this section may be canceled by a simulcast counter shift supervisor or supervisor thereof at any time prior to off-time if he or she determines that the cancellation will not significantly alter a pari-mutuel pool. The factors to be considered before approving or disapproving a cancellation request include the size of the mutuel pool, the reason for the requested cancellation, current odds, minutes to post time, and any late changes such as track conditions or jockey (driver) changes. Any request to cancel such a ticket shall be reported to the Racing Commission on a form approved by the Racing Commission within 48 hours.

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.11

454-4.11. Refunds

A pari-mutuel ticket on a horse that is scratched may be refunded. Pari-mutuel tickets representing wagers where a patron must select more than one horse may be refunded only as to the combinations including the scratched horse.

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32 V.I. R. & Regs. § 454-4.11, 32 VI ADC § 454-4.11

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.12

454-4.12. Odds display

A casino licensee which conducts casino simulcasting shall prominently display in its casino simulcasting facility the approximate odds for each horse in a simulcast horse race for the purpose of informing patrons of the actual wagering on each horse.

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32 V.I. R. & Regs. § 454-4.12, 32 VI ADC § 454-4.12

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.13

454-4.13. Pari-mutuel machines closed

(a) If, for any reason, pari-mutuel machines are closed during the wagering on a simulcast race before off-time, they shall remain closed until after the race. Wagering shall cease on that race, and the pay-offs for that race shall be computed on the sums then wagered in each pari-mutuel pool.

(b) In the event that pari-mutuel ticket issuing machines are inadvertently closed for any reason, said machines shall be opened only by the Supervisor of Mutuels at the hub facility, or such person at the hub facility who has assumed his or her duties.

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32 V.I. R. & Regs. § 454-4.13, 32 VI ADC § 454-4.13

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.14

454-4.14. Overpays caused by totalisator error

Overpays caused by totalisator error shall be borne by the operator of the totalisator equipment causing the error.

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32 V.I. R. & Regs. § 454-4.14, 32 VI ADC § 454-4.14

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.15

454-4.15. Mechanical breakdowns

(a) In the event of an irreparable breakdown of the totalisator or all pari-mutuel and self-service pari-mutuel machines during the wagering on a race, the wagering on that race shall be declared closed, and the payoff for that race shall be computed on the sums wagered in each pari-mutuel pool at the time of the breakdown.

(b) In the event of a totalisator malfunction requiring the operator of the totalisator equipment to purchase any non-issued ticket "lost" in the totalisator equipment, the operator of the totalisator equipment shall be permitted to credit losing tickets so purchased to the extent of winning tickets similarly purchased. The proceeds of such winning tickets which exceed any credit for losing tickets shall be paid to the Commission and deposited in the Casino Control Fund. For example, if the "lost" tickets on a race cost \$1,000.00 and pay off \$800.00, the operator of the totalisator equipment must pay \$200.00. However, if the "lost" tickets cost \$1,000.00 and pay off \$1,200.00, the operator of the totalisator equipment need pay nothing and \$200.00 shall be paid to the Commission and deposited in the Casino Control Fund.

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.16

454-4.16. Emergencies not covered by this chapter

In the event that an emergency arises with respect to simulcast wagering in a casino simulcasting facility which is not covered by this chapter and an immediate decision is necessary, the simulcast shift immediate supervisor or above shall make a good faith effort to contact and consult with the Supervisor of Mutuels or such person who has assumed his or her duties prior to taking action, and shall promptly render a written report regarding the incident to the Commission, Division and Racing Commission.

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454-4. Subchapter 4. Pari-Mutuel Pools

32 V.I. R. & Regs. § 454-4.17

454-4.17. Transmission failure

In the event of failure to transmit pari-mutuel information to a sending track, no further wagers shall be accepted in a casino simulcasting facility until and unless the failure has been corrected. The casino simulcasting facility and sending track shall attempt to manually merge any wagers which have already been accepted but which have not been transmitted to the sending track due to the failure. Notice of this procedure and any backup procedure shall be posted in a prominent location in the casino simulcasting facility. In any instance where manual merging or recourse to the backup procedure is required, actual notice thereof shall be public by announcement in the casino simulcasting facility.

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454-5. Subchapter 5. Licensing of Employees

32 V.I. R. & Regs. § 454-5.1

454-5.1. Employees of casino simulcasting facilities

All employees of a casino simulcasting facility shall be licensed or registered in accordance with the rules of the Commission.

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32 V.I. R. & Regs. § 454-5.1, 32 VI ADC § 454-5.1

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454-6. Subchapter 6. Licensing and Registration Entities and Their Employees

32 V.I. R. & Regs. § 454-6.1

454-6.1. Simulcast wagering equipment

All manufacturers, suppliers, and repairers of simulcast wagering equipment, including totalisators, pari-mutuel machines and credit voucher machines, to casino licensees, casino simulcasting licensees or hub facilities shall be licensed in accordance with the provisions of 32 V.I.C. § 444(a).

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32 V.I. R. & Regs. § 454-6.1, 32 VI ADC § 454-6.1

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454-6. Subchapter 6. Licensing and Registration Entities and Their Employees

32 V.I. R. & Regs. § 454-6.2

454-6.2. Casino simulcasting licensee and hub facility

A casino simulcasting licensee and hub facility shall be licensed in accordance with 32 V.I.C. § 444(a) or registered with the Commission. Additionally, a hub facility shall submit for Commission approval a jobs compendium and descriptions of its security procedures and accounting controls. A hub facility and its employees, and vendors of a hub facility other than casino licensees, shall further be subject to the licensure jurisdiction of the Racing Commission.

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454-6. Subchapter 6. Licensing and Registration Entities and Their Employees

32 V.I. R. & Regs. § 454-6.3

454-6.3. Other enterprises

Any other enterprise transacting business with a casino licensee, casino simulcasting licensee or hub facility with respect to casino simulcasting shall be subject to the vendor registration and casino service industry licensing requirements applicable to any enterprise which transacts business with a casino licensee.

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32 V.I. R. & Regs. § 454-6.3, 32 VI ADC § 454-6.3

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454-7. Subchapter 7. Reconciliation with Sending Tracks and Payments to Racing Commission

32 V.I. R. & Regs. § 454-7.1

454-7.1. Reconciliation with sending tracks

Each casino licensee which conducts casino simulcasting shall, in conformance with information provided by the casino simulcasting facility, reconcile all simulcast wagers with casino simulcasting licensee on at least a weekly basis unless the casino licensee and the casino simulcasting licensee agree to a different form of payment, which shall be set forth in the agreement between the casino licensee and the casino simulcasting licensee.

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454-7. Subchapter 7. Reconciliation with Sending Tracks and Payments to Racing Commission

32 V.I. R. & Regs. § 454-7.2

454-7.2. Outstanding pari-mutuel tickets

Each casino licensee which conducts casino simulcasting shall deposit all funds for outstanding pari-mutuel tickets in a separate account and maintain an ongoing, daily record of such tickets.

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32 V.I. R. & Regs. § 454-7.2, 32 VI ADC § 454-7.2

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454-7. Subchapter 7. Reconciliation with Sending Tracks and Payments to Racing Commission

32 V.I. R. & Regs. § 454-7.3

454-7.3. Payments to Racing Commission

Each casino licensee which conducts casino simulcasting shall, after the reconciliation of wagers, payment of fees to the casino simulcasting licensee, and retention of monies to which it is entitled, transmit to the Commission all underpays and monies due it pursuant to this chapter.

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32 V.I. R. & Regs. § 454-7.3, 32 VI ADC § 454-7.3

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454-8. Subchapter 8. Race Information

32 V.I. R. & Regs. § 454-8.1

454-8.1. Race information availability

A casino licensee which conducts casino simulcasting shall make available to patrons of its casino simulcasting facility the following information for each simulcast race: the names of entrants, their sires, dams, and maternal grandsires, their wagering numbers, post positions, jockeys or drivers, assigned weight, morning line odds, owners and owners' colors or drivers' colors, trainers, sex, color, year of birth; the distance and number of the race; amount of purse; and conditions and claiming price, if any. For harness races, the performance lines for at least the last six races of each entrant shall also be available. The availability of such information, and the procedures for obtaining same, shall be prominently displayed in the casino simulcasting facility. Nothing in this chapter shall preclude a casino licensee from charging patrons a fee for providing such information.

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32 V.I. R. & Regs. § 454-8.1, 32 VI ADC § 454-8.1

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454-9. Subchapter 9. Supervisors of Mutuels and Verifiers

32 V.I. R. & Regs. § 454-9.1

454-9.1. Supervisors of Mutuels

A Supervisor of Mutuels shall be present at a hub facility at all times when casino simulcasting is being conducted. The Supervisor of Mutuels shall be an employee or designee of the Racing Commission whose compensation shall be reimbursed to the Racing Commission by the casino simulcasting licensee. If a Supervisor of Mutuels is not an employee of the Racing Commission, he or she shall be licensed as a casino key employee.

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32 V.I. R. & Regs. § 454-9.1, 32 VI ADC § 454-9.1

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454-9. Subchapter 9. Supervisors of Mutuels and Verifiers

32 V.I. R. & Regs. § 454-9.2

454-9.2. Duties of Supervisor of Mutuels

(a) The duties of a Supervisor of Mutuels at the hub facility shall include:

1. Overseeing the pari-mutuel related activities of the hub facility;
2. Determining calculations, overpays and directing any necessary adjustments to race totals;
3. Verifying machine computation of all daily double, exacta, and other multiple wagering pools;
4. Reviewing all necessary computer sheets and test checking the machine calculations of payouts, breakage, and commissions of each pool;
5. Verifying cancellation reports as transmitted from casino simulcasting facilities;
6. Preparing and submitting to the Racing Commission a daily summary result of the pari-mutuel operations, with copies to the Commission and Division.
7. Preparing and submitting to the Racing Commission a seven day financial report and a comparative statistical report, with copies to the Commission and Division.
8. Daily reconciliation of the daily pari-mutuel sale with the casino simulcasting licensee's daily statement thereof and the Racing Commission's daily summary of results from pari-mutuel wagering; and
9. Reporting all discrepancies and irregularities to Racing Commission, Division, and Commission.

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32 V.I. R. & Regs. § 454-9.2, 32 VI ADC § 454-9.2

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454-9. Subchapter 9. Supervisors of Mutuels and Verifiers

32 V.I. R. & Regs. § 454-9.3

454-9.3. Continued access to hub facility by Racing Commission

The Racing Commission, its employees and agents shall at all times have access to the hub facility in order to maintain the integrity of horse racing and, together with the Commission and Division, to effectuate the purposes of the Casino and Resort Control Act.

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32 V.I. R. & Regs. § 454-9.3, 32 VI ADC § 454-9.3

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Subchapter 455. Internal Controls

32 V.I. R. & Regs. § 455-1.1

455-1.1. Definitions.

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

“Asset number” means a unique number permanently assigned to a slot machine and a slot cash storage box for purposes of tracking that machine and storage box while owned by a casino licensee.

“Automated coupon redemption machine” means any mechanical, electrical or other device which operates independently of a slot machine and which, upon insertion of a valid casino coupon or currency, dispenses an amount of coin or slot tokens equivalent to the face value of the coupon or currency, and which immediately upon exchange cancels the coupon.

“Bank” is defined in Section 455-5.5.

“Cage cashier” is defined in Section 455- 5.1.

“Cage supervisor” means any person holding a license and position endorsement as required by the casino licensee's approved jobs compendium which allows that person to supervise personnel and functions within the cashiers' cage.

“Cash” means currency or coin.

“Cash equivalents” means:

1. Certified checks, cashiers checks, treasurers checks, recognized travelers checks or recognized money orders, any of which are made payable to the casino licensee, “bearer” or “cash”;
2. Certified checks, cashiers checks, treasurers checks or recognized money orders, any of which are made payable to the presenting patron and endorsed in blank, provided, however, that no such instrument shall be accepted as a cash equivalent if the instrument was originally made payable to any person other than the presenting patron; and
3. Recognized credit cards presented pursuant to Section 455- 5.5(i).

“Cash equivalent value of any merchandise or thing of value” is defined in Section 455- 7.10.

“Cashiers' cage” is defined in Section 455-2.6.

“Casino Accounting Department” (accounting department) is defined in Section 455-2.1.

“Casino supervisor” means a person employed in the operation of a casino in a supervisory capacity or empowered to make discretionary decisions which regulate casino operations, including but not limited to, boxpersons, floorpersons, pit bosses, casino shift managers, the assistant casino manager, and the casino manager.

“Check” is defined in Section 455-5.5.

“Check credit slip” is defined in Section 455-5.5.

“Checking account” is defined in Section 455-5.5.

“Chief executive officer” means the natural person located at a casino hotel facility who is ultimately responsible for the daily conduct of an applicants or casino licensee's hotel and gaming business, regardless of the applicant's or casino licensee's form of business association or the particular title which the person holds.

“Closer” means the original of the Table Inventory Slip upon which each table inventory is recorded at the end of each shift.

“Coin vault” is defined in Section 455- 2.6.

“Commission inspector” means any authorized representative of the Commission.

“Compensation” means direct or indirect payments for services performed including, but not limited to, salary, wages, bonuses, deferred payments, and overtime and premium payments.

“Complimentary distribution program” is a contest or promotion pursuant to which complimentary services or items are provided directly or indirectly by a casino licensee to the public without regard to the identity or gaming activity of the individual recipients.

“Complimentary incentive program” is defined in Section 455- 3.1(e).

“Complimentary program for invited guests” is defined in Section 455- 3.1(f).

“Complimentary services or items” is a service or item provided directly or indirectly by a licensee at no cost or at a reduced price.

“Counter Check” is defined in Section 455-5.6.

“Coupon” means a document which is issued in accordance with the coupon redemption and complimentary distribution programs in Section 455-3.4, and includes a match play coupon.

“Credit Slip” is known as a “Credit” and is defined in Section 455- 4.7.

“Direct mass marketing complimentary program” is defined in Section 455-3.1(g).

“Drop box” is defined in Section 455- 4.1.

“Fill Slip” is known as a “Fill” and is defined in Section 455-4.6.

“Gaming chips and plaques” are defined in Sections 456-1.1 and 456-1.2, respectively, of the Conduct of Gaming regulations.

“Handle” means the total amount of coins, slot tokens or currency placed into a slot machine by a patron to play a slot machine.

“Hopper fill” is defined in Section 455-7.14.

“Hopper storage area” is defined in Section 455- 7.5.

“Identification Credentials” means a valid credit card, driver license, passport or other form of identification credential which contains, at a minimum, the patron's signature. A personal reference does not constitute an identification credential.

“Imprest basis” means the basis on which cashiers' cage and slot booth funds are replenished from time to time in exactly the amount of the net of expenditures made from the funds and amounts received. A review is made by a higher authority of the propriety of the expenditures before the replenishment.

“Incompatible function” means a function, for accounting control purposes, that places any person or department, in a position to both perpetrate and conceal errors or irregularities in the normal course of his duties. Anyone recording transactions and having access to assets ordinarily is in a position to perpetrate errors or irregularities. Persons may have incompatible functions if such persons are members of departments which have supervisors not independent of each other.

“Jackpot” means any money, merchandise or thing of value to be paid to a patron as the result of a specific combination(s) of characters indicated on a slot machine.

“Jackpot Payout Receipt” is defined in Section 455-7.9.

“Jackpot Payout Slip” is defined in Section 455-7.9.

“Manufacturer’s serial number” means a unique number permanently assigned to a slot machine manufacturer for identification and control purposes.

“Master coin bank cashier” is defined in Section 455- 5.1.

“Master Game Report (Stiff Sheet)” means a record of the computation of the win or loss for each gaming table, each game, and each shift.

“Match play coupon” means a coupon with a fixed, stated value that is issued, utilized and redeemed pursuant to Sections 455-4.2 and 455-3.4, and the stated value of which, when presented by a patron with gaming chips which are equal in value to the stated value of the coupon, is included in the amount of the patron's wager in determining the payout on any winning bet at an authorized game.

“Opener” means the duplicate copy of the table inventory slip upon which each table inventory is recorded at the end of each shift and serves as the record of each table inventory at the beginning of the next succeeding shift.

“Patron cash deposit” means an amount of cash, cash equivalents, complimentary cash gifts, slot tokens, prize tokens, gaming chips or plaques deposited with a casino licensee by a patron for his or her subsequent use pursuant to Section 455- 5.2.

“Patron check” means a Counter Check or a replacement check.

“Payout” is defined in Sections 455- 7.9 and 455-7.10.

“Pit clerk” is defined in Section 455-2.4.

“Propriety” means the quality of being proper; conforming to sections of this chapter.

“Replacement check” is defined in Section 455-5.7.

“Request for Fill” is defined in Section 455-4.6.

“Request for Credit” is defined in Section 455-4.7.

“Request for Jackpot Payout Slip” is defined in Section 455-7.9.

“Returned check” is defined in Section 455-6.3.

“Security department member” means any person employed by a casino licensee or its agent to provide physical security in an establishment.

“Shift” means the regular, daily work period of a group of employees administering and supervising the operation of table games, slot machines, cashiers' cage and satellite cages, working in relay with another such succeeding or preceding group of employees or specific times, as approved by the Commission, during the day that all drop boxes attached to gaming tables are removed, expeditiously transported to the count room, and replaced with empty ones.

“Signature” is defined in Section 455-1.10.

“Slot booth” is defined in Section 455-7.2.

“Slot cashier” is defined in Section 455-7.3.

“Slot cash storage box” is defined in Section 455-7.1.

“Slot counter check” is defined in Section 455-5.6.

“Slot drop bucket” is defined in Section 455-7.4.

“Slot drop box” is defined in Section 455-7.4.

“Slot machine drop” means the amount of coins and slot tokens in a slot drop bucket or a slot drop box, and the amount of cash and coupons in a slot cash storage box.

“Slot Machine Win” means the amount determined by subtracting the hopper fills, other than initial hopper fills and initial fills of hopper storage areas, and cash payouts pursuant to Section 455-7.9 from the slot machine drop.

“Table Counter Check” is defined in Section 455-5.6.

“Table game drop” means the sum of the total amount of currency, coin and coupons, and the total amounts recorded on issuance copies of Counter Checks removed from a drop box.

“Table game win or loss” means the amount of gaming chips and plaques and cash won from patrons at gaming tables less the amount of gaming chips, plaques and coins won by patrons at gaming tables. The table game win or loss is determined by adding the amount of cash, coupons, the amount recorded on the Closer, the totals of amounts recorded on the Credits, and issuance copies of Counter Checks removed from a drop box, and subtracting the amount recorded on the Opener, the total of amounts recorded on Fills removed from a drop box.

“Theoretical slot machine payout percentage” means the sum of the number of coins expected to be paid by a slot machine automatically and the number of coins expected to be paid manually as a result of jackpots divided by the expected number of coins to be played in a slot machine.

“Travel Disbursement Voucher” is defined in Section 455-3.2.

“Verbalize” means to orally express something in words.

“Wire transfer” means a transfer of funds by means of the Federal Reserve Bank wire system in accordance with the requirements of 12 CFR 210.25 et seq. and the Commission's rules.

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32 V.I. R. & Regs. § 455-1.1, 32 VI ADC § 455-1.1

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32 V.I. R. & Regs. § 455-1.2

455-1.2. Gaming Day.

(a) The “gaming day” for a casino licensee on a calendar day which has not been approved for extended hours of operation pursuant to Section 453 of the Act shall commence at 10:00 A.M. or the actual time when the casino opens to the public, whichever is later, and shall terminate:

1. At 4:00 A.M. on the next calendar day, if the next calendar day is a weekday which is not a holiday;
2. At 6:00 A.M. on the next calendar day, if the next calendar day is a Saturday, Sunday or Territorial or Federal holiday;
3. In accordance with (b) below, if the next calendar day has been approved by the Commission for extended hours of casino operation pursuant to Section 453 of the Act; or
4. When the casino actually closes if such time is earlier than the time specified in (a)1 through 3 above.

(b) The “gaming day” for a casino licensee on a calendar day which has been approved for extended hours of operation pursuant to Section 453 of the Act shall commence and terminate, and the end of the gaming day for the previous calendar day shall terminate, at those times set forth in the approved system of internal procedures and administrative and accounting controls of each casino licensee. Each casino licensee may establish a gaming day for slot machines which is different from its gaming day for table games; provided, however, that no gaming day shall be longer than 24 hours.

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32 V.I. R. & Regs. § 455-1.3

455-1.3. Accounting Records.

(a) Each casino licensee shall maintain complete, accurate, and legible records of all transactions pertaining to the revenues and costs for each establishment.

(b) General accounting records shall be maintained on a double entry system of accounting with transactions recorded on the accrual basis. Detailed, supporting, subsidiary records sufficient to meet the requirements of (c) below shall also be maintained in accordance with the requirements of this chapter.

1. The Commission shall periodically prescribe a uniform chart of accounts and accounting classification in order to insure consistency, comparability, and effective disclosure of financial information.

i. The chart of accounts shall provide the classifications necessary to prepare the standard financial statements required by Section 455-1.7.

ii. The prescribed chart of accounts shall be the minimum level of detail to be maintained for each accounting classification by the licensee.

iii. The licensee shall not use other than the prescribed chart of accounts but may, with the permission of the Commission, expand the level of detail for some or all accounting classifications and/or alter the account numbering system. In such instances, the licensee shall provide to the Commission, upon request, a cross-reference from the licensee's to the prescribed chart of accounts.

(c) The detailed, supporting, and subsidiary records shall include, but not necessarily be limited to:

1. Records of all patron checks initially accepted by the licensee, deposited by the licensee, returned to the licensee as "uncollected", and ultimately written-off as uncollectible.

2. Statistical game records to reflect drop and win amounts by table for each table game, by each shift.

3. Records supporting the accumulation of the costs and number of persons, by category of service, for regulated complimentary services.

4. Records of all investments, advances, loans and receivable balances, other than patron checks, due to the establishment.
5. Records related to investments in property and equipment. The records shall identify the investments made under Section 516 of the Act as an alternative to the additional 2.5 percent tax on gross revenues. Such investments must be approved by the Commission as to their eligibility.
6. Records which identify the handle, payout, win amounts and percentages, theoretical win amounts and percentages, and differences between theoretical and actual win amounts and percentages, for each slot machine on a week-to-date, month-to-date, and year-to-date basis.
7. Records of all loans and other amounts payable by the establishment.
8. Records which identify the purchase, receipt, and destruction of gaming chips and plaques.
9. Records provided for in the system of internal accounting controls submitted to the Commission pursuant to the Act.

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32 V.I. R. & Regs. § 455-1.3, 32 VI ADC § 455-1.3

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32 V.I. R. & Regs. § 455-1.4

455-1.4. Licensee's System of Internal Controls.

(a) Each casino licensee shall submit to the Commission and Division a description of its system of internal procedures and administrative and accounting controls in accordance with Section 455 of the Act. Such submission shall be made at least 120 days before gaming operations are to commence, unless otherwise directed by the Commission. Each such submission shall contain both narrative and diagrammatic representations of the internal control system to be utilized by the licensee and shall include, without limitation, the following:

1. Administrative controls which include, without limitation, the procedures and records that are concerned with the decision making processes leading to management's authorization of transactions;
2. Accounting controls which have as their primary objectives the safeguarding of assets and the reliability of financial records and are consequently designed to provide reasonable assurance that:
 - i. Transactions are executed in accordance with management's general and specific authorization;
 - ii. Transactions are recorded as necessary to permit preparation of financial statements in conformity with generally accepted accounting principles and Section 455-1.7, and to maintain accountability for assets;
 - iii. Access to assets is permitted only in accordance with management authorization; and
 - iv. The recorded accountability for assets is compared with existing assets at reasonable intervals and appropriate action is taken with respect to any differences;
3. Procedures and controls for ensuring, through the use of the casino security department, that the casino is constantly secure during normal operations and any emergencies due to malfunctioning equipment, loss of power, any natural disaster or any other cause; and
4. Procedures and rules governing the conduct of authorized games and the responsibility of casino personnel with respect thereto.

(b) The Commission shall review each submission required by (a) above and with the advice of the Division shall determine whether it conforms to the requirements of the Act and the Commission's rules and whether the system submitted provides

adequate and effective controls for the operations of the casino licensee. If the Commission finds any insufficiencies, it shall specify such insufficiencies in writing to the casino licensee, which shall make appropriate alterations. When the Commission determines a submission to be adequate in all respects, it shall so notify the casino licensee. No casino licensee shall commence gaming operations unless and until its system of internal controls is approved by the Commission.

(c) Each casino licensee shall submit to the Commission and the Division any changes to its system of internal procedures and administrative and accounting controls previously determined by the Commission in (b) above to be adequate in all respects at least 60 days before the changes are to become effective, unless otherwise directed by the Commission. The proposed changes may be approved or disapproved by the Commission consistent with the standards contained in (b) above. No casino licensee shall alter its internal controls unless and until such changes are approved. However, the Commission shall make a determination concerning a submission for changes in previously submitted control plans no later than 90 days following receipt of the changes unless the Commission and the casino licensee agree to extend the period for making such a determination. If there is no determination made within 90 days and there is no agreement to extend the period for making such a determination, then the changes shall be deemed to be approved.

(d) The submission required by (a) above shall be accompanied by a report of an independent certified public accountant licensed to practice in the U.S. Virgin Islands stating that the submitted system conforms in all respects to the standards of internal control set forth in the Act and the Commission's rules or in what respects the system does not conform.

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32 V.I. R. & Regs. § 455-1.5

455-1.5. Records Regarding Ownership.

(a) In addition to other records and information required by this regulation, each casino licensee shall maintain the following records regarding the equity structure and owners:

1. If a corporation:

- i. A certified copy of articles of incorporation and any amendments thereto;
- ii. A copy of by-laws and amendments thereto;
- iii. A current list of officers and directors;
- iv. Minutes of all meetings of stockholders and directors;
- v. A current list of all stockholders and stockholders of affiliates, including their names and the names of beneficial owners of shares held in street or other name where any beneficial owner has a beneficial interest in two percent or more of the outstanding shares of any class, addresses, and the number of shares held by each and the date acquired;
- vi. A current list of all current and former officers and directors;
- vii. A complete record of all transfers of stock;
- viii. A record of amounts paid to the corporation for issuance of stock and other capital contributions and dates thereof;
- ix. A record, by stockholder, of all dividends distributed by the corporation; and
- x. A record of all salaries, wages, and other remuneration (including prerequisites), direct and indirect, paid during the calendar or fiscal year, by the corporation, to all officers, directors, and stockholders with an ownership interest at any time during the calendar or fiscal year, equal to or greater than five percent of the outstanding capital stock of any class of stock.

2. If a partnership:

- i. A schedule showing the amounts and dates of capital contributions, the names and addresses of the contributors, and percentage of interest in net assets, profits, and losses held by each;
- ii. A record of the withdrawal of partnership funds or assets;
- iii. A record of salaries, wages, and other remuneration (including prerequisites), direct and indirect, paid to each partner during the calendar or fiscal year; and
- iv. A copy of the partnership agreement and certificate of limited partnership, if applicable.

3. If a sole proprietorship:

- i. A schedule showing the name and address of the proprietor and the amount and date of his original investment;
- ii. A record of dates and amounts of subsequent additions to the original investment and withdrawals therefrom; and
- iii. A record of salaries, wages, and other remuneration (including prerequisites), direct or indirect, paid to the proprietor during the calendar or fiscal year.

(b) All records regarding ownership shall be located on the premises of the establishment, unless a specific exemption is allowed to the licensee by the Commission.

(c) Each casino licensee or applicant shall, upon request by the Commission or Division, provide a list of all record holders of any or all classes of publicly traded securities issued by any holding company or by any other affiliated entity which is required to qualify as a financial source pursuant to Section 436(b) of the Act.

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32 V.I. R. & Regs. § 455-1.6

455-1.6. Forms, Records and Documents.

(a) All information required by this chapter to be placed on any form, record, or document and in stored data shall be recorded on such form, record, or document and in stored data in ink or other permanent form.

(b) Whenever duplicate or triplicate copies are required of a form, record, or document:

1. The original, duplicate, and triplicate copies shall be color coded and have the name of the recipient originally receiving a copy preprinted on the bottom of that copy so as to differentiate one from the other;
2. If the casino licensee prepares more copies than required by this chapter and the forms, records, and documents are required to be inserted in a locked dispenser, the last copy shall remain in a continuous, unbroken form in the dispenser; and
3. Whenever under this chapter, forms or serial numbers are required to be accounted for or copies of forms are required to be compared for agreement and exceptions are noted, such exceptions shall be reported immediately in writing to the internal audit department, the Commission, and the Division for investigation.

(c) Unless otherwise specified in this chapter or exempted by the Commission, all forms, records, documents, and stored data required to be prepared, maintained, and controlled by this chapter shall:

1. Be in a form prescribed or authorized by the Commission; and
2. Have the name of the establishment and the title of the form, record, document, and stored data imprinted or preprinted thereon or therein.

(d) Nothing in this chapter shall be construed as prohibiting or discouraging a casino license from preparing more copies of any form, record, or document than that prescribed by this chapter.

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32 V.I. R. & Regs. § 455-1.7

455-1.7. Standard Financial and Statistical Reports.

(a) Each casino licensee, unless specifically exempted by the Commission, shall file monthly, quarterly, and annual reports of financial and statistical data. The data may be used by the Commission to evaluate the financial position and operating performance of individual licensees and compile information regarding the performance and trends of the industry in the U.S. Virgin Islands.

(b) The Commission shall periodically prescribe a set of standard reporting forms and instructions to be used by each licensee in filing the monthly, quarterly, and annual reports.

(c) Annual reports to the Commission shall be based on a calendar year, beginning January 1, and ending December 31, Quarterly reports shall be based on calendar quarters ending March 31, June 30, and September 30. Monthly reports shall be based on calendar months.

(d) The reports shall be signed by the Chief Executive Officer, Financial Vice President, Treasurer, or Controller if the casino operator is a corporation, by a general partner, or the Financial Director if the operator is a partnership, by the Chief Executive Officer if the operator is any other form of business association, or by the proprietor if the operator is a sole proprietorship.

(e) Each report to the Commission shall be received or postmarked not later than the required filing date unless specific approval for an extension is granted to the licensee by the Commission. Requests for a filing extension must be submitted to the Commission in writing prior to the required filing date.

1. Monthly reports shall be due not later than the 10th calendar day following the end of the month.

2. Quarterly reports shall be due not later than the 15th calendar day of the second month following the end of the quarter.

3. Annual reports shall be due not later than the 15th calendar day of the third month following the end of the year.

(f) In the event of a license termination, change in business entity, or material change in ownership, the Commission may at its discretion require the filing of an interim annual or quarterly report, as of the date of occurrence of the event. Any such request shall be made in writing to the licensee. The filing due date shall be the later of 30 calendar days after notification to the licensee or 30 calendar days after the date of occurrence of the event, unless an extension is granted in accordance with (e) above.

(g) In those circumstances where the licensee is not currently an active operator of an establishment, or portion thereof, the Commission may either revise or eliminate the standard reports to be filed by the licensee.

(h) Any adjustments resulting from the annual audit required in Section 455-1.8 shall be recorded in the accounting records of the year to which the adjustment relates. In the event the adjustments were not reflected in the licensee's annual report and the Commission concludes the adjustments are significant, a revised annual report may be required from the licensee. The revised filing shall be due within 30 calendar days after written notification to the licensee, unless an extension is granted in accordance with (e) above.

(i) Licensees shall report to the Commission essential details of any loans, borrowings, installment contracts, guarantees, leases, or capital contributions no later than 10 days after the end of the month in which the transaction or event occurs.

(j) Copies of all financial statements and statistical reports required to be filed with the Commission shall be furnished by the licensee to the Division.

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32 V.I. R. & Regs. § 455-1.8

455-1.8. Annual Audit and Other Reports.

(a) Each casino licensee, unless specifically exempted by the Commission, shall, at its own expense, cause its annual financial statements to be audited in accordance with generally accepted auditing standards by an independent certified public accountant licensed to practice in the U.S. Virgin Islands.

(b) The annual financial statement shall be prepared on a comparative basis for the current and prior calendar year, and shall present financial position and results of operations in conformity with generally accepted accounting principles.

(c) The financial statements required by this section shall include a footnote reconciling and explaining any differences between the financial statements included in the casino licensee's annual report, filed in conformity with Section 455-1.7, and the audited financial statements. Such footnote shall, at a minimum, disclose the effect of such adjustments on:

1. Revenues from the casino;
2. Revenues net of complimentary services;
3. Total costs and expenses;
4. Income before extraordinary items; and
5. Net income.

(d) Two copies of the audited financial statements, together with the report thereon of the casino licensee's independent certified public accountant, shall be filed with the Commission and the Division not later than April 30 following the end of the calendar year.

(e) Each licensee shall require its independent certified public accountant to render the following additional reports:

1. Report on material weaknesses in internal accounting control. Whenever in the opinion of the independent certified public accountant there exists no material weaknesses in internal accounting control, the report shall so state.

2. Report expressing the opinion of the independent certified public accountant that based on his examination of the financial statements the licensee has followed, in all material respects during the period covered by his examination, the system of internal accounting control approved by the Commission. Whenever in the opinion of the independent certified public accountant the licensee has deviated from the system of internal accounting control approved by the Commission or the accounts, records, and control procedures examined are not maintained by the licensee in accordance with the Casino Control Act and this chapter, the report shall enumerate such deviations, regardless of materiality, and such areas of the system no longer considered effective, and shall make recommendations regarding improvements in the system of internal accounting control.

3. The licensee shall prepare a written response to the independent certified public accountant's reports required by (e) 1 and 2 above. The response shall indicate, in detail, the corrective actions taken. Such response shall be submitted to the Commission and Division within 90 days from receipt of the independent certified public accountant's reports.

(f) Two copies of the reports required by (e) above, and two copies of any other reports on internal accounting control, administrative controls, or other matters relative to the licensee's accounting or operating procedures rendered by the licensee's independent certified public accountant, shall be filed with the Commission and the Division by the licensee by April 30 following the end of the calendar year or upon receipt, whichever is earlier.

(g) If the casino licensee or any of its affiliates is publicly held, the licensee or the affiliate shall submit five copies to the Commission and one copy to the Division of any report, including, but not limited to, forms S-1, 8-K, 10-Q, 10-K, proxy or information statements and all registration statements, required to be filed by such licensee or affiliates with the Securities and Exchange Commission or other domestic or foreign securities regulatory agency, at the time of filing with such commission or agency.

(h) If an independent certified public accountant who was previously engaged as the principal accountant to audit the casino licensee's financial statements resigns or is dismissed as the casino licensee's principal accountant, or another independent certified public accountant is engaged as principal accountant, the casino licensee shall file a report with the Commission and the Division within 10 days following the end of the month in which such event occurs, setting forth the following:

1. The date of such resignation, dismissal or engagement.

2. Whether in connection with the audits of the two most recent years preceding such resignation, dismissal, or engagement there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statement disclosure, or auditing scope or procedure, which disagreements if not resolved to the satisfaction of the former accountant would have caused him to make reference in connection with his report to the subject matter of disagreement, including a description of each such disagreement. The disagreements to be reported include those resolved and those not resolved.

3. Whether the principal accountant's report on the financial statements for any of the past two years contained an adverse opinion or disclaimer of opinion or was qualified. The nature of such adverse opinion, disclaimer of opinion, or qualification shall be described.

4. The casino licensee shall request the former accountant to furnish to the casino licensee a letter addressed to the Commission, with a copy furnished to the Division, stating whether he agrees with the statements made by the casino licensee in response to (h) of this section. Such letter shall be filed with the Commission as an exhibit to the report required by (h) of this section.

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32 V.I. R. & Regs. § 455-1.9

455-1.9. Retention, Storage and Destruction of Books, Records and Documents.

(a) All original books, records and documents pertaining to the casino licensee's operations and approved hotel shall be:

1. Prepared and maintained in a complete, accurate and legible form;
2. Retained on the site of the approved hotel building or at another secure location approved in accordance with (d) below for the time period specified in (c) below;
3. Held immediately available for inspection by agents of the Commission and Division during all hours of operation;
4. Organized and indexed in such a manner so as to provide immediate accessibility to agents of the Commission and Division; and
5. Destroyed only after:
 - i. Expiration of the minimum retention period specified in (c) below, except that the Commission may, upon the written petition of any casino licensee and for good cause shown, permit such destruction at an earlier date; and
 - ii. Written notice to the Commission and Division in accordance with (f) below.

(b) For the purposes of this section, "books, records and documents" shall be defined as any book, record or document pertaining to, prepared in or generated by the operation of a casino or an approved hotel including, but not limited to, all forms, reports, accounting records, ledgers, subsidiary records, computer generated data, internal audit records, correspondence and personnel records. This definition shall apply without regard to the medium through which the record is generated or maintained, for example, paper, magnetic media or encoded disk.

(c) All original books, records and documents shall be retained by a casino licensee in accordance with the following schedules. For purposes of this subsection, "original books, records or documents" shall not include copies of originals, except for copies which contain original comments or notations or parts of multi-part forms.

1. The following original books, records and documents shall be retained indefinitely unless destruction is requested by the casino licensee and approved by the Commission:

- i. Corporate records required by Section 455-1.5;
 - ii. Records of corporate investigations and due diligence procedures;
 - iii. Casino employee personnel files;
 - iv. Records of hours worked by persons employed in gaming-related positions, in an abstract or other readily accessible format; and
 - v. A record of any original book, record or document destroyed, identifying the particular book, record or document, the period of retention and the date of destruction.
2. The following original books, records and documents shall be retained by a casino licensee for a minimum of six years:
- i. All gaming-related documents, including, without limitation, casino cage documents; patron gaming records; records concerning junkets; and records concerning gaming-related casino service industries;
 - ii. Hotel-related documents which pertain to the purchasing department and accounts payable department; accounts receivable documents from store rentals and travel wholesalers; petty cash documentation and general ledgers and supporting journals; and
 - iii. Any other original book, record or document not otherwise specified in this subsection.
3. The following original books, records and documents shall be retained by a casino licensee for a minimum of three years:
- i. Hotel income audit documents, including, without limitation, telephone call records and charges, register tapes, room service checks and laundry charges;
 - ii. Non-gaming hotel-related documents, including, without limitation, records concerning hotel guests; records concerning banquets; food and beverage documents; records of retail stores, accounts receivable and other records of transactions in which the casino licensee is a vendor; advertising records; and entertainment records;
 - iii. Files and workpapers used to prepare budgets;
 - iv. Payroll records, except as provided in (c)1 above;
 - v. Signature cards of terminated employees;

vi. Marketing department records;

vii. Security incident reports;

viii. Insurance department records relating to guest claims and copies of arrest records;

ix. Credit union records;

x. Records generated by the mailroom; and

xi. Any gaming-related document for which the casino licensee can demonstrate that the information contained thereon is duplicative or less than that recorded on another document retained in accordance with (c)1 and 2 above.

4. The following original books, records and documents shall be retained by a casino licensee for a minimum of one year:

i. Surveillance department visitor logs;

ii. Complimentary settled guest checks;

iii. Card and dice transaction and inventory reports;

iv. Returned check aging reports, except for year-end reports;

v. Coin bag tags, provided that the information contained thereon is duplicative or less than that recorded on another document; and

vi. Emergency drop box approval forms

5. The following original books, records and documents shall be retained by a casino licensee for a minimum of six months:

i. Coupons entitling patrons to cash, slot tokens, gaming chips or plaques, or match play coupons, including unused, voided and redeemed coupons;

ii. The following hotel income audit documents: Cashier reports, room tally reports, over/short reports, rate variations and missing check reports;

- iii. Documents relating to promotions, such as entry forms and game tickets;
- iv. Credit card settled guest checks pertaining to restaurant and bar charges;
- v. Room charge settled guest checks pertaining to restaurant and bar charges;
- vi. Credit card vouchers used to settle guest checks in restaurants and bars;
- vii. Guest check control sheets used to control the issuance and return of guest checks to cashiers, bartenders and food servers;
- viii. Credit applications with unused lines of credit;
- ix. Hotel cashier envelopes;
- x. Surveillance employee duty logs, VCR/tape logs, and equipment malfunction reports; and
- xi. Zeroed-out countercheck envelopes.

6. The following original books, records and documents do not have to be retained by a casino licensee for any minimum period of time, but may be destroyed only upon notice in accordance with (f) and (g) below:

- i. Any form required by Commission rules that is blank or unused, unless otherwise specified by this section;
- ii. Any original book, record or document that has been copied and stored on a microfilm, microfiche or other media system approved by the Commission.

(d) A casino licensee may petition the Commission at any time for approval of a facility off the site of the approved hotel building to be used to generate or store original books, records and documents. Such petition shall include:

- 1. A detailed description of the proposed off-site facility, including security and fire safety systems; and
- 2. The procedures pursuant to which Commission and Division agents will be able to gain access to the original books, records and documents retained at the off-site facility.

(e) A casino licensee may petition the Commission for approval of a microfilm, microfiche or other suitable media system for the copying and storage of original books, records and documents.

(f) A casino licensee shall notify the Commission and the Division in writing at least 15 days prior to the scheduled destruction of any original book, record or document. Such notice shall list each type of book, record and document scheduled for destruction, including a description sufficient to identify the books, records and documents included; the retention period; and the date of destruction. Each casino licensee shall retain this record of destruction in accordance with (c)1 above.

(g) The Commission or the Division may prohibit the destruction of any original book, record or document by so notifying the casino licensee in writing within 15 days of the receipt of notice of destruction pursuant to (f) above. Such original book, record or document may thereafter be destroyed only upon notice from the Commission or Division, or by order of the Commission upon the petition of the casino licensee or by the Commission on its own initiative.

(h) The casino licensee may utilize the services of a disposal company for the destruction of any books, records or documents except those related to credit. Any cash complimentary coupons to be destroyed by a disposal company shall be canceled with a void stamp, hole punch or similar device, or must contain a clearly marked expiration date which has expired.

(i) Nothing herein shall be construed as relieving a casino licensee from meeting any obligation to prepare or maintain any book, record or document required by any other Federal, Territorial or local governmental body, authority or agency.

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32 V.I. R. & Regs. § 455-1.9, 32 VI ADC § 455-1.9

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32 V.I. R. & Regs. § 455-1.10

455-1.10. Signature.

(a) Signatures shall:

1. Comply with either of the following requirement:

- i. Be, at a minimum, the signer's first initial, last name and Commission license number, written by the signer, and be immediately adjacent to or above the clearly printed or preprinted title of the signer, or
- ii. Be the employee's identification number or other computer identification code issued to the employee by the casino licensee, if the document to be signed is authorized by the Commission to be generated by computer, and such method of signature is approved or required by the Commission;

2. Signify that the signer has prepared forms, records, and documents and/or authorized, observed, and/or participated in a transaction to a sufficient extent to attest to the accuracy of the information recorded thereon, in conformity with this regulation and the casino licensee's system of internal accounting control; and

3. Signify that the signer required by this chapter to count or observe gaming chips and plaques has counted or observed the count of such chips and plaques and such count was made by breaking down stacks of chips to the extent necessary.

(b) Signature records shall be prepared for each person required by the rules of the Commission to sign records and documents and shall include specimens of signatures, titles of signers and the date the signature was obtained. Such signature records shall be filed alphabetically by last name either on a company-wide or departmental basis. The signature records shall be adjusted on a timely basis to reflect changes of personnel.

(c) Signature records shall be securely stored in the accounting department.

(d) This section shall apply to any signature required in a casino licensee's approved system of internal procedures and administrative and accounting controls, including, without limitation, procedures required by 455-3.4.

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32 V.I. R. & Regs. § 455-1.10, 32 VI ADC § 455-1.10

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32 V.I. R. & Regs. § 455-1.11

455-1.11. Severance Pay; Employee Pension Plan.

(a) Casino licensees and applicants shall submit for Commission approval internal controls setting forth the methods and procedures for compliance with the severance pay requirements of Section 466(a) of the Act and the pension plan requirements of Section 466(b) of the Act.

(b) All pension plans pursuant to Section 466(b) of the Act shall comply with qualification requirements of Section 401(a) of the internal Revenue Code of 1986 as amended, 26 U.S.C. section 401(a), and the Employment Retirement Income Security Act of 1974 as amended, 29 U.S.C. section 1001 *et seq.*

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455-2. Subchapter 2. Casino Licensee's Organization

32 V.I. R. & Regs. § 455-2.1

455-2.1. Casino Licensee's Organization.

(a) Each casino licensee's system of internal controls shall, in accordance with the provisions of Section 455-2.2, include tables of organization. Each casino licensee shall be permitted, except as otherwise provided in this section and the regulations concerning Equal Employment and Business Opportunity, to tailor its organizational structure to meet the needs or policies of its own particular management philosophy. The proposed organizational structure of each casino licensee shall be approved by the Commission in the absence of a conflict between the organizational structure and the criteria listed below, which criteria are designed to maintain the integrity of casino operations. Each casino licensee's tables of organization shall provide for:

1. A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility;
2. The segregation of incompatible functions so that no employee is in a position both to commit an error or to perpetrate a fraud and to conceal the error or fraud in the normal course of his or her duties;
3. Primary and secondary supervisory positions which permit the authorization or supervision of necessary transactions at all relevant times; and
4. Areas of responsibility which are not so extensive as to be impractical for one person to monitor.

(b) In addition to satisfying the requirements of (a) above, each casino licensee's system of internal controls shall include, at a minimum, the following departments and supervisory positions. Each of these departments and supervisors shall be required to cooperate with, yet perform independently of, all other departments and supervisors. Mandatory departments and supervisory positions are as follows:

1. A surveillance department supervised by a person referred to herein as the director of surveillance. The surveillance department shall be subject to the reporting requirements specified in (c) below.
2. An internal audit department supervised by a person referred to herein as an audit department executive. The audit department executive shall be subject to the reporting requirements specified in (c) below. The internal audit department shall be responsible for, without limitation, the following:
 - i. The review and appraisal of the adequacy of internal control;

- ii. The compliance with internal control procedures;
 - iii. The reporting of instances of noncompliance with the system of internal control;
 - iv. The reporting of any material weaknesses in the system of internal control; and
 - v. The recommendation of procedures to eliminate any material weaknesses in the system of internal control.
3. A management information system (“MIS”) department supervised by a person referred to herein as an MIS department manager. The MIS department shall be responsible for the quality, reliability and accuracy of all computer systems used by the casino licensee in the conduct of casino operations including, without limitation, specification of appropriate computer software, hardware, and procedures for security, physical integrity, audit, and maintenance of:
- i. Access codes and other data-related security controls used to insure appropriately limited access to computers and the system-wide reliability of data;
 - ii. Computer tapes, disks, or other electronic storage media containing data relevant to casino operations; and
 - iii. Computer hardware, communications equipment and software used in the conduct of casino operations.
4. A table games department supervised by a person referred to herein as a casino manager. The table games department shall be responsible for the operation and conduct of the games of craps, blackjack, baccarat, roulette, big six, minibaccarat and any other authorized table games.
5. A slot department supervised by a person referred to herein as a slot department manager. The slot department shall be responsible for the operation of the slot machines and bill changers.
6. A credit department supervised by a person referred to herein as a credit manager.
7. A security department supervised by a person referred to herein as a director of security. The security department shall be responsible for the overall security of the establishment including, without limitation, the following:
- i. The enforcement of the law;
 - ii. The physical safety of patrons in the establishment;
 - iii. The physical safety of personnel employed by the establishment;

- iv. The physical safeguarding of assets transported to and from the casino, slot, and cashiers' cage departments;
- v. The protection of the patrons' and the establishment's property from illegal activity;
- vi. The detainment of each individual as to whom there is probable cause to believe that he or she has engaged in or is engaging in conduct that violates Sections 473 through 476 of the Act, inclusive, for the purpose of notifying law enforcement or Commission authorities;
- vii. The control and maintenance of a system for the issuance of temporary license credentials and vendor access credentials;
- viii. The recordation of any and all unusual occurrences within the casino for which the assignment of a security department employee is made. Each incident, without regard to materiality, shall be assigned a sequential number and, at a minimum, the following information shall be recorded in indelible ink in a bound, laboratory-type notebook from which pages cannot be removed and each side of each page of which is sequentially numbered:
 - (1) The assignment number;
 - (2) The date;
 - (3) The time;
 - (4) The nature of the incident;
 - (5) The person involved in the incident; and
 - (6) The security department employee assigned;
- ix. The communication in writing to the supervisor of the credit department of accurate and verifiable information which may be relevant in determining a patron's credit worthiness;
- x. The identification and removal of any person who is required to be excluded pursuant to Section 423 of the Act or the regulations concerning Exclusion of Persons, or who may be excluded or ejected pursuant to Section 423 of the Act, or of any person who is prohibited from entering a casino pursuant to Section 480(a) of the Act; and
- xi. The performance of all duties and responsibilities in accordance with the procedures and controls submitted and approved pursuant to Section 455-1.4(a)(3).

8. A casino accounting department supervised by a person referred to herein as a controller. The controller, except as otherwise provided in (b)9 below, shall be responsible for the control and supervision of the cashiers' cage and any satellite cages.

9. Notwithstanding (b)8 above, Casino-1 and Casino-2 licensees shall operate independent table game and slot machine cages, and shall operate the independent slot machine cage as a separate department. For an independent slot machine cage operated as a separate department, the supervisor of the slot machine cage department shall report to a casino key employee approved by the Commission. The supervisor of a slot machine cage department shall be responsible for the supervision of the master coin bank, slot cashiers, changepersons and coin impressment personnel.

(c) The supervisors of the surveillance and internal audit departments required by (b) above shall comply with the following reporting requirements:

1. Each supervisor shall report directly to the chief executive officer of the casino licensee regarding administrative matters and daily operations; provided, however, a casino licensee may allow each of these supervisors to report directly to a management executive of the licensee other than the chief executive officer if that executive reports directly to the chief executive officer.

2. Each supervisor shall report directly to one of the following persons or entities regarding matters of policy, purpose, responsibility and authority. The hiring, termination and salary of each supervisor shall also be controlled by one of the following persons or entities:

i. The independent audit committee of the casino licensee's board of directors;

ii. The independent audit committee of the board of directors of any holding company of the casino licensee which has absolute authority to direct the operations of the casino licensee;

iii. The senior surveillance or internal audit executive of any holding company included in (c)2ii above if such executive reports directly to the independent audit committee of the board of directors of the holding company; or

iv. For casino licensees or holding companies which are not corporate entities, the non-corporate equivalent of any of the persons or entities listed in (c)2i through iii above.

(d) Each casino licensee shall designate compliance officers in conformity with the following:

1. The compliance officers shall:

i. Have the authority to direct the personnel in each department to comply with the Act, this chapter, and the directives of the Commission and Division; and

ii. Be available in the establishment at all times.

2. The names of personnel designated as compliance officers shall be filed with the Commission and Division on a schedule that indicates the time each such officer will be on duty in the establishment. Any changes of the names of the compliance officers or the time such officers will be on duty shall be immediately reported, in writing, to the Commission and Division.

(e) The casino licensee's personnel shall be trained in all internal and accounting control practices and procedures relevant to each employee's individual function. Special instructional programs shall be developed by the casino licensee in addition to any on-the-job instruction sufficient to enable all members of the departments required by this section to be thoroughly conversant and knowledgeable with the appropriate and required manner of performance of all transactions relating to their functions. A written description of all instructional and on-the-job training to be and being provided shall be submitted to the Commission for review.

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32 V.I. R. & Regs. § 455-2.1, 32 VI ADC § 455-2.1

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455-2. Subchapter 2. Casino Licensee's Organization

32 V.I. R. & Regs. § 455-2.2

455-2.2. Jobs Compendium Submission.

(a) Each casino licensee and applicant for a casino license shall, pursuant to Sections 442(j) and 455(a)(2) and (3) of the Act, prepare and maintain a jobs compendium consistent with the requirements of this section detailing job descriptions and lines of authority for all personnel engaged in the operation of the hotel and casino. Unless otherwise directed by the Commission, a jobs compendium shall be submitted to the Commission for approval at least six months prior to the projected date of issuance of a certificate of operation. The Commission shall review each jobs compendium and shall determine whether the job descriptions and tables of organization contained therein conform to the licensing or registration and chain-of-command requirements of the Act and the Commission's regulations. If the Commission finds any insufficiencies, it shall specify the same in writing to the casino licensee or applicant, who shall make appropriate alterations. When the Commission determines a submission to be adequate with respect to licensing or registration and chain-of-command, it shall notify the casino licensee or applicant accordingly. No casino licensee shall commence gaming operations unless and until its jobs compendium is approved by the Commission.

(b) A jobs compendium shall include the following sections, in the order listed:

1. An alphabetical table of contents listing the position title and job code for each job description included in (b)3 below and the page number on which the corresponding job description may be found;
2. A table of organization for each department and division illustrating by position title direct and indirect lines of authority within the department or division.
3. A description of each employee position which accurately corresponds to the position title as listed in the table of organization and as listed in the table of contents.

(c) Any proposed amendment to a previously approved jobs compendium shall be submitted to and approved by the Commission before such amendment is implemented by the casino licensee. Unless otherwise directed by the Commission, any amendment required to be preapproved pursuant to this subsection shall be submitted to the Commission at least 60 days prior to the proposed effective date of the amendment.

(d) Notwithstanding any other requirement of this section, each casino shall submit a complete and up-to-date jobs compendium to the Commission 18 months after its receipt of a certificate of operation and every two years thereafter, unless otherwise directed by the Commission.

(e) Whenever required by this section, a casino licensee shall file three copies of a jobs compendium and three copies of an amendment to a jobs compendium with the Commission. A casino license applicant shall file four copies of a jobs compendium with the Commission and one copy with the Division. Each copy shall be in a format prescribed by the Commission, including a cover indicating the name of the casino licensee or applicant, the date of the submission and the label “Jobs Compendium Submission” or “Jobs Compendium Amendment” as appropriate.

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32 V.I. R. & Regs. § 455-2.2, 32 VI ADC § 455-2.2

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32 V.I. R. & Regs. § 455-2.3

455-2.3. Surveillance Department.

(a) Each casino licensee shall install in its establishment a closed circuit television (CCTV) system according to specifications herein and shall provide timely access, on the licensee's premises, to the system or its signal by the Commission or the Division upon request. Each casino licensee, and each member of its surveillance department, shall timely comply with a request from the Commission or the Division for the licensee to perform, at a minimum, any of the following:

1. Display on the monitors in the monitoring room or the Commission inspection booth any event capable of being monitored on the CCTV system; and
2. Make a video and, if applicable, audio recording of, and take a still photograph of, any event capable of being monitored on the CCTV system.
 - i. The casino licensee shall preserve and store each such recording or photograph in accordance with the directions of the Commission or the Division.
 - ii. The Commission and the Division shall have unfettered access to each recording or photograph and, upon the request of either, the casino licensee and its personnel shall be denied access thereto.

(b) The closed circuit television system shall include, but need not be limited to, the following:

1. Light sensitive cameras with zoom, scan, and tilt capabilities to effectively and clandestinely monitor in detail and from various vantage points, the following:
 - i. The gaming conducted at each gaming table in the casino and the activities in the casino pits;
 - ii. The gaming conducted at the slot machines in the casino;
 - iii. The operations conducted at and in the cashiers' cage, any satellite cage, and each office ancillary thereto;
 - iv. The operations conducted at and in the slot booths;

- v. The operations conducted at automated coupon redemption machines;
- vi. The count processes conducted in the count rooms in conformity with Sections 455-8.2 and 455-8.3;
- vii. The movement of cash, gaming chips and plaques, drop boxes, slot cash storage boxes, slot drop boxes, and slot drop buckets in the establishment; and
- viii. The entrances and exits to the casino and the count rooms.

2. Video units for taping the closed-circuit signal produced by any camera of the system. At a minimum, each such unit shall:

- i. Be capable of superimposing the time and date of the recording on each video tape used with the unit; and
- ii. Enable the operator of the unit, through the use of a meter, counter or other device, or by a method approved by the Commission, to identify the point on such tape at which a particular event was recorded;

3. Audio capability in the soft count room;

4. One or more monitoring rooms in the establishment which, through the surveillance department employees or agents assigned thereto by the casino licensee, shall constantly monitor the activities in the casino and elsewhere in the establishment where CCTV coverage is available, and which:

- i. May be used as necessary by the inspectors and agents of the Commission and Division; and
- ii. Each such room shall contain, as required by the Commission, adequate equipment and supplies for the effective performance of the activities to be conducted therein; and

5. All closed circuit cameras shall be equipped with lenses of sufficient magnification to allow the operator to clearly distinguish the value of the gaming chips and playing cards.

(c) Adequate lighting shall be present in all areas, including gaming tables and pits, where closed circuit camera coverage is required to enable clear camera coverage. The coverage shall be of sufficient quality to produce clear video tape and still picture reproductions.

(d) Each casino licensee shall maintain a surveillance log of all surveillance activities in the monitor room. The log shall be maintained by monitor room personnel and shall be stored securely, in a manner approved by the Commission, within the surveillance department in accordance with the retention schedule set forth in Section 455-1.9(c)2iii. At a minimum, the following information shall be recorded in a surveillance log:

1. Date and time each surveillance commenced;
2. The name and license credential number of each person who initiates, performs, or supervises the surveillance;
3. Reason for surveillance, including the name, if known, alias or description of each individual being monitored, and a brief description of the activity in which the person being monitoring is engaging;
4. The times at which each video or audio tape recording is commenced and terminated;
5. The time at which each suspected criminal offense is observed, along with a notation of the reading on the meter, counter or device specified in (b)2ii above that identifies the point on the video tape at which such offense was recorded;
6. Time of termination of surveillance;
7. Summary of the results of the surveillance; and
8. A complete description of the time, date and, if known, the cause of any equipment or camera malfunctions, and the time at which the security department was apprised of the malfunction in accordance with the casino licensee's internal controls submitted pursuant to Section 455-1.4(a)3.

(e) The surveillance log shall be available for inspection at any time by Commission or Division agents.

(f) All closed circuit television tapes which are determined by Commission or Division agents to be of potential evidentiary value shall be stored pursuant to Commission or Division directives.

(g) Surveillance department employees or agents of the licensee assigned to monitor the activities shall be independent of all other departments. In addition to any other restrictions contained in the Act and the rules promulgated thereunder, no present or former surveillance department employee shall accept employment as a casino key employee or casino employee with the same casino hotel or prospective casino hotel in which the surveillance department employee was previously employed or within any other casino hotel or prospective casino hotel whose surveillance department is under the operational control of the same person who controlled the surveillance department in which the surveillance department employee had been previously employed, unless one year has passed since the former surveillance department employee worked in the surveillance department. Notwithstanding the foregoing, the Commission may, upon the filing of a written petition, waive this restriction and permit the employment of a present or former surveillance department employee in a particular position after consideration of the following factors:

1. Whether the former surveillance department employee will be employed in a department or area of operation that the surveillance department does not monitor;

2. Whether the surveillance and security systems of the casino licensee will not be jeopardized or compromised by the employment of the former surveillance department employee in the particular position; and

3. Whether the former surveillance department employee's knowledge of the procedures of the surveillance department would not facilitate the commission by any person of irregularities or illegal acts or the concealment of any such actions or errors.

(h) Entrances to the closed circuit television monitoring rooms shall not be visible from the casino area.

(i) Each casino licensee shall prominently display a notice in each of its monitoring rooms that advises those present in the room that a casino licensee and its employees are obligated to cooperate with the Commission and the Division, and which notes with particularity those items enumerated in (a) above.

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32 V.I. R. & Regs. § 455-2.4

455-2.4. Table Games Operation Personnel

(a) Each casino licensee shall be required to employ the personnel herein described in the operation of its casino, regardless of the position titles assigned to such personnel by the casino licensee in its approved jobs compendium. Functions described in this section shall be performed only by persons holding the appropriate license required by the casino licensee's approved jobs compendium to perform such functions, or by persons holding the appropriate license required by the casino licensee's approved jobs compendium to supervise persons performing such functions, and subject to the limitations imposed by Section 455-2.1(a). Each casino licensee shall at all times maintain a level of staffing which ensures the proper operation and effective supervision of all table games in the casino.

(b) The following personnel shall be used to operate the table games in an establishment:

1. Pit clerk shall be the person located at a desk in the pit to prepare documentation required for the operation of table games including, without limitation, Requests for Fills, Requests for Credits, and Counter Checks.
2. Dealers shall be the persons assigned to each craps, baccarat, blackjack, roulette, minibaccarat and big six table to directly operate and conduct the game.
3. Stickperson shall be the dealer assigned to each craps table to control the dice and may be responsible for the proposition wagers made at the craps table.
4. Boxperson shall be the first level supervisor assigned the responsibility of directly participating in and supervising the operation and conduct of the craps game.
5. Floorperson shall be the second level supervisor assigned the responsibility for directly supervising the operation and conduct of a craps game, and the first level supervisor assigned the responsibility for directly supervising the operation and conduct of a baccarat, blackjack, roulette, minibaccarat and big six game.
6. Pit boss shall be the third level supervisor assigned the responsibility for the overall supervision of the operation and conduct of a craps game and the second level supervisor assigned the responsibility for the overall supervision of the operation and conduct of a blackjack, roulette, minibaccarat and big six.

7. Casino shift manager shall be the supervisor assigned to each shift with the responsibility for the supervision of table games conducted in the casino. In the absence of the casino manager and the assistant casino manager, should the establishment have an assistant casino manager, the casino shift manager shall have the authority of a casino manager.

8. Casino manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of casino licensee's table games including, without limitation, the hiring and terminating of all casino personnel, and the creation of high employee morale and good customer relations, all in accordance with the policies and practices established by the casino licensee's board of directors or non-corporate equivalent.

(c) Each casino licensee shall maintain the following standard levels of staffing:

1. One pit clerk shall be assigned to not more than 24 gaming tables;
2. One dealer shall be assigned to each blackjack, roulette, minibaccarat and big six table;
3. Three dealers shall be assigned to each craps and baccarat table;
4. One boxperson shall be assigned to each craps game;
5. One floorperson shall supervise:
 - i. Not more than four blackjack, roulette, minibaccarat or big six tables, or any combination thereof; or
 - ii. Not more than two craps tables; or
 - iii. Not more than one baccarat table.
6. One pit boss shall supervise not more than 16 gaming tables.

(d) Notwithstanding the provisions of (c) above, a casino licensee may petition the Commission to implement a plan for revised supervision by floorpersons or pit bosses.

(e) The casino manager or shift manager shall notify the Commission and the Division no later than 24 hours in advance of implementing or changing any plan for revised supervision, provided, however, that notice may be provided less than 24 hours in advance in circumstances which are emergent or may otherwise not reasonably be anticipated.

(f) The Commission may, at any time upon 12 hours notice, direct that the plan for revised supervision shall be terminated and that the licensee shall maintain standard staffing levels as defined in (c) above.

(g) Nothing in this section shall be construed to limit a casino licensee from utilizing personnel in addition to those described herein nor shall anything in this section be construed to limit the discretion of the Commission to order the utilization of additional personnel by the casino licensee necessary for the proper conduct and effective supervision of table games in an establishment.

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32 V.I. R. & Regs. § 455-2.4, 32 VI ADC § 455-2.4

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32 V.I. R. & Regs. § 455-2.5

455-2.5. Slot Operations Personnel

(a) The following personnel shall be used to operate the slot department in an establishment:

1. Slot mechanics shall be the persons assigned the responsibility for repairing and maintaining slot machines and bill changers in proper operating condition and participating in the filling of payout reserve containers.
2. Slot attendants shall be the persons assigned the responsibility for the operation of slot machines and bill changers, including, but not limited to, participating in manual jackpot payouts and filling payout reserve containers. At the discretion of the casino licensee, slot attendants may also accept currency and coupons from patrons in exchange for currency obtained from an imprest fund issued by the cashiers' cage or the master coin bank in accordance with internal control procedures approved by the Commission.
3. Slot supervisors shall be the first level supervisors assigned the responsibility for directly supervising the operation of slot machines and bill changers.
4. Slot shift manager shall be the second level supervisor with the responsibility for the overall supervision of the slot machine and bill changer operation for each shift. In the absence of the slot department manager, the slot shift manager shall have the authority of the slot department manager.
5. Slot department manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of the casino licensee's slot machines and bill changers including, without limitation, the hiring and terminating of all slot department personnel and the creation of high employee morale and good customer relations, all in accordance with the policies and practices established by the casino licensee's board of directors or non-corporate equivalent.

(b) Nothing in this section shall be construed to limit a casino licensee from utilizing personnel in addition to those described herein nor shall anything in this section be construed to limit the discretion of the Commission to order the utilization of additional personnel by the casino licensee necessary for the proper conduct and effective supervision of slot operations in an establishment.

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32 V.I. R. & Regs. § 455-2.5, 32 VI ADC § 455-2.5

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32 V.I. R. & Regs. § 455-2.6

455-2.6. Cashiers' Cages.

(a) Each establishment shall have on or immediately adjacent to the gaming floor a physical structure known as a cashiers' cage ("cage") to house the cashiers and to serve as the central location in the casino for the following:

1. The custody of the cage inventory comprising currency including patrons', deposits, coin, patron checks, gaming chips and plaques, and of forms, documents, and records normally associated with the operation of a cage;
2. The approval, exchange, redemption, and consolidation of patron checks received for the purposes of gambling in conformity with this chapter;
3. The receipt, distribution, and redemption of gaming chips and plaques in conformity with this chapter;
4. The issuance, receipt and reconciliation of imprest funds used by slot attendants in the acceptance of currency and coupons from patrons in exchange for currency in conformity with this chapter; and
5. Such other functions normally associated with the operation of a cage.

(b) Each establishment shall have within the cage or in such other area as approved by the Commission a physical structure known as a master coin bank to house master coin bank cashiers. The master coin bank shall be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein and serve as the central location in the casino for the following:

1. The custody of currency, coin, prize tokens, slot tokens, forms, documents and records normally generated or utilized by master coin bank cashiers, slot cashiers, changepersons, and slot attendants;
2. The exchange of currency, coin, coupons, prize tokens and slot tokens for supporting documentation;
3. The responsibility for the overall reconciliation of all documentation generated by master coin bank cashiers, slot cashiers, changepersons, and slot attendants;
4. The receipt of coin and slot tokens from the hard count room in conformity with this chapter; and

5. Such other functions normally associated with the operation of the master coin bank.

(c) The cage shall be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein; such design and construction shall be, at a minimum, as effective as the following:

1. Fully enclosed except for openings through which materials such as gaming chips and plaques, slot tokens and prize tokens, patron checks, cash, records, and documents can be passed to service the public, gaming tables, and slot booths;
2. Manually triggered silent alarm systems for the cage, its ancillary office space and any related casino vault, which systems shall be connected directly to the monitoring rooms of the closed circuit television system, the security department office, and the Division office;
3. Double door entry and exit system that will not permit a person to pass through the second door until the first door is securely locked. In addition:
 - i. The first door adjacent to the casino floor of the double door entry and exit system shall be controlled by the casino security department. The second door of the double door entry and exit system shall be controlled by the cashiers' cage;
 - ii. The system shall have closed circuit television coverage which shall be monitored by the casino security department or surveillance department;
 - iii. Any entrance to the cage that is not a double door entry and exit system shall be an alarmed emergency exit door only.
4. Separate locks on each door of the double door entry and exit system, the keys to which shall be different from each other.

(d) Each master coin bank located outside the cage shall meet all the requirements of (c) above.

(e) Each establishment may have separate areas for the storage of coin, prize tokens and slot tokens ("coin vaults") in locations outside the cage or master coin bank, as approved by the Commission.

(f) Each coin vault shall be designed, constructed and operated to provide maximum security for the materials housed and activities performed therein, and shall include at least the following:

1. A fully enclosed room, located in an area not open to the public;
2. A metal door with one key that shall be maintained and controlled by the casino accounting department, which shall establish a sign-in and sign-out procedure for removal and replacement of that key;

3. An alarm device that signals the monitors of the casino licensee's closed circuit television system and the Division's on-site office whenever the door to the coin vault is opened; and

4. Closed circuit television cameras capable of accurate visual monitoring and taping of any activities in the coin vault.

(g) Each establishment may also have one or more "satellite cages" separate and apart from the cashiers' cage, but in or adjacent to the casino, established to maximize security, efficient operations, or patron convenience and comfort and designed and constructed in accordance with Section 455-2.6(c). Subject to Commission approval, a satellite cage may perform any or all of the functions of the cashiers' cage. The functions which are conducted in a satellite cage shall be subject to the applicable accounting controls set forth in this chapter.

(h) Each casino licensee shall file with the Commission and Division the names of all persons authorized to enter the cage, any satellite cages, the master coin bank and any coin vaults; all persons possessing the combination or keys to the locks securing the entrance to the cage, any satellite cages, master coin bank and coin vaults; as well as all persons possessing the ability to operate alarm systems for the cage, any satellite cages, master coin bank and coin vaults.

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32 V.I. R. & Regs. § 455-2.6, 32 VI ADC § 455-2.6

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455-3. Subchapter 3. Complementaries and Promotions

32 V.I. R. & Regs. § 455-3.1

455-3.1. Complimentary Services or Items.

(a) No casino licensee may offer or provide any complimentary services, gifts, cash or other items of value to any person except as authorized by Section 461(m) of the Act. Each casino licensee shall, pursuant to the provisions of Section 455(a)(2) of the Act and Section 455-1.4, prepare and maintain internal controls for the authorization and issuance of complimentary services and items, including cash and noncash gifts issued pursuant to Section 461(m) of the Act and Section 455-3.2. Such internal controls shall include, without limitation, the procedures by which the casino licensee delegates to its employees the authority to approve the issuance of complimentary services and items and the procedures by which conditions or limits, if any, which may apply to such authority are established and modified, including limits based on relationships between the authorizer and recipient, and shall further include effective provisions for audit purposes. Notwithstanding the provisions of Section 455-1.4, a casino licensee shall submit the internal controls, or any changes thereto, required by this section to the Commission and Division at least 15 days prior to their implementation. Such internal controls shall be deemed approved by the Commission 15 days after submission unless the casino licensee is notified in writing to the contrary. Notwithstanding the foregoing:

1. Internal controls for complimentary distribution programs shall be subject to the requirements of Section 455-3.4;
2. Internal controls for transportation expense reimbursement programs shall be subject to the requirements of Section 455-3.2; and
3. Nothing herein shall be deemed to require a casino licensee to identify in its submission the terms or conditions pursuant to which a complimentary service or item may be granted, except as otherwise provided in 453-3(e)3 below, or to obtain Commission approval of any limits or conditions which may be placed on the authority of its employees to approve or issue complimentary services or items, except as otherwise provided in Section 455-3.3; provided, however, that each casino licensee shall be required to maintain a written record of all such terms, limits or conditions and the specific employees to whom they apply.

(b) All complimentary services or items shall be recorded as follows:

1. A complimentary service or item provided directly to patrons in the normal course of a licensee's business shall be recorded at an amount based upon the full retail price normally charged for such service or item by the licensee;
2. A complimentary service or item not offered for sale to patrons in the normal course of a licensee's business but provided directly by the licensee shall be recorded at an amount based upon the actual cost to the licensee of providing such service or item;

3. A complimentary service or item provided directly or indirectly to a patron on behalf of a licensee by a third party not affiliated with the licensee shall be recorded at an amount based upon the actual cost to the licensee of having the third party provide such service or item;

4. A complimentary service or item provided directly or indirectly to a patron on behalf of a licensee by a third party who is affiliated with the licensee shall be recorded by the licensee in accordance with the provisions of this section as if the affiliated third party were the licensee.

(c) The licensee shall accumulate both the dollar amount of and number of persons provided with each category of complimentary services or items.

1. A quarterly report shall be filed with the Commission regarding the complimentary services or items provided.

2. The complimentary services shall, at a minimum, be separated into categories for rooms, food, beverage, entertainment, cash, travel and other services.

(d) Each casino licensee shall record, on a daily basis, the name of each person provided with complimentary services or items, the category of service or item provided, the value (as calculated in accordance with (b) above) of the services or items provided to such person, and the person authorizing the issuance of such services or items. A copy of this record shall be maintained pursuant to Section 455-1.9.

(e) Any complimentary service or item, including a complimentary cash or noncash gift, which is issued to a patron as part of a table game or slot machine complimentary incentive program shall be subject to the requirements of Section 455-3.4 and this subsection and shall not be included on the daily complimentary report required by (d) above or subject to the annual limitation on cash complementaries established by Section 455-3.3(g) if:

1. The program is submitted to and approved by the Commission in accordance with the requirements of Section 455-3.4 as if the program were a complimentary distribution program;

2. The program is open to participation by all members of the public;

3. Each participant in the program is issued complementaries in accordance with a predetermined schedule as a result of his or her table game or slot play, which schedule shall, with regard to cash complementaries, be based on and shall not exceed:

i. The theoretical win of the casino licensee from each participant or the participant's actual loss as reasonably determined from data maintained pursuant to the approved internal controls for the complimentary incentive program; or

ii. As to slot play only, a fixed percentage of the player's handle as reasonably determined from data maintained pursuant to the approved internal controls for the complimentary incentive program, which percentage may differ for different denominations of slot machines, but shall not exceed six percent for any denomination of slot machine; and

4. A record is maintained of the name of each participant who receives a complimentary service or item as a result of his or her participation in the program, the amount of each complimentary and the type of complimentary, which record shall be made available to the Division upon request in the format used by the casino licensee.

(f) Any complimentary service or item, including a complimentary cash or noncash gift, which is issued to a patron as part of a complimentary program for invited guests shall be subject to the requirements of Section 455-3.4 and this subsection and shall not be included on the daily complimentary report required by (d) above or subject to the annual limitation on cash complementaries established by Section 455-3.3(g) if:

1. The program is submitted to and approved by the Commission in accordance with the requirements of Section 455-3.4 as if the program were a complimentary distribution program;

2. The program is open to participation by invited guests only and there are at least 25 participants;

3. The program involves a contest of chance or skill which is used to determine the distribution of the complementaries to the participants;

4. The recipient of any cash complimentary issued as part of the program will not have received more than \$ 100,000 in cash complementaries from complimentary programs for invited guests conducted by the casino licensee, including the current program, during the previous 12 month period; provided, however, that such limitation shall not preclude a recipient from receiving more than \$ 100,000 in cash complementaries through participation in complimentary programs for invited guests conducted by that casino licensee during the previous 12 month period if any cash complementaries issued in excess of \$ 100,000 are otherwise authorized by Section 455-3.3(g) and are recorded in accordance with the requirements of that section; and

5. A record is maintained of the name of each participant in the program who receives a complimentary service or item as a result of his or her participation, the amount of each complimentary and the type of complimentary, which record shall be made available to the Division upon request.

(g) Any complimentary service or item, including a complimentary cash or noncash gift, which is issued to a patron as part of a direct mass marketing complimentary program shall be subject to the requirements of Section 455-3.4 and this subsection and shall not be included on the daily complimentary report required by (d) above or subject to the annual limitation on cash complementaries established by Section 455-3.3(g) if:

1. The program is submitted to and approved by the Commission in accordance with the requirements of Section 455-3.4 as if the program were a complimentary distribution program; provided, however, that detailed procedures controlling a direct mass marketing complimentary program which is subject to the provisions of Section 455-3.4(b) and which includes complimentary cash or slot tokens shall not have to be submitted to the Commission 15 days prior to implementation of the program, but may instead be prepared prior to implementation of the program and maintained as an accounting record by the casino licensee if:

- i. The casino licensee has previously submitted and the Commission has previously approved generic internal control procedures governing direct mass marketing complimentary programs; and
 - ii. No material element of the direct mass marketing complimentary program varies from the generic internal control procedures previously approved by the Commission;
2. The complimentary services or items offered pursuant to the program do not exceed \$ 100.00 per person per day and are offered to at least 500 persons within 30 days from the implementation of the program;
3. A record, which shall be available to the Division upon request, is maintained identifying:
- i. The date the program was implemented;
 - ii. The value and type of the complimentary services or items offered pursuant to the program;
 - iii. The number of persons to whom the complimentary services or items were offered and the date that the offer was made;
 - iv. The source of the names of the persons to whom the complimentary services or items were offered; and
 - v. If the casino licensee has possession of the data, the names and addresses of the persons to whom cash complementaries were offered, which data shall be maintained in accordance with the requirements of Section 455-1.9(c)5.
- (i) Prize tokens shall not be offered or provided as a complimentary service or item.

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32 V.I. R. & Regs. § 455-3.2

455-3.2. Transportation Expense Reimbursements.

(a) All transportation expense reimbursement transactions, except as otherwise provided in (h) below, shall be performed at the casino cage.

(b) Whenever a patron requests a casino licensee to reimburse transportation expenses, a Travel Disbursement Voucher ("Voucher") shall be prepared. Vouchers shall be maintained in a secure location approved by the Commission. Access to Vouchers, prior to use, shall be restricted to those individuals authorized by the licensee to approve such disbursements. Prior to the transportation expense reimbursement, an individual authorized to approve the disbursement shall examine the original tickets, invoices or receipts presented by the patron in support of the request for valid transportation expense reimbursement. Such tickets, invoices or receipts shall:

1. Contain the actual cost of transportation for which reimbursement is sought;
2. Be dated within 30 days of the request for reimbursement; provided, however, reimbursements may be made for tickets, invoices or receipts which are dated more than 30 days but no more than 180 days prior to the date of request for reimbursement if an explanation is included on the Voucher as to why presentation was delayed.
3. Be in the name of the requesting patron, provided, however, that the tickets, invoices or receipts may be in the name of a person accompanying said patron, or contain no name if the amount of reimbursement is \$ 250.00 or less, as long as an explanation thereof is noted on the Voucher; and
4. State a destination of St. Croix; provided, however, if the destination indicated on the ticket, invoice or receipt is a location other than St. Croix, or if no destination is indicated, the requesting patron or the casino licensee shall provide other documentation as evidence of that patron's presence in St. Croix during the trip in which the expenses were incurred.

(c) Vouchers shall be, at a minimum, a two-part, serially prenumbered form, and each series of Vouchers shall be used in sequential order. The series numbers of all Voucher forms received by a casino shall be accounted for by employees with no incompatible functions. All original and duplicate voided Voucher forms shall be marked "VOID" and shall require the signature of the preparer and the reason for voiding. Vouchers shall contain, at a minimum, the following information:

1. The date and time of preparation;

2. The patron's name and address;
3. A description of the transportation expense incurred (that is, airfare, helicopter, limousine, etc.);
4. The amount approved for reimbursement, which amount shall not exceed the actual cost of transportation recorded on the ticket, invoice or receipt;
5. The ticket, invoice or receipt number or an indication that such number is not available, the date of issuance and the issuer of the ticket, invoice or receipt;
6. The signature of the authorizer;
7. The method of payment and, if payment is by check, the check number;
8. The type of identification credentials examined containing the patron's signature and whether said credentials included a photograph or general physical description of the patron; or the personal attestation by the authorizer as to the identity of the patron, or the general cashier's verification that the signature of the patron on the Voucher appears to agree with the signature in the patron's credit file;
9. The signature of the general cashier; and
10. The patron's signature, indicating acknowledgment of the following statement which shall be included on the Voucher: "I affirm that the expenses for which I am seeking reimbursement are supported by genuine tickets, invoices or receipts which I (have provided) (will provide) to (insert name of licensee) and I have not received reimbursement for these expenses from any other source. I am aware that this Voucher is required to be prepared by the regulations of the U.S. Virgin Islands Casino Control Commission and I may be subject to civil or criminal liability if any material information provided by me is willfully false."

(d) A list shall be maintained in the casino cage of the names and titles of those individuals authorized to approve Vouchers. A copy of this list shall be submitted to the Commission and Division as it is updated.

(e) After examination of the original tickets, invoices or receipts, the authorizer shall record the information noted in (c)1 through (c)5 above, sign the Voucher and present the original and duplicate copy of the Voucher as well as the original tickets, invoices or receipts and any other additional documentation provided in accordance with 455-3.2(b)4 above to the general cashier.

(g) The general cashier shall:

1. Verify the requesting patron's identity in accordance with 455-3.2(c)8 above and record such method of verification on the Voucher;

2. Cancel the original tickets, invoices or receipts in such a manner to prevent subsequent reimbursement and obtain a copy of the original tickets, invoices or receipts, including such cancellation marking, and a copy of any other additional documentation provided in accordance with 455-3.2(b)4 above;

3. Sign the Voucher;

4. Obtain the patron's signature on the original copy of the Voucher;

5. Record the method of payment in accordance with 455-3.2(c)7 above on the Voucher and return the canceled original tickets, invoices or receipts, and any other additional documentation provided in accordance with 455-3.2(b)4 above, and corresponding reimbursement funds by cash or check to the patron;

6. Attach the copy of the original tickets, invoices or receipts, canceled in accordance with (g)2 above, and a copy of any other additional documentation provided in accordance with (b)4 above, to the original Voucher;

7. Place the duplicate copy of the Voucher in a locked accounting box to be picked up on a daily basis by accounting personnel with no incompatible functions; and

8. Retain the original Voucher with the attached documentation for closeout purposes and subsequent forwarding, on a daily basis, to accounting for matching and agreement with the duplicate.

(h) If a transportation expense reimbursement transaction cannot be completed at the casino cage due to the unavailability of required information or documentation, a casino licensee may perform a transportation expense reimbursement transaction by mail by complying with the requirements of (a) through (g) above except as otherwise modified below:

1. The authorizer shall record the date of request for reimbursement and the information noted in 455-3.2(d)2 above on the Voucher, and present the partially completed Voucher to the general cashier.

2. The general cashier shall obtain the patron's signature on the Voucher, verify the requesting patron's identity in accordance with 455-3.2(c)8 above, stamp the term "mail in" on the Voucher and sign the Voucher. Any partially completed Voucher shall be maintained by the casino licensee in a secure location within the casino cage, and shall be processed as soon as all required information or documentation is available.

3. The authorizer, upon receipt of all information and documentation required to complete the Voucher in accordance with 455-3.2(c) above, shall obtain the partially completed Voucher from the general cashier, and shall:

i. Record the information noted in 455-3.2(c)1 and (c)3 through 455-3.2(c)5 above;

ii. Sign the Voucher; and

iii. Present the original and duplicate Voucher, and original ticket, invoice, receipt or other documents to the general cashier.

4. The general cashier shall complete the Voucher in accordance with 455-3.2(g) above and sign the Voucher; provided, however, that the general cashier shall attach the canceled ticket, invoice, receipt or any other additional documentation provided in accordance with 455-3.2(b)4 above, to the original Voucher, and shall return such documentation to the patron upon request; and the general cashier shall mail the corresponding reimbursement check to the requesting patron.

5. Any partially completed Voucher which is not completed within 60 days from the date of request for reimbursement shall be voided in accordance with 455-3.2(c) above.

(i) In the event that a casino licensee learns that a patron whom it has reimbursed for travel expenses has also been reimbursed for such travel expenses by another licensee, or by the issuer of the original ticket, invoice or receipt relied upon by the licensee in authorizing the travel expense reimbursement, the licensee shall immediately notify the Commission.

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32 V.I. R. & Regs. § 455-3.2, 32 VI ADC § 455-3.2

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455-3. Subchapter 3. Complementaries and Promotions

32 V.I. R. & Regs. § 455-3.3

455-3.3. Complimentary Cash and Noncash Gifts.

(a) No casino licensee shall offer or provide, either directly or indirectly, any complimentary cash or noncash gift to any person or his or her guests except in accordance with the provisions of Section 461(m) of the Act and this section. For the purposes of this section, “complimentary cash or noncash gift” does not refer to any complimentary service or item which is provided pursuant to Section 461(m)(1) through (3) of the Act, Section 455-3.1(f), (g), or Section 455-3.4. Complimentary cash gifts shall include, without limitation:

1. Public relations payments made for the purpose of resolving complaints by or disputes with casino patrons;
2. Travel or walk money payments made for the purpose of enabling a patron to return home;
3. Slot tokens issued to any person; provided, however, that prize tokens shall not be offered or provided as a complimentary service or item;
4. Cash complementaries issued to patrons as a result of actual gaming activity;
5. Cash complementaries issued to participants in complimentary programs for invited guests regulated by Section 455-3.1(f), except as otherwise provided in this section; and
6. Match play coupons.

(b) Except as otherwise provided in Section 455-3.1(d), all complimentary cash and noncash gifts provided by a casino licensee shall be recorded in accordance with the provisions of Section 455- 3.1(d). If a complimentary cash or noncash gift has a value of \$ 2,000.00 or more, the casino licensee shall also:

1. Record the address of the recipient:
2. Verify the identity of the recipient by an examination of identification credentials which contain a photograph or physical description of the recipient or by a personal attestation by the authorizer of the gift, which may include an attestation made after a telephone call to the recipient of the gift; and

3. Record the method of verification.

(c) All complimentary cash gifts shall be disbursed directly to the patron by a general cashier at the cashiers' cage after receipt of appropriate documentation or in any other manner approved by the Commission in a casino licensee's internal control submission.

(d) Notwithstanding the provisions of Section 455-3.1(a), no casino licensee shall permit any employee to authorize the issuance of a complimentary cash or noncash gift with a value of \$ 10,000 or more unless the employee is licensed and functioning as a casino key employee and the authorization is co-signed by a second employee licensed and functioning as a casino key employee.

(e) If a casino licensee provides complimentary cash and noncash gifts worth \$ 2,000 or more to a person or his or her guests within any five day period, the casino licensee shall record the reason why such gifts were provided and maintain such records available for inspection by the Commission or Division upon request. Such reasons may include, without limitation, the participation of the person in a complimentary program for invited guests conducted pursuant to Section 455-3.1(f) or information concerning the person's player rating, which rating shall be based upon the actual amount and frequency of play by the person as recorded in the casino licensee's player rating system.

(f) No casino licensee shall provide to any patron, during any 12-month period, complimentary cash gifts which exceed the greater of:

1. The casino licensee's theoretical win from that patron during that same 12-month period, as reasonably determined from data contained in the player rating system of the casino licensee; provided, however, that each casino licensee shall include in its procedures developed in accordance with Section 455-1.9(b), the mathematical formula by which it calculates its theoretical win from the information contained in its player rating system; or

2. The actual gaming losses of the patron to that casino licensee during that same 12-month period as reasonably determined from data contained in the player rating system of the casino licensee; or

3. \$ 25,000.

(g) Notwithstanding the provisions of (f) above, complimentary cash gifts which are provided to persons pursuant to complimentary incentive programs for invited guests regulated by Section 455-3.1(f), direct mass marketing complimentary distribution programs regulated by Section 455-3.4 shall be governed by any limitations contained in those respective rules and shall not be subject to the annual limits specified in (g) above. Additionally, match play coupons shall not be subject to the annual limitations specified in (g) above.

(h) Each casino licensee which purchases a noncash gift for the direct or indirect benefit of a patron shall require the vendor from which the gift is purchased to deliver the gift directly to the casino licensee or the patron. The casino licensee shall also require the vendor to pay to the casino licensee directly any refund or cash balance generated by the return or exchange of the gift by the patron or any representative of the patron.

(i) If a noncash gift to be purchased from a vendor by a casino licensee for the direct or indirect benefit of a patron has a purchase price of \$ 1,000 or more, the purchase shall be authorized by a written agreement or purchase order, a copy of which shall be maintained by the casino licensee in its files for inspection upon request, and shall include a provision in substantially the following form:

“Pursuant to the requirements of U.S. Virgin Islands law, the seller agrees not to effect any transaction with (name of the patron), directly or indirectly, involving the item(s) purchased pursuant to this purchase agreement after delivery without the express written approval of (the casino licensee). If the seller violates this condition of purchase, the seller agrees that this purchase agreement shall be null and void, and the seller further agrees to return the full purchase price of the item(s) purchased pursuant to this purchase agreement to (the casino licensee) as liquidated damages.”

(j) Notwithstanding any other provisions of this section, a casino licensee which intends to provide a complimentary cash gift to a patron in accordance with the requirements of Section 461(m) of the Act and this chapter may, upon receipt of a written request from the patron and in accordance with internal controls approved by the Commission, credit the cash complimentary directly to:

1. The payment of any outstanding Counter Checks issued by the patron and held by that casino licensee in accordance with the provisions of Sections 455-5.7, 455-5.9 and 455-5.10;
2. The payment of any returned checks issued by the patron and held by that casino licensee in accordance with the provisions of Section 455-6.3; or
3. The establishment or enhancement of a cash deposit held for the benefit of the patron in accordance with the provisions of Section 455-5.2.

(k) The written request required pursuant to (j) above shall be attached to documentation of the cash complimentary gift maintained by the casino licensee pursuant to its approved internal controls.

1. The written request shall include, at a minimum, the following:
 - i. The date of the request;
 - ii. The name and address of the patron;
 - iii. Instructions as to the use to which the cash complimentary is to be credited; and
 - iv. The signature of the patron.

2. Prior to the crediting of any complimentary cash gift to the payment of an outstanding counter check or returned check, the general cashier or check cashier shall verify that the signature of the patron on the request agrees with the signature of the patron in the credit file.

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32 V.I. R. & Regs. § 455-3.3, 32 VI ADC § 455-3.3

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32 V.I. R. & Regs. § 455-3.4

455-3.4. Coupon Redemption and Other Complimentary Distribution Programs.

(a) The procedures contained in (c) through (n) below shall apply to casino licensees offering coupon redemption complimentary distribution programs which entitle patrons to use match play coupons or to redeem coupons for complimentary cash, gaming chips or slot tokens issued in connection with other complimentary distribution programs. No match play coupons, complimentary cash, gaming chips or slot tokens may be distributed, by a casino licensee under any coupon redemption complimentary distribution program that does not comply with the requirements of this section.

(b) Detailed procedures controlling all complimentary distribution programs entitling patrons to complimentary cash or slot tokens not regulated by (a) above shall be submitted by the casino licensee to the Commission and Division at least 15 days prior to implementing the program. The procedures for all such programs shall be deemed acceptable by the Commission unless the casino licensee is notified in writing to the contrary. Detailed procedures controlling all complimentary distribution programs entitling patrons to complimentary items or services other than cash or slot tokens shall be prepared prior to implementation of the programs and shall be maintained as an accounting record by the casino licensee. Complimentary items or services, including cash or slot tokens, distributed through programs regulated by this subsection shall be reported in accordance with the procedures contained in (l) and (n) below.

(c) Each coupon or part thereof issued by a casino licensee shall only be redeemable for a specific amount of cash, gaming chips or slot tokens.

(d) All coupons under this section shall be serially prenumbered forms and each series of coupons shall be issued in sequential order. Each coupon shall be printed with a description of what is being offered, the location where it may be redeemed, and either a statement specifying the date on which the coupon becomes invalid or some other means to indicate the date when a coupon becomes invalid. If a coupon is of a type that is divisible into sections or is multipart each such separate part or copy shall contain the preprinted serial number, a description of what is being offered, the locations where it may be redeemed, and either a statement specifying the date on which the coupon becomes invalid or some other means to indicate the date when a coupon becomes invalid.

(e) Coupons received from the manufacturer or distributor, or produced by the licensees' data processing or printing department, shall be opened and examined by at least two individuals, one of whom shall be from the accounting department. Any deviations between the invoice or control listing accompanying the coupons, the purchase or requisition order, and the actual coupons received shall be reported promptly to the supervisor of the casino accounting department or to a higher authority in a direct reporting line and the Internal Audit Department.

1. Upon examination of the coupons received, the casino licensee shall cause to be recorded in a Coupon Control Ledger the type and quantity of coupons received, the date of such receipt, the beginning serial number, the ending serial number, the new quantity of unissued coupons on hand, the purchase order or requisition number, any deviations between the number of coupons ordered and received and the signature of the individuals who examined such coupons.

2. All unissued coupons shall be stored in a secured and locked area, controlled by an accounting department supervisor.

3. A representative from the accounting department, with no incompatible functions, shall prepare a monthly inventory of unissued coupons. Any deviations between the coupon inventory and the Coupon Control Ledger shall be reported to the Casino Controller or to a higher authority in a direct reporting line.

4. For purposes of this section, "accounting department" shall be deemed to refer to any accounting personnel employed by the casino licensee who report in a direct line to the supervisor of the casino accounting department.

(f) A representative of the casino licensee shall estimate the number of coupons needed by shift each day. An accounting department representative shall obtain the quantity of coupons to be issued. If a date indicating when the coupon becomes invalid is not preprinted thereon, the accounting department representative shall affix a stamp indicating the date the coupon becomes invalid or shall issue color coded coupons indicating the date that the coupons become invalid. The following, at a minimum, shall be recorded in the Coupon Control Ledger:

1. The date the coupons were issued;

2. The type of coupons issued;

3. The beginning serial number of the coupons issued;

4. The ending serial number of the coupons issued;

5. The quantity issued and the quantity remaining; and

6. The signatures of the accounting department representative issuing the coupons and such other department's representative receiving the coupons.

(g) The casino licensee shall require unused coupons obtained from the accounting department representative to be stored in a locked cabinet until they are distributed to patrons. Any coupons remaining unused at the end of a shift shall either be returned to the accounting department for receipt and redistribution or kept for use by the following shift provided accountability between shifts is maintained. All unused coupons must be returned to the accounting department on a daily basis. Any coupons that are not used by the date indicated on the coupon when they become invalid shall be voided when returned to the accounting department.

(h) Documentation, as required by the casino licensee, shall be prepared by a representative of the casino licensee for the distribution of coupons to patrons.

(i) A coupon redeemable for gaming chips and a match play coupon shall be designed and printed so that the denomination and type of the coupon is clearly visible from the closed circuit television system when accepted or being wagered at a gaming table and when deposited in a drop box. A match play coupon shall contain an area designated for the placement thereon of the required gaming chips, which area shall be located on the coupon so as not to obscure or interfere with visibility of the type and denomination of the coupon. No casino licensee shall issue or use a match play coupon for gaming purposes until a sample coupon has been submitted to and approved by the Commission.

(j) Coupons shall be redeemed in the following manner:

1. Coupons redeemable for coin, currency or slot tokens shall only be redeemed by changepersons or at the slot booths or the cashiers' cage. A changeperson, slot cashier or general cage cashier shall accept the coupons in exchange for the stated amount of cash or slot tokens, and shall cancel the coupons upon acceptance. A coupon redeemable for currency may also be redeemed by slot attendants, who shall accept the coupon in exchange for the stated amount of currency and shall cancel the coupon upon acceptance. Cancellation of coupons by changepersons and slot attendants shall be in a manner that will permit subsequent identification of the individual who accepted and canceled the coupon.

- i. Redeemed coupons shall be maintained by the slot or general cashier and shall be exchanged with the Main or Master Coin Bank at the conclusion of gaming activity each day, at a minimum.

- ii. Notwithstanding the above, an automated coupon redemption machine or bill changer may be utilized to accept coupons provided that the acceptance of coupons by an automated coupon redemption machine complies with this Section and Section 455-3.6 or the acceptance of coupons by a bill changer complies with this Section and Section 455-3.7.

2. A coupon redeemable for gaming chips shall be redeemed only at a gaming table and only by a dealer or boxperson, who shall, in accordance with Section 455-4.2, accept the coupon in exchange for the stated amount of gaming chips and shall deposit the coupon into the drop box upon acceptance.

3. A match play coupon shall be redeemed only at a gaming table which offers an authorized game and, except for the Pass and Don't Pass wagers in craps, which has an individual betting area for each player on the gaming table layout. Such a coupon shall be redeemed only by a dealer, and only if accompanied by the proper amount of gaming chips required by the coupon. The dealer shall, in accordance with Section 455-4.2, accept the coupon as part of the patron's wager and deposit the coupon into the drop box after the wager is won or lost.

(k) When unused coupons are returned to the accounting department, a representative of the accounting department shall record the following information in the Coupon Control Ledger:

1. The date the coupons were returned;

2. The type of coupons returned;

3. The beginning serial number of the coupons returned;

4. The ending serial number of the coupons returned;

5. The quantity returned and the quantity remaining; and

6. The signatures of the accounting department representative receiving the returned unused coupons and such other department's representative returning the unused coupons.

(l) All documentation, unused coupons, voided coupons and redeemed coupons maintained in conformity with (g), (h), (i) and (j) above shall be forwarded on a daily basis to the accounting department where they shall be:

1. Reviewed for propriety of signatures on documentation and for proper cancellation of all coupons;

2. Recounted and examined for proper calculation, summarization and recording on documentation, including, without limitation, the Master Game Report and the Slot Cash Storage Box Report;

3. Reconciled by total number of coupons given to representatives of the department making distribution to patrons, returned for reissuance, distributed to patrons, voided and redeemed;

4. Subsequently recorded; and

5. Maintained and controlled by the accounting department until destruction of the coupons is approved by the Commission.

(m) Each casino licensee shall:

1. File a quarterly report for all programs regulated by (a) above, which shall list, by type of coupon, the total number of coupons used, the total number of coupons redeemed, the total value of the complimentary cash, gaming chips, slot tokens or match play coupons given to patrons in redemption of coupons and any liability to patrons remaining on unredeemed coupons; and

2. Prepare a quarterly report for all programs regulated by (b) above, which shall list, by program offered during the quarter, a description of the complimentary items and services provided, the total number of persons receiving complimentary items or services, the total dollar amount of complimentary items or services provided, and the names of all persons receiving a complimentary item or service in a dollar amount equal to or greater than \$ 2,000.00. Such report shall be included in the quarterly report required by Section 455-3.1.

(n) The report shall be signed by the Casino Controller, or a higher authority in a direct reporting line, indicating that no material discrepancies were noted for the period covered by the report or if a material discrepancy is noted it shall be explained in detail.

(o) In addition to the reports required in (m) above, the casino licensee shall accumulate both the dollar amount of and the number of persons redeeming coupons pursuant to (a) above, and the dollar amount of and the number of persons receiving complimentary items or services pursuant to (b) above. Complimentary items or services, including match play coupons, cash, gaming chips and slot tokens, distributed through programs regulated by this section shall not be subject to the daily complimentary reporting requirements imposed pursuant to Section 455-3.1.

(p) Prize tokens shall not be distributed as complimentary services or items pursuant to this section.

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32 V.I. R. & Regs. § 455-3.4, 32 VI ADC § 455-3.4

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32 V.I. R. & Regs. § 455-3.5

455-3.5. Alternative Reporting Procedures; Accessible Complimentaries Database.

(a) A casino licensee which records all information concerning complimentary services or items which is required by Sections 455-3.1 or 455-3.3 in a computer database which is accessible by the Commission and Division from remote locations and conforms to standards established and approved by the Commission pursuant to this section shall be exempt from filing all reports required pursuant to Section 455-3.1(d), 455-3.3(b), and 455-3.3(f).

(b) The structure and accessibility of the complimentaries database shall be subject to review and approval by the Commission and such submission shall include, without limitation, the following:

1. A complete description of the computer hardware, file formats and software products to be used;
2. The hours of the day and the days of the week, if any, that the database will be inaccessible on a routine basis due to system maintenance or other technical reasons;
3. The procedures by which the Division and, if requested, the Commission will be able to read and copy data files, both current and stored; and
4. Security procedures for database access and secondary data dissemination.

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32 V.I. R. & Regs. § 455-3.5, 32 VI ADC § 455-3.5

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32 V.I. R. & Regs. § 455-3.6

455-3.6. Procedures and Requirements for the Use of an Automated Coupon Redemption Machine.

(a) All coupons utilized with or accepted by an automated coupon redemption machine shall be accounted for and controlled pursuant to Section 455-3.4 unless otherwise authorized by the Commission.

(b) All coupons accepted by an automated coupon redemption machine shall have encoded thereon, in addition to the requirements of Section 455-3.4(d), a bar code which contains the dollar value of the coupon and a unique code or other security measure as approved by the Commission, that is readable only by the automated coupon redemption machine to ensure that the coupon is valid.

(c) Each automated coupon redemption machine shall have the capability of establishing the validity of the coupon by comparing the unique code programmed into the machine to the bar code on the coupon referenced in (b) above. Each automated coupon redemption machine shall also have the capability to read the dollar value of the bar coded coupon.

(d) The method or methods utilized to comply with the requirements referenced in (c) above shall be submitted to and approved by the Commission.

(e) Each automated coupon redemption machine shall, at a minimum, accumulate the following data on a meter or a computer generated tape:

1. The total amount of coin or slot tokens dispensed by the automated coupon redemption machine; and
2. The total dollar amount of coupons accepted by the automated coupon redemption machine.

(f) Automated coupon redemption machines may be located on or immediately adjacent to the casino floor, provided that closed circuit television coverage of all automated coupon redemption machines is provided, pursuant to Sections 455-2.1 and 455-2.3. Each automated coupon redemption machine shall have imprinted, affixed or impressed on the outside of the machine a unique asset identification number. Each automated coupon redemption machine shall contain a lockable coupon storage box which retains the coupons accepted by the machine. Each coupon storage box located inside the machine shall also have imprinted, affixed or impressed thereon the asset identification number of the corresponding machine.

(g) Each automated coupon redemption machine shall have, at a minimum, the following:

1. One lock securing the compartment housing the coupon storage box and one lock securing the coupon storage box within the compartment, the keys to which shall be different from each other. Such keys shall be controlled by two separate departments;
2. Two separate locks securing the compartment housing the coin storage container, the keys to which shall be different from each other. Such keys shall be controlled by two separate departments; and
3. One lock securing the contents of the coupon storage box, the key to which shall be different from the keys referenced in (g)1 and 2 above. Such key shall be controlled by a department independent of the two departments controlling the keys referenced in (g)1 and 2 above.

(h) At the end of each gaming day, a slot cashier, accompanied by a security department representative, shall remove the coupons accepted by the automated coupon redemption machine. Any coin or slot tokens removed from the automated coupon redemption machine during the removal of coupons or during any other time shall be placed in a secured container, as approved by the Commission, with the automated coupon redemption machine asset identification number attached or recorded thereon. Upon removal of the coupons and/or coins or slot tokens from the automated coupon redemption machine, a serially prenumbered three-part form, at a minimum, shall be prepared by the slot cashier. Each series of forms shall be used in sequential order, and the series numbers of all forms received by a casino shall be accounted for by employees with no incompatible functions. All original, duplicate and triplicate void forms shall be marked "VOID" and shall require the signature of the preparer. The following copies shall contain, at a minimum, the following information:

1. The form shall contain, at a minimum, the following information:

- i. The date and time of preparation;
- ii. The denomination of the automated coupon redemption machine;
- iii. The automated coupon redemption machine asset identification number;
- iv. The total number of coin or slot tokens appearing on the meter or computer generated tape as dispensed by the automated coupon redemption machine;
- v. The total dollar amount of coupons or the converted value of coupons appearing on the meter or computer generated tape as accepted by the automated coupon redemption machine;
- vi. The signature of the slot cashier who removed the coupons and/or coin or slot tokens from the automated coupon redemption machine;
- vii. The signature of the security department representative who witnessed the removal of coupons and/or coin or slot tokens and who escorted the coupons and/or coin or slot tokens to the slot booth or master coin bank;

viii. The total dollar amount of coupons received from the security representative referenced in (h)1vii above and counted by a master coin bank cashier or a slot cashier, other than the slot cashier who removed the coupons from the machine;

ix. The total dollar amount of coin or slot tokens received from the security department representative referenced in (h)1vii above and counted by a master coin bank cashier or a slot cashier, other than the slot cashier who removed the coins from the machine;

x. Any additional information as may be required by the Commission to reconcile the coupons removed from the automated coupon redemption machine; and

xi. The signature of the master coin bank cashier or slot cashier who received and counted the coupons and/or coin or slot tokens.

(i) The slot cashier shall:

1. Prepare the form referenced in (h) above by recording the information in (h) above;
2. Sign the form;
3. Obtain the signature of the security department representative who witnessed the removal of coupons and/or coin or slot tokens;
4. Place the triplicate copy of the form in the automated coupon redemption machine for subsequent forwarding, at the end of the gaming day, to accounting;
5. Transport the coupons, coin or slot tokens removed from the automated coupon redemption machine, and the original and duplicate copy of the form referenced in (h) above, directly to a slot booth or master coin bank, in the presence of the security department representative; and
6. Present the duplicate copy of the form referenced in (h) above to the security department representative.

(j) The security department representative shall accompany the slot cashier to the slot booth or master coin bank, and shall immediately deposit the duplicate copy of the form into a locked accounting box maintained at the security podium.

(k) A master coin bank cashier or a slot cashier, other than the slot cashier who removed the coupons and any coin or slot tokens from the automated coupon redemption machine, shall:

1. Count the coupons and coin or slot tokens and record such amounts on the original copy of the form;

2. Reconcile the amount(s) counted to the amount(s) recorded in accordance with (h)1iv and v above;
3. Sign the original form attesting to the reconciliation; and
4. Retain the original copy of the form for subsequent forwarding to accounting at the end of the gaming day.

(l) Any coupon accepted by an automated coupon redemption machine shall be cancelled by the machine immediately upon exchange, in a manner approved by the Commission, so that the coupon is not redeemable in accordance with Section 455-7.2(a) or acceptable by another automated coupon redemption machine or a bill changer.

(m) Whenever coins or slot tokens are distributed to an automated coupon redemption machine, a serially prenumbered three-part form, at a minimum shall be prepared by a slot cashier. Each series of forms shall be used in sequential order, and the series numbers of all slips received by a casino shall be accounted for by employees with no incompatible functions. All original, and duplicate and triplicate copies of void forms shall be marked "VOID" and shall require the signature of the preparer. The slot cashier shall:

1. Record the following information on the original and all copies of the form:
 - i. The date and time of preparation;
 - ii. The automated coupon redemption machine asset identification number;
 - iii. The number of bags and the dollar amount of each bag to be distributed; and
 - iv. The total dollar amount of the fill.
2. Present the original and all copies of the form to the master coin bank cashier;
3. Obtain the signature of the master coin bank cashier who prepared the coins or slot tokens for distribution to the automated coupon redemption machine;
4. Present the original copy of the form to the master coin bank cashier;
5. Transport the duplicate and triplicate copies of the form, along with the funds, to the automated coupon redemption machine, in the presence of the security department representative;

6. Sign the duplicate and triplicate copies of the form and obtain the signature of the security department representative on such copies;

7. Present the duplicate copy of the form to the security department representative; and

8. Place the triplicate copy of the form in the automated coupon redemption machine until forwarded to accounting at the end of the gaming day.

(n) A security department representative shall:

1. Escort the slot cashier to the automated coupon redemption machine and observe the filling of the machine;

2. After meeting the signature requirements in (m)6 above, immediately place the duplicate copy of the form into a locked accounting box at the security podium.

(o) At the end of each gaming day, at a minimum, the original, duplicate and triplicate copies of the forms referenced in (h), (i), (j), (k), (m) and (n) above shall be forwarded to the accounting department for agreement and shall be used to reconcile each automated coupon redemption machine in a manner as approved by the Commission.

(p) Notwithstanding this section, in addition to accepting coupons, an automated coupon redemption machine may accept currency provided the procedures governing the control and reconciliation of coupons and currency removed from the machine are submitted to the Commission for approval.

(q) Prize tokens shall not be dispensed from automated coupon redemption machines.

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32 V.I. R. & Regs. § 455-3.6, 32 VI ADC § 455-3.6

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32 V.I. R. & Regs. § 455-3.7

455-3.7. Procedures and Requirements for a Bill Changer Which Can Accept Coupons.

(a) Each bill changer which can accept coupons shall be able to establish the dollar value and validity of each coupon inserted therein by interpreting the coded information which must be contained on the coupon pursuant to (b) below.

(b) In addition to complying with the requirements of Section 455-3.4, each coupon which can be accepted by a bill changer shall contain encoded data that identifies the dollar value of the coupon and such other information as the Commission may require. Each coupon shall also contain a unique code or other security measure, which can be interpreted only by the bill changer, to ensure that the coupon is valid.

(c) The methods by which a bill changer and each coupon which can be accepted therein will comply with the requirements of (a) and (b) above shall be submitted to and approved by the Commission before any such bill changer or coupon may be used by a casino licensee.

(d) Unless the slot machine to which the bill changer is attached contains the coupon meters identified in Section 455-7.6(e)3 and 455-5.7(d), a bill changer which can accept coupons shall be equipped with mechanical, electrical or electronic devices as follows:

1. A "numerical coupon meter" that continuously, automatically and separately counts the total number of all coupons accepted by the bill changer; and

2. A "value coupon meter" that continuously, automatically and separately counts the total dollar value of all coupons accepted by the bill changer.

(e) Each coupon accepted by a bill changer shall be deposited and stored in the bill changer's slot cash storage box. Each such coupon shall be counted as part of the slot cash storage box drop in accordance with the count procedures in Section 455-7.2.

(f) Each coupon accepted by a bill changer shall be canceled in a manner approved by the Commission which shall prevent the acceptance of the canceled coupon by any bill changer, any automated coupon redemption machine or any other form of authorized redemption. The coupon shall be canceled by the bill changer immediately upon acceptance, or pursuant to Section 455-7.2(h)7, in the count room prior to the conclusion of the count.

(g) Unless otherwise authorized by the Commission, any coupon which can be accepted by a bill changer shall be accounted for and controlled pursuant to Section 455-3.4.

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455-4. Subchapter 4. Table Games Accounting Controls

32 V.I. R. & Regs. § 455-4.1

455-4.1. Drop Boxes; Transportation to and from Gaming Tables.

(a) Each gaming table in a casino shall have attached to it a secure metal container known as a “drop box” in which shall be deposited all cash, coupons exchanged at the gaming table for gaming chips and plaques, match play coupons, issuance copies of Counter Checks exchanged at the gaming table for gaming chips and plaques, duplicate Fill and Credit Slips, Requests for Credit forms, Requests for Fill forms, and Table Inventory forms. Each drop box shall have:

1. Two separate locks securing the contents placed into the drop box, the keys to which shall be different from each other;
2. A separate lock securing the drop box to the gaming table, the key to which shall be different from each of the keys to locks securing the contents of the drop box;
3. A slot opening through which currency, coins, coupons, forms, records, and documents can be inserted into the drop box;
4. A mechanical device that will automatically close and lock the slot opening upon removal of the drop box from the gaming table; and
5. Permanently imprinted or impressed thereon, and clearly visible from a distance of 20 feet, a number corresponding to a permanent number on the gaming table to which it is attached and a marking to indicate game and shift, except that emergency drop boxes may be maintained without such number or marking, provided the word “emergency” is permanently imprinted or impressed thereon and, when put into use, are temporarily marked with the number of the gaming table and identification of the game and shift, and provided further, that the casino licensee obtains the express written approval of the Commission before placing an emergency drop box into use.

(b) The key utilized to unlock the drop boxes from the gaming tables shall be maintained and controlled by the security department.

(c) The key to one of the locks securing the contents of a drop box shall be maintained and controlled by the accounting department. The key to the second lock securing the contents of the drop boxes shall be maintained and controlled by Commission inspectors.

(d) Each casino licensee shall place on file with the Commission and the Division a schedule setting forth the specific times at which the drop boxes will be brought to or removed from the gaming tables. Each casino licensee shall also maintain and make

available to the Commission and the Division upon request, the names and license numbers of all employees participating in the transportation of such drop boxes. No drop box shall be brought to or removed from any gaming table at other than the time specified in such schedule except with the express written approval of a Commission inspector.

(e) All drop boxes removed from the gaming tables shall be transported directly to and secured in the count room by one security department member and one casino supervisor, at a minimum.

(f) Except as provided in (g) below, all drop boxes not attached to a gaming table, including emergency drop boxes which are not actively in use, shall be stored in the count room or other secure area outside the count room approved by the Commission, in an enclosed storage cabinet or trolley and secured in such cabinet or trolley by a separately keyed, double locking system. The key to one lock shall be maintained and controlled by the security department and the key to the second lock shall be maintained and controlled by a Commission inspector.

(g) Drop boxes, when not in use during a shift, may be stored on the gaming tables provided that there is adequate security as approved by the Commission. If adequate security is not provided during this time, the drop boxes shall be stored as required in (f) above.

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455-4. Subchapter 4. Table Games Accounting Controls

32 V.I. R. & Regs. § 455-4.2

455-4.2. Procedure for Accepting Cash and Coupons at Gaming Tables.

(a) Whenever cash or a coupon is presented by a patron at a gaming table for exchange for gaming chips or plaques:

1. The cash or coupon shall be spread on the top of the gaming table by the dealer or boxperson accepting it in full view of the patron who presented it and the casino supervisor assigned to such gaming table;
2. The amount of the cash or coupon shall be verbalized by the dealer or boxperson accepting it in a tone of voice calculated to be heard by the patron who presented it and the casino supervisor assigned to such gaming table; and
3. Immediately after an equivalent amount of gaming chips or plaques has been given to the patron, the cash or coupon shall be taken from the top of the gaming table and placed by the dealer or boxperson into the drop box attached to the gaming table.

(b) Whenever a match play coupon and an equivalent amount of gaming chips are presented as a wager by a patron, pursuant to Section 455-1.46(j)4, at an authorized game in which a match play coupon may be used:

1. The coupon shall be placed underneath the gaming chips in the patron's betting area, or in craps, underneath the gaming chips for the patron's wager on the Pass or Don't Pass Line, in such a way that the type and value of the coupon is visible at all times;
2. Only one match play coupon may be used with the wager;
3. If the wager wins, it shall be paid in accordance with the terms and conditions of the coupon; and
4. Whether the wager wins or loses, the coupon shall be deposited by the dealer into the drop box attached to the gaming table at the time the winning wager is paid or the losing wager is collected.

(c) A casino licensee may, in its discretion, require a coupon to be canceled upon acceptance by the dealer or boxperson, in a manner approved by the Commission, so as to preclude its subsequent use.

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455-4. Subchapter 4. Table Games Accounting Controls

32 V.I. R. & Regs. § 455-4.3

455-4.3. Table Inventories.

(a) Whenever a gaming table in a casino is opened for gaming, operations shall commence with an amount of gaming chips, coins and plaques to be known as the “table inventory” and no casino licensee shall cause or permit gaming chips, coins or plaques to be added to, or removed from, such table inventory during the gaming day except:

1. In exchange for cash, coupons, or issuance copies of Counter checks presented by casino patrons in conformity with the provisions of Sections 455-4.2 and 455-5.6;
2. In payment of winning wagers and collection of losing wagers made at such gaming table;
3. In exchange for gaming chips or plaques received from a patron having an equal aggregate face value;
4. In conformity with the Fill and Credit Slip procedures described in Sections 455-4.6 and 455-4.7; and
5. In conformity with Sections 456-4.4 and 456-5.4 of the Conduct of Gaming regulations, coin may be used for the purpose of marking baccarat vigorish.

(b) Whenever a gaming table is not open for gaming activity, the table inventory and the Table Inventory Slip prepared in conformity with the procedures set forth in Section 455-4.9 shall be stored in a separate, locked clear container which shall be clearly marked on the outside with the game and the gaming table number to which it corresponds. The information on the Table Inventory Slip shall be visible from the outside of the container. All containers shall be stored either in the cashiers' cage or secured to the gaming table, provided that there is adequate security, as approved by the Commission.

(c) The keys to the locked containers containing the table inventories shall be maintained and controlled by the casino department in a secure place and shall at no time be made accessible to any cashiers' cage personnel or to any person responsible for transporting such table inventories to or from the gaming tables.

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32 V.I. R. & Regs. § 455-4.3, 32 VI ADC § 455-4.3

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455-4. Subchapter 4. Table Games Accounting Controls

32 V.I. R. & Regs. § 455-4.4

455-4.4. Acceptance of Tips or Gratuities from Patrons.

(a) No casino key employee or boxperson, floorperson, or any other casino employee who serves in a supervisory position shall solicit or accept, and no other casino employee shall solicit, any tip or gratuity from any player or patron of the casino where he or she is employed. The casino licensee shall not permit any practices prohibited by (a) of this section.

(b) All tips and gratuities allowed dealers in the casino shall be:

1. Immediately deposited in a transparent locked box reserved for that purpose. If non-value chips are received at a roulette table, the marker button indicating their specific value shall not be removed until after a dealer, in the presence of a casino supervisor, has expeditiously converted them into value chips which shall then be immediately deposited in a transparent locked box reserved for that purpose;

2. Accounted for and placed in a common pool for distribution pro rata among all dealers with the distribution based upon the number of hours each dealer has worked.

(c) Upon receipt from a patron of a tip or gratuity, a dealer shall extend his or her arm in an overt motion, and deposit such tip or gratuity in the locked box reserved for such purpose.

(d) In determining the number of hours which an employee has worked for purposes of tip pool distribution, a casino licensee may, in its discretion, establish standards for distribution which include hours of vacation time, personal leave time or any other authorized leave of absence in the number of hours worked by each employee. Any such standards shall apply uniformly to all employees, except that the casino licensee may establish different standards for full-time or part-time employees.

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32 V.I. R. & Regs. § 455-4.4, 32 VI ADC § 455-4.4

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32 V.I. R. & Regs. § 455-4.5

455-4.5. Opening Tables for Gaming.

- (a) Whenever gaming tables are to be opened for gaming activity, the locked container with the table inventory and the Table Inventory Slip, if not already attached to the gaming tables, shall be transported directly from the cashiers' cage to the gaming table by a security department member.
- (b) Immediately prior to opening the gaming table for gaming, the casino supervisor assigned to such table shall unlock the container after assuring that it is the proper container for that table.
- (c) The dealer or boxman assigned to the gaming table shall count the contents of the container in the presence of the casino supervisor assigned to such table and shall agree to the count on the Opener removed from the container.
- (d) Signatures attesting to the accuracy of the information recorded on the Opener shall be placed on such Opener by the dealer or boxman assigned to the table and the casino supervisor that observed the dealer or boxman count the contents of the container.
- (e) Any discrepancy between the amount of gaming chips, coins, and plaques counted and the amount of the gaming chips, coins and plaques recorded on the Opener shall immediately be reported to the casino manager, assistant casino manager, or casino shift manager in charge at such time, the security department and Commission inspector verbally. Security will then complete the standard security report in writing, as approved by the Division, and immediately forward a copy to the Commission inspector and the Division.
- (f) After the count of the contents of the container and the signing of the Opener, such slip shall be immediately deposited in the drop box attached to the gaming table by the dealer or boxman after the opening of such table.

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32 V.I. R. & Regs. § 455-4.5, 32 VI ADC § 455-4.5

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32 V.I. R. & Regs. § 455-4.6

455-4.6. Table Game Fills.

(a) A Request for Fill ("Request") shall be prepared by a casino supervisor, or a pit clerk, to authorize the preparation of a Fill Slip ("Fill") for the distribution of gaming chips, coins and plaques to gaming tables. The Request shall be a two-part form, at a minimum, and access to the Request shall, prior to use, be restricted to casino supervisors and pit clerks.

(b) On the original and duplicate Request, the following information, at a minimum, shall be recorded:

1. The date and time, or shift, of preparation;
2. The denomination of gaming chips, coins and plaques to be distributed to the gaming tables;
3. The total amount of each denomination of gaming chips, coins and plaques to be distributed to the gaming tables;
4. The game and table number to which the gaming chips, coins and plaques are to be distributed; and
5. The signature of the casino supervisor.

(c) After preparation of the Request the original copy of such Request shall be transported directly to the cashiers' cage.

(d) The duplicate copy of the Request shall be placed by the dealer or boxman in public view on the gaming table to which the gaming chips, coins and plaques are to be received. Such duplicate Request shall not be removed until the chips, coins and plaques are received at which time the Request and Fill are deposited in the drop box.

(e) If Fills are computer prepared and the input data required for preparation of a Fill is entered by, and ability to input is restricted to a casino supervisor and a pit clerk, and the printing of the Fill, which shall be in the cashiers' cage, is a direct result of such input, (a), (b), (c), and (d) above, may be ignored.

(f) A Fill shall be prepared by a chip bank cashier or, if computer prepared, by a chip bank cashier, a casino supervisor, or a pit clerk whenever gaming chips, coins and plaques are distributed to the gaming tables from the cashiers' cage.

(g) Fills shall be serially prenumbered forms, each series of Fills shall be used in sequential order, and the series numbers of all Fills received by a casino shall be accounted for by employees with no incompatible functions. All original and duplicate void Fills shall be marked "VOID" and shall require the signature of the preparer.

(h) For establishments in which fills are manually prepared, the following procedures and requirements shall be observed:

1. Each series of Fills shall be a three-part form, at a minimum, and shall be inserted in a locked dispenser that will permit an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispensers, and that will discharge the original and duplicate while the triplicate remains in a continuous, unbroken form in the dispenser.

2. Access to the triplicates shall be maintained and controlled at all times by employees responsible for controlling and accounting for the unused supply of fills, placing fills in the dispenser, and removing from the dispensers, each day, the triplicates remaining therein. These employees have no incompatible functions.

(i) For establishments in which Fills are computer-prepared, each series of Fills shall be a two-part form, at a minimum, and shall be inserted in a printer that will simultaneously print an original and a duplicate and store, in machine-readable form, all information printed on the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Fill.

(j) On original, duplicate, and triplicate copies of the Fill, or in stored data, the preparer shall record, at a minimum, the following information:

1. The denomination of the gaming chips, coins and plaques being distributed;
2. The total amount of each denomination of gaming chips, coins and plaques being distributed;
3. The total amount of all denominations of gaming chips, coins and plaques being distributed;
4. The game and table number to which the gaming chips, coins and plaques are being distributed;
5. The date and shift during which the distribution of gaming chips, coins and plaques occurs; and
6. The signature of the preparer or, if computer prepared, the identification code of the preparer.

(k) The time of preparation of the Fill shall be recorded at a minimum, on the original and duplicate upon preparation.

(l) All gaming chips, coins and plaques distributed to the gaming tables from the cashiers cage shall be transported to the gaming tables from the cashiers' cage by a security department member who shall agree the Request to the Fill and sign the original

copy of the Request, maintained at the cashiers' cage, before transporting the gaming chips, coins and plaques and the original and duplicate copies of the Fill for signatures.

(m) Signatures attesting to the accuracy of the information contained on the Fills shall be, at a minimum, of the following personnel at the following times:

1. The original and the duplicate:

- i. The chip bank cashier upon preparation;
- ii. The security department member transporting the gaming chips, coins and plaques to the gaming table upon receipt from the cashier of gaming chips, coins and plaques to be transported;
- iii. The dealer or boxman assigned to the gaming table upon receipt at such table from the security department member of gaming chips, coins and plaques at such table; and
- iv. The casino supervisor assigned to the gaming table upon receipt of the gaming chips, coins and plaques at such table.

(n) Upon meeting the signature requirements as described in (m) above, the security department member that transported the gaming chips, coins and plaques and the original and duplicate copies of the Fill to the table shall observe the immediate placement by the dealer or boxman of the duplicate Fill and the duplicate Request in the drop box attached to the gaming table to which the gaming chips, coins and plaques were transported and return or observe the return of the original Fill to the chip bank where the original Fill and Request shall be maintained together and controlled by employees independent of the casino department.

(o) The original and duplicate void Fills, the original Request, and the original fill, maintained and controlled in conformity with (n) above, shall be forwarded using one of the following alternatives:

1. Alternative I: Forwarded to the count team for agreement with the duplicate Fill and duplicate Request removed from the drop box after which the original and duplicate Request and the original and duplicate Fill shall be forwarded to the accounting department for agreement, on a daily basis, with the triplicate or stored data.
2. Alternative II: Forwarded to the accounting department for agreement, on a daily basis, with the duplicate Fill and duplicate Request removed from the drop box and the triplicate or stored data.

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32 V.I. R. & Regs. § 455-4.6, 32 VI ADC § 455-4.6

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32 V.I. R. & Regs. § 455-4.7

455-4.7. Table Game Credits.

(a) A Request for Credit ("Request") shall be prepared by a casino supervisor, or a pit clerk, to authorize the preparation of a Credit Slip ("Credit") for the removal of gaming chips, coins and plaques from gaming tables to the cashiers' cage. The Request shall be a two-part form, at a minimum, and access to such form shall, prior to use, be restricted to casino supervisors and pit clerks.

(b) On the original and the duplicate Request, the following information, at a minimum, shall be recorded:

1. The date and time, or shift, of preparation;
2. The denomination of gaming chips, coins and plaques to be removed from the gaming table;
3. The total amount of each denomination of gaming chips, coins and plaques to be removed from the gaming table;
4. The game and table number from which the gaming chips, coins and plaques are to be removed; and
5. The signature of the casino supervisor and dealer or boxman assigned to the gaming table from which the gaming chips, coins and plaques are to be removed.

(c) Immediately upon preparation of a Request and transfer of gaming chips, coins and plaques to a security department member, a casino supervisor shall obtain on the duplicate the signature of the security department member to which the gaming chips and plaques were transferred and the dealer or boxman shall place the duplicate Request in public view on the gaming table from which the gaming chips, coins and plaques were removed and such Request shall not be removed until a Credit is received from the chip bank at which time the Request and Credit are deposited in the drop box.

(d) The original Request shall be transported directly to the cashiers' cage by the security department member who shall at the same time transport the gaming chips, coins and plaques removed from the gaming table.

(e) A Credit shall be prepared by a chip bank cashier or, if computer prepared, by a chip bank cashier, a casino supervisor, or a pit clerk whenever gaming chips, coins and plaques are returned from the gaming tables to the cashiers' cage.

(f) Credits shall be serially prenumbered forms, each series of Credits shall be used in sequential order, and the series numbers of all Credits received by a casino shall be accounted for by employees with no incompatible functions. All original and duplicate void Credits shall be marked "VOID" and shall require the signature of the preparer.

(g) For establishments in which Credits are manually prepared, the following procedures and requirements shall be observed:

1. Each series of Credits shall be a three-part form, at a minimum, and shall be inserted in a locked dispenser that will permit an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser, and that will discharge the original and duplicate while the triplicate remains in a continuous, unbroken form in the dispenser.

2. Access to the triplicates shall be maintained and controlled at all times by employees responsible for controlling and accounting for the unused supply of Credits, placing Credits in the dispensers, and removing from the dispensers, each day, the triplicates remaining therein. These employees shall have no incompatible functions.

(h) For establishments in which Credits are computer prepared, each series of Credits shall be a two-part form, at a minimum, and shall be inserted in a printer that will: simultaneously print an original and a duplicate and store, in machine-readable form, all information printed on the original and duplicate; and discharge in the cashiers' cage the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Credit.

(i) On originals, duplicates, and triplicates, or in stored data, the preparer shall record, at a minimum, the following information:

1. The denomination of the gaming chips, coins and plaques being returned;
2. The total amount of each denomination of gaming chips, coins and plaques being returned;
3. The total amount of all denominations of gaming chips, coins and plaques being returned;
4. The game and table number from which the gaming chips, coins and plaques are being returned;
5. The date and shift during which the removal of gaming chips, coins and plaques occurs; and
6. The signature of the preparer or, if computer prepared, the identification code of the preparer.

(j) The time of preparation of the Credit shall be recorded, at a minimum, on the original and duplicate upon preparation.

(k) Signatures attesting to the accuracy of the information contained on the Credits shall be, at a minimum, of the following personnel at the following times:

1. The original and the duplicate:

- i. The chip bank cashier upon preparation;
- ii. The security department member returning the gaming chips, coins and plaques to the cashier's cage;
- iii. The dealer or boxman assigned to the gaming table upon receipt at such table from the security department member;
and
- iv. The casino supervisor assigned to the gaming table upon receipt at such table.

(l) Upon meeting the signature requirements as described in (k) above, the security department member returning the original and duplicate copies of the Credit to the gaming table or the pit clerk receiving the original and duplicate copies of the credit at the gaming table, through a pneumatic tube system, shall observe the immediate placement by the dealer or boxman of the duplicate Credit and Request in the drop box attached to the gaming table from which the gaming chips, coins and plaques were removed. The security department member or the pit clerk shall expeditiously return the original Credit to the chip bank where the original Credit and Request shall be maintained and controlled by employees independent of the casino department.

(m) The original and duplicate of void Credits and the original Request and Credit, maintained and controlled in conformity with (l) above, shall be forwarded using one of the following alternatives:

- 1. Alternative I: Forwarded to the count team for agreement with the duplicate Credit and the duplicate Request removed from the drop box, after which the Requests and the original and duplicate Credit shall be forwarded to the accounting department for agreement, on a daily basis, with the triplicate or stored data.
- 2. Alternative II: Forwarded to the accounting department for agreement, on a daily basis, with the duplicate Credit and the Request removed from the drop box and the triplicate or stored data.

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32 V.I. R. & Regs. § 455-4.7, 32 VI ADC § 455-4.7

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32 V.I. R. & Regs. § 455-4.8

455-4.8. Shift Changes at Gaming Tables.

(a) Whenever gaming tables are to remain open for gaming activity at the conclusion of a shift, the gaming chips, coins and plaques remaining at the gaming tables at the time of the shift change shall be counted by either the dealer or boxman assigned to the outgoing shift and the dealer or boxman assigned to the incoming shift or the dealer or boxman assigned to the gaming table at the time of a drop box shift change which does not necessarily coincide with an employee shift change. The count shall be observed by the casino supervisor assigned to the gaming table of the outgoing shift or the casino supervisor assigned to the table game at the time of the drop box shift change.

(b) The gaming chips, coins and plaques counted shall be recorded on Table Inventory Slips by the casino supervisor assigned to the gaming table of the outgoing shift or the casino supervisor assigned to the gaming table at the time of a drop box shift change.

(c) Table Inventory Slips shall be two-part forms, at a minimum, and on the original of the slip ("Closer") and the duplicate of the slip ("Opener"), the casino supervisor shall record the following:

1. The date and identification of the shift ended;
2. The game and table number;
3. The total value of each denomination of gaming chips, coins and plaques remaining at the gaming table; and
4. The total value of all denominations of gaming chips, coins and plaques remaining at the gaming table.

(d) Signature attesting to the accuracy of the information recorded on the Table Inventory Slips shall be of either the dealer or boxman and the casino supervisor assigned to the incoming and the outgoing shifts of the dealer or boxman and the casino supervisor assigned to the gaming tables at the time of a drop box shift change.

(e) Upon meeting the signature requirements as described in (d) above, the Closer shall be deposited in the drop box that is attached to the gaming table immediately prior to the change of shift and the Opener shall be deposited in drop box that is attached to the gaming table immediately following the change of shift.

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32 V.I. R. & Regs. § 455-4.8, 32 VI ADC § 455-4.8

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32 V.I. R. & Regs. § 455-4.9

455-4.9. Closing of Gaming Tables.

(a) Whenever gaming activity at a gaming table is concluded, the gaming chips, coins and plaques remaining at the gaming table shall be counted by the dealer or boxman assigned to the gaming table and observed by a casino supervisor assigned to the gaming table.

(b) The gaming chips, coins and plaques counted shall be recorded on a Table Inventory Slip by the casino supervisor assigned to the gaming table.

(c) The Table Inventory Slips shall be two-part forms, at a minimum, and on the original copy of the slip ("Closer") and the duplicate of the slip ("Opener"), the casino supervisor shall record the following:

1. The date and identification of the shift ended;
2. The game and table number;
3. The total value of each denomination of gaming chips, coins and plaques remaining at the gaming table; and
4. The total value of all denominations of gaming chips, coins and plaques remaining at the gaming table.

(d) Signatures attesting to the accuracy of the information recorded on the Table Inventory Slips at the time of closing gaming tables shall be of the dealer or boxman and the casino supervisor assigned to the gaming table who observed the dealer or boxman count the contents of the Table Inventory.

(e) Upon meeting the signature requirements described in (d) above, the Closer shall be deposited in the drop box attached to the gaming table immediately prior to the closing of the table.

(f) Upon meeting the signature requirements described in (d) above, the Opener and the gaming chips

(f) Upon meeting the signature requirements described in (d) above, the Opener and the gaming chips and plaques remaining at the table shall be placed in the container specified in Section 455-4.3, after which the container shall be locked and either transported directly to the cashiers' cage by a security department member or secured to the gaming table provided that there is

adequate security, as approved by the Commission. If the locked containers are transported to the cashiers' cage, a cage cashier shall determine that all locked containers have been returned, or if the locked containers are secured to the gaming table, a casino representative shall account for all the locked containers.

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32 V.I. R. & Regs. § 455-4.9, 32 VI ADC § 455-4.9

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455-5. Subchapter 5. Cashiers' Cage Accounting Controls

32 V.I. R. & Regs. § 455-5.1

455-5.1. General Accounting Controls.

(a) The assets for which the general cashiers are responsible shall be maintained on an imprest basis. At the end of each shift, the cashiers assigned to the outgoing shift shall record on a Cashiers' Count Sheet the face value of each cage inventory item counted and the total of the opening and closing cage inventories and shall reconcile the total closing inventory with the total opening inventory.

(b) At the opening of every shift, in addition to the imprest funds normally maintained by the general cashiers, each casino licensee shall have on hand in the cage or readily available thereto, a reserve cash bankroll in a minimum amount approved by the Commission.

(c) The cashiers' cage and any satellite cage shall be physically segregated by personnel and function as follows:

1. General cashiers shall operate with individual imprest inventories of cash and, at the discretion of the casino licensee, slot tokens, and such cashiers' functions shall include, but are not limited to, the following:

- i. Receive cash, cash equivalents, patron checks, gaming chips, complimentary cash gifts, casino checks, slot tokens and gaming plaques from patrons for check consolidations, total or partial redemptions or substitutions;
- ii. Receive gaming chips, slot tokens and prize tokens from patrons in exchange for cash;
- iii. Receive cash, traveler's checks and other cash equivalents from patrons in exchange for currency, slot tokens or coin;
- iv. Receive gaming checks for non-gaming purposes from patrons in exchange for cash;
- v. Receive cash, cash equivalents, slot tokens, prize tokens and gaming chips from patrons in exchange for Customer Deposit Forms;
- vi. Receive gaming plaques from patrons in exchange for cash or Customer Deposit Forms in accordance with an approved system of accounting as required by Section 455-1.3(e);

- vii. Receive Customer Deposit Forms from patrons in exchange for cash or slot tokens;
 - viii. Receive coupons from patrons in exchange for currency, slot tokens or coin, in conformity with Section 455-3.4.
 - ix. Receive checks from check cashiers to be returned to patrons for check redemptions, partial redemptions, consolidations or substitutions;
 - x. Receive Wire Transfer Acknowledgment Forms in accordance with Section 455-5.3 for the purpose of completing Customer Deposit Forms;
 - xi. Receive from check, chip bank, master coin bank and reserve cash cashiers documentation with signatures thereon, required to be prepared for the effective segregation of functions in the cashiers' cage;
 - xii. Receive Voucher forms in accordance with Section 455-3.2 for the processing of travel expense reimbursements;
 - xiii. Exchange Counter Checks in accordance with Section 455-5.4;
 - xiv. Prepare Jackpot Payout Slips in accordance with Section 455-7.9; and
 - xv. Receive slot tokens from, and transmit slot tokens and prize tokens to, the master coin bank in exchanges supported by proper documentation.
2. Check cashiers (also known as “check bank cashiers”) shall not have access to cash, gaming chips and plaques and such cashiers' functions shall include, but are not limited to, the following:
- i. Receive the original and redemption copies of Counter Checks;
 - ii. Receive from general cashiers checks accepted for total or partial Counter Check and redemptions;
 - iii. Receive checks from general cashiers for Counter Check consolidations;
 - iv. Receive personal checks from general cashiers for Counter Check substitutions;
 - v. Prepare bank deposit slips or supporting documentation for checks to be deposited;
 - vi. Receive Wire Transfer Acknowledgment Forms in accordance with Section 455-5.3 for the purpose of redeeming Counter Checks or accepting payment on returned Counter Checks; and

vii. Receive from general, chip bank and reserve cash cashiers documentation with signatures thereon, required for the effective segregation of functions in the cashiers' cage.

3. Chip bank cashiers shall not have access to currency or cash equivalents, but shall operate with a limited inventory of \$ 0.50 and \$ 0.25 cent coins which may only be used to facilitate odds payoffs or vigorish bets. Such cashiers' functions shall include, but are not limited to, the following:

i. Receive gaming chips and coin removed from gaming tables from a security department member in exchange for the issuance of a Credit;

ii. Receive gaming plaques removed from gaming tables from a security department member in exchange for the issuance of a Credit in accordance with an approved system of accounting as required by Section 455-1.3(e);

iii. Receive Requests for Fills in exchange for the issuance of a Fill, the disbursal of gaming chips and coin to a security department member and the disbursal of gaming plaques to a security department member in accordance with an approved system of accounting as required by Section 455-1.3(e);

iv. Receive chips from the general cashiers and main bank cashiers in exchange for proper documentation; and

v. Receive from general, check bank and reserve cash cashiers documentation with signatures thereon, required for the effective segregation of functions in the cashiers' cage;

4. Reserve cash ("main bank") cashiers' functions shall include, but are not limited to, the following:

i. Receive cash, cash equivalents, issuance copies of Slot Counter Checks, original copies of Jackpot Payout Slips, personal checks received for non-gaming purposes, slot tokens, prize tokens, gaming chips and plaques from general cashiers in exchange for cash;

ii. Receive cash from the coin and currency count rooms;

iii. Receive checks and supporting documentation from check cashiers for deposit if such deposit is not made by the check cashier;

iv. Prepare the overall cage reconciliation and accounting records;

v. Prepare the daily bank deposit for cash and checks;

vi. Issue, receive and reconcile imprest funds used by slot attendants;

vii. Exchange currency for coupons and currency from slot attendants;

viii. Receive from general, chip and check bank cashiers, documentation with signatures thereon, required to be prepared for the effective segregation of functions in the cashiers' cage; and

ix. Be responsible for the reserve cash bankroll.

5. Master coin bank cashiers' functions shall include, but are not limited to, the following:

i. Receive currency, coin, slot tokens, prize tokens, gaming chips, and coupons from slot cashiers in exchange for proper documentation;

ii. Receive coin and slot tokens from the hard count room;

iii. Provide slot cashiers with currency, coin, prize tokens and slot tokens in exchange for proper documentation;

iv. Issue, receive and reconcile imprest funds used by slot attendants;

v. Exchange currency for coupons and currency from slot attendants;

vi. Prepare the daily bank deposit in excess cash and coins;

vii. Prepare Jackpot Payout Slips in accordance with Section 455-7.9;

viii. Prepare Hopper Fill Slips in accordance with Section 455-7.14; and

ix. Receive slot tokens and prize tokens from, and transmit slot tokens to, general cashiers in exchanges supported by proper documentation.

(d) Signatures attesting to the accuracy of the information contained on the Cashiers' Count Sheet shall be, at a minimum, of the following cashiers after preparation of the Cashiers' Count Sheet:

1. The general cashiers assigned to the incoming and outgoing shifts;

2. The check cashiers assigned to the incoming and outgoing shifts;

3. The chip bank cashiers assigned to the incoming and outgoing shifts;

4. The reserve cash cashiers assigned to the incoming and outgoing shifts;
5. The master coin bank cashiers assigned to the incoming and outgoing shifts; and
6. The slot cashiers assigned to the incoming and outgoing shifts.

(e) At the end of each gaming day, at a minimum, a copy of the Cashiers' Count Sheets and related documentation shall be forwarded to the accounting department for agreement of opening and closing inventories, agreement of amounts thereon to other forms, records, and documents required by this chapter, agreement of transportation reimbursement disbursements with supporting documentation and recording of transactions.

(f) Coin vaults authorized pursuant to Section 455-2.6(e) shall be under the control of the casino accounting department. The storage of coin, prize tokens or slot tokens in, or the removal of coin, prize tokens or slot tokens from, any coin vaults shall be properly documented, and the amount of coin, prize tokens and slot tokens in each coin vault shall be reconciled at the end of each gaming day.

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32 V.I. R. & Regs. § 455-5.1, 32 VI ADC § 455-5.1

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32 V.I. R. & Regs. § 455-5.2

455-5.2. Patron Cash Deposits.

(a) Whenever a patron requests a casino licensee to hold his or her cash, cash equivalents, complimentary cash gifts, slot tokens, prize tokens, gaming chips or plaques for subsequent use, the patron shall deliver the cash, cash equivalents, complimentary cash gifts, slot tokens, prize tokens, gaming chips or plaques to a general cashier who, after converting any of those non-cash items into cash, shall deposit the cash for credit to the patron cash deposit account established for that patron pursuant to this section.

(b) A file for each patron shall be prepared manually or by computer prior to the acceptance of a cash deposit from a patron by a general cage cashier and such file shall include, at a minimum, the following:

1. The name of the patron;
2. The date and amount of each cash deposit initially accepted from the patron;
3. The date and amount of each check initially accepted from the patron, as a draw against a cash deposit;
4. The date and amount of each cash deposit redemption.

(c) All information recorded on the customer deposit file shall be in accordance with the licensee's system of internal accounting controls submitted to the Commission.

(d) A general cashier accepting a deposit shall prepare a Customer Deposit Form and other necessary documentation evidencing such receipt.

(e) Customer Deposit Forms shall be serially prenumbered, each series of Customer Deposit Forms shall be used in sequential order, and the series numbers of all Customer Deposit Forms shall be accounted for by employees with no incompatible functions. All original, and duplicate void Customer Deposit Forms shall be marked "VOID" and shall require the signature of the preparer.

(f) For establishments in which Customer Deposit Forms are manually prepared, a prenumbered two-part form, at a minimum, shall be used.

(g) For establishments in which Customer Deposit Forms are computer-prepared, each series of Customer Deposit Forms shall be a two-part form, at a minimum, and shall be inserted in a printer that will: simultaneously print an original and duplicate and store, in machine readable form, all information printed on the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Customer Deposit Form.

(h) On the original and duplicate of the Customer Deposit Form, or in stored data, the general cashier shall record, at a minimum, the following information:

1. The name of the patron making the deposit;
2. The total amount being deposited (numerical total and written amount);
3. The date of deposit;
4. The signature of the general cashier or, if computer prepared, the identification code of the general cashier;
5. Nature of the amount received (cash, cash equivalents, complimentary cash gifts, chips, plaques, slot tokens, prize tokens or wire transfer.)

(i) After preparation of the Customer Deposit Form the general cashier shall obtain the patron's signature on the duplicate copy and shall distribute the copies in the following manner.

1. Original copy--given to the patron as evidence of the amount held on deposit by the casino;
2. Duplicate copy--forwarded along with any other necessary documentation to the check cashier who shall maintain the documents.

(j) A patron shall be allowed to use the deposit by supplying information required by the casino to verify his or her identification.

1. The pit clerk, general cashier or slot cashier shall ascertain, from the cashiers' cage, the amount of the patron deposit available and request the amount the patron wishes to use against this balance. The pit clerk, general cashier or slot cashier shall prepare a Counter Check in compliance with Section 455-5.6 with the exception that the words "Customer Deposit Withdrawal" shall be recorded on the Counter Check in place of the name of the patron's bank.

(k) Distribution of the Counter Checks shall comply with Section 455-5.6.

(l) The patron's deposit balance shall be immediately reduced by amounts equal to the Counter Checks.

(m) A patron may obtain a refund of his or her deposit or any unused portion of a deposit by requesting the refund from a general cashier and returning his or her copy of the Customer Deposit Form. The general cashier shall verify the customer's identification and shall:

1. Verify the unused balance with the check cashier;
2. Have the patron sign the original of the Customer Deposit Form;
3. Prepare necessary documentation evidencing such refund, which documentation may include a counter check or any other document which contains the following information:
 - i. Date and shift of preparation;
 - ii. Amount refunded;
 - iii. Type of refund made (cash, check or wire transfer);
 - iv. Patron's name; and
 - v. Signature of the general cashier preparing such documentation.

(n) The general cashier shall forward the original Customer Deposit Form along with any other necessary documentation to the Check Cashier who shall compare the patron's signatures and maintain the documents.

(o) The check cashier shall return the original copies of the Counter Check(s) to the general cashier who shall return it to the patron and refund the unused balance of the deposit to the patron at which time the general cashier shall maintain the original copy of the Customer Deposit Form along with any other necessary documentation to evidence such refund.

(p) A log of all customer deposits received and returned, shall be prepared manually or by computer on a daily basis, by check cashiers and such log shall include, at a minimum, the following:

1. The balance of the Customer Deposits on hand in the cashiers' cage at the beginning of each shift;
2. For Customer Deposits received and refunded;
 - i. The date of the Customer Deposit or refund;
 - ii. Customer Deposit Number;

iii. The name of the patron; and

iv. The amount of the Customer Deposit or refund.

3. The balance of the Customer Deposits on hand in the cashiers' cage at the end of each shift.

(q) The balance of the Customer Deposits on hand in the cashiers' cage at the end of each shift shall be recorded as an outstanding liability and accounted for by the check cashier.

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32 V.I. R. & Regs. § 455-5.2, 32 VI ADC § 455-5.2

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455-5. Subchapter 5. Cashiers' Cage Accounting Controls

32 V.I. R. & Regs. § 455-5.3

455-5.3. Accepting, Verifying and Accounting for Wire Transfers; Wire Transfer Fees.

(a) A casino licensee may, in accordance with the rules of the Commission, accept a wire transfer of funds to enable the following:

1. Establishment of a cash deposit pursuant to Section 457(b) of the Act and Section 455-5.2;
2. Redemption of an outstanding Counter Check pursuant to Section 457(c) of the Act and Section 455-5.7 and 455-5.10; or
3. Payment of a returned Counter Check pursuant to Section 457(e) of the Act and Section 455-6.3.

(b) Any wire transfer of funds authorized by this section shall be transferred to and deposited in the casino licensee's approved operating account in a U.S. Virgin Islands bank. The casino licensee shall require its bank to notify the casino licensee of the receipt and deposit of the wire transfer by transmitting the information required in 455-5.3(c)2 through 6 below by one or more of the following methods:

1. Direct telephone notification between the casino licensee's bank and a cage employee, which notification shall be recorded in the Wire Transfer Log in accordance with 455-5.3(c)6 below;
2. Direct hard copy (printed) communication sent by the casino licensee's bank to the casino licensee, which document shall be dated, time-stamped and signed by the cage employee receiving the notification, and forwarded to the accounting department as supporting documentation in accordance with 455-5.3(g) below; or
3. Direct computer access by the casino licensee to the wire transfer transaction as it is credited to its operating account at its bank, which transaction shall be printed from the computer screen and dated, time-stamped and signed by the cage employee receiving the notification, and forwarded to the accounting department as supporting documentation in accordance with (g) below.

(c) Upon notification in accordance with (b) above that a wire transfer of funds has been credited to the casino licensee's operating account, the cage employee who received the notice shall record, at a minimum, the following information in the notification section of a Wire Transfer Log maintained in the main bank of the cashiers' cage:

1. A sequential wire transfer number which shall be generated by the casino licensee;
2. The date and time of the notification;
3. The name of the casino licensee's bank to which the funds were transferred;
4. The actual amount of funds transferred to the operating account of the casino licensee, stated in numbers and words;
5. The name of the patron for whose benefit the funds were transferred;
6. The method authorized under (b) above by which the casino licensee was notified of the receipt of the wire transfer and, if by telephone, the name and title of the person at the casino licensee's bank who made the telephone call; and
7. The signature of the cage employee receiving and recording the information required by this subsection.

(d) Upon completion of the notification section of the Wire Transfer Log required by (c) above, a cage supervisor other than the cage employee who received and recorded notification of the wire transfer shall verify receipt of the wire transfer by telephone contact with a previously identified authorized employee of the casino licensee's bank. The cage supervisor verifying the wire transfer shall confirm the information recorded in the Wire Transfer Log pursuant to 455-5.3(c)2 through 6 above, and shall record the following in the verification section of the Wire Transfer Log:

1. The name and title of the authorized employee at the casino licensee's bank who confirmed the information;
2. The date and time of verification; and
3. The signature of the cage supervisor verifying receipt of the wire transfer and the information recorded pursuant to (c) above.

(e) Upon verification of the wire transfer and completion of the Wire Transfer Log, the general cashier of the casino licensee shall be deemed, for purposes of compliance with the Commission's rules, to have received cash at the general cashiers' cage in an amount equal to the actual amount of funds transferred to the operating account of the casino licensee.

(f) Upon determining the purpose for the wire transfer, a cage supervisor shall prepare a Wire Transfer Acknowledgment Form, a two-part form containing, at a minimum, the following information:

1. The wire transfer number;
2. The date of the wire transfer;

3. The actual amount of funds received pursuant to the wire transfer, stated in numbers and words;
4. The name of the patron;
5. The purpose for the wire transfer (cash deposit; redemption; payment of returned Counter Check or Slot Counter Check);
6. The signature of the preparer; and
7. The signature of either:
 - i. The check bank cashier, if the funds are to be used for Counter Check redemption or the payment of a returned Counter Check; or
 - ii. The general cashier, if the funds are to be used for a cash deposit.

(g) Upon completion of the information required by (f)1 through 6 above, the cage supervisor who prepared the form shall obtain the signature required by (f)7 above on both copies of the Wire Transfer Acknowledgment Form, transmit the duplicate copy and any supporting documentation to the accounting department, and forward the original Wire Transfer Acknowledgment Form to:

1. The check bank cashier, if the funds are to be used for Counter Check redemption or the payment of a returned Counter Check, who shall:
 - i. Post the amount of the funds to the patron's credit account;
 - ii. If appropriate, return the redeemed Counter Check or Slot Counter Check to the patron;
 - iii. Forward to the accounting department the original Wire Transfer Acknowledgment Form for comparison to the duplicate; and
 - iv. Forward to the accounting department the redemption copy of any Counter Check redeemed, in accordance with the requirements of Section 455-5.6; or
2. The general cashier, if the funds are to be used to establish a cash deposit, who shall:
 - i. Prepare a customer deposit file in accordance with the provisions of Section 455-5.2;

ii. Prepare a Customer Deposit Form in accordance with the provisions of Section 455-5.2, except that prior to the release to the patron of any funds credited to a cash deposit file by means of a wire transfer, the general cashier shall examine the patron's identification credentials or verify that the patron's signature on the Customer Deposit Form and the patron's physical description agree with the information recorded in the patron's credit file pursuant to Section 455-5.10, to insure that the patron is the patron recorded on the Wire Transfer Acknowledgment Form, and shall maintain documentation supporting that examination; and

iii. Forward to the accounting department the original Wire Transfer Acknowledgment Form for comparison to the duplicate.

(h) At the end of the month, a copy of the Wire Transfer Log shall be forwarded to the accounting department and reconciled with all Wire Transfer Acknowledgment Forms prepared during that month.

(i) Upon the receipt and processing of a wire transfer of funds in accordance with the provisions of this section, a casino licensee may, in its discretion, credit to the patron's account the amount of any wire transfer fees charged against the original amount of the wire transfer, provided that:

1. The credit shall be limited to the lesser of \$ 250.00 or the actual amount of the wire transfer fees charged by any financial institution involved in the wiring of the funds;

2. The purpose of the wire transfer is to enable a transaction identified in (a)2 or 3 above and the credit is applied toward the completion of that transaction;

3. The credit is authorized and recorded by the casino licensee pursuant to internal controls approved by the Commission, which internal controls shall, at a minimum, include:

i. The creation of a record identifying the date and the amount of the credit and the sequential wire transfer number of the wire transfer for which the credit is being issued; and

ii. The recording of the credit as a balancing item on the main bank summary.

(j) Notwithstanding any other provision of this chapter, the amount of a credit of wire transfer fees authorized by (i) above need not be included in determining the amount of cash complementaries which may be issued to a patron pursuant to Section 455-3.3.

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32 V.I. R. & Regs. § 455-5.3, 32 VI ADC § 455-5.3

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32 V.I. R. & Regs. § 455-5.4

455-5.4. Sending Funds by Wire Transfer.

(a) Whenever a patron requests a casino licensee to send funds by wire transfer to a financial institution on behalf of the patron, the patron shall present to the general cashier the cash, cash equivalents, casino check, chips, plaques, slot tokens or prize tokens representing the amount sought to be transferred, or, in the case of a cash deposit, request that the unused balance of the cash deposit be transferred. In the case of a cash deposit, the procedures set forth in Section 455-5.2 for redemption of a cash deposit shall be observed.

(b) The general cashier shall obtain from the reserve cash cashier a Wire Transfer Request Form, a four-part serially prenumbered form, and shall record thereon, at a minimum, the information required by (b)1 through (b)7 below:

1. The name of the patron;
2. The date of the transaction;
3. The amount of funds to be wire transferred, stated in numbers and in words;
4. The source of funds to be transferred (cash, cash equivalent, casino check, chips, plaques, slot tokens, prize tokens or cash deposit);
5. The name and address of the financial institution to which the funds will be transferred and the account number to which the funds will be credited;
6. The signature of the patron;
7. The signature of the general cashier; and
8. The signature of the reserve cash cashier.

(c) Prior to obtaining the patron's signature on the Wire Transfer Request Form, the general cashier shall examine the patron's identification credentials and shall maintain documentation supporting that examination.

(d) After securing the patron's signature, the general cashier shall present the Wire Transfer Request Form to the reserve cash cashier, who shall sign the form and retain the original and duplicate copy. The general cashier shall retain the triplicate copy of the form and shall give the patron the quadruplicate copy of the form as evidence of the wire transfer request.

(e) The reserve cash cashier shall immediately forward the original Wire Transfer Request Form to the accounting department as authorization to effect the transfer, and shall retain the duplicate copy for agreement with the triplicate copy held by the general cashier. At the end of the gaming day, and upon agreement of the duplicate and triplicate copies of the Wire Transfer Request Form, the reserve cash cashier shall forward both copies of the form to the accounting department

(f) Upon receipt of the original Wire Transfer Request Form, the accounting department shall contact the casino licensee's bank in the U.S. Virgin Islands to authorize the wire transfer of the funds and shall either:

1. Record on the original Wire Transfer Request Form:

- i. The name and title of the person contacted at the casino licensee's bank;
- ii. The date and time that the wire transfer was authorized; and
- iii. The signature of the accounting department employee authorizing the wire transfer; or

2. If the wire transfer is authorized by means of a direct computer link between the casino licensee and its bank, print a copy of the wire transfer authorization from the computer screen which shall:

- i. Comply with the requirements of (f)1ii and iii above; and
- ii. Be attached to the original Wire Transfer Request Form.

(g) At the end of the gaming day, the accounting department shall compare the duplicate and triplicate copies of the Wire Transfer Request Form to the original.

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32 V.I. R. & Regs. § 455-5.4, 32 VI ADC § 455-5.4

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455-5. Subchapter 5. Cashiers' Cage Accounting Controls

32 V.I. R. & Regs. § 455-5.5

455-5.5. Exchange of Checks Submitted by Gaming Patrons; Repurchase of Cash Equivalents.

(a) Except as otherwise provided in this section, no casino licensee or any person licensed under the Casino Control Act, and no person acting on behalf of or under any arrangement with a casino licensee or other person licensed under the Casino Control Act, shall:

1. Cash any check, make any loan, or otherwise provide or allow to any person any credit or advance of anything of value or which represents value to enable any person to take part in gaming activity as a player; or
2. Release or discharge any debt which is uncollectible, either in whole or in part, which represents any losses incurred by any player in gaming activity without maintaining a written record of the deposit, check return and collection efforts as required by Sections 455-5.9 and 455-6.3; or
3. Make any loan which represents any losses incurred by any player in gaming activity without receiving from said player in exchange therefore, a check in the amount of said loan, which check shall conform with the Casino Control Act and these regulations.

(b) No casino licensee or any person licensed under the Act, and no person acting on behalf of or under any arrangement with a casino licensee or other person licensed under the Act, may accept a check, other than a recognized travelers' check or other cash equivalent, from any person to enable such person to take part in gaming activity as a player, or may give cash or cash equivalents in exchange for such check unless the requirements of this section and Sections 455-5.7, 455-5.9, 455-5.10 and 455-6.3 concerning check cashing, redeeming, consolidating, collecting and recording procedures are observed by the casino licensee and its employees and agents. For purposes of this chapter, the term "check" when used in connection with an exchange, redemption, substitution or consolidation by a patron shall mean any draft drawn by the patron which is a "cash item" as defined in Regulation J of the Board of Governors of the Federal Reserve System, 12 C.F.R. 210.2(e), and which is drawn on an account maintained in a "depository institution" as defined in Section 19(b) of the Federal Reserve Act, 12 U.S.C. Section 461(b), including share drafts and drafts drawn on negotiable order of withdrawal accounts or similar accounts; the term "checking account" shall mean any account on which a "check" is drawn; and the term "bank" shall include any "depository institution" as defined in 12 U.S.C. Section 461(b). For purposes of this chapter, a check received from a person by cage cashiers may be presumed by the casino licensee not to be exchanged to enable such person to take part in gaming activity as a player, if the casino licensee shall cause to be posted at each general cashier station in the cashiers' cage a conspicuous sign that reads:

"By law, personal checks cannot be exchanged for currency or coin to be used for gaming purposes."

(c) All checks sought to be exchanged in a casino by a patron shall be:

1. Drawn on a bank and payable on demand;
2. Drawn for a specific amount;
3. Made payable to the casino licensee; and
4. Currently dated, but not post dated.

(d) All checks sought to be exchanged at the cashiers' cage shall be:

1. Presented directly to the general cashier who shall:
 - i. Restrictively endorse the check "for deposit only" to the casino licensee's bank account;
 - ii. Initial the check;
 - iii. Date and time stamp the check;
 - iv. Record the junket number, if applicable;
 - v. Immediately exchange the check for currency and coin in an amount equal to the amount for which the check is drawn, not to exceed two hundred dollars (\$ 200.00) per patron per day, if such check is exchanged for the purpose of nongaming; and
 - vi. Forward redemption, consolidation and substitution checks to the Check Cashier and all non-gaming checks to the main bank cashier.

(e) Cash equivalents and casino checks, as defined in Section 455-1.1, shall only be accepted at the cashiers' cage by general cashiers.

1. Prior to the acceptance of any cash equivalent from a patron, the general cashier shall determine the validity of such cash equivalent by performing the necessary verification for each type of cash equivalent and such other procedures as may be required by the issuer of such cash equivalent. Prior to the acceptance of any casino check from a patron, the general cashier shall comply with the requirements of (f) below.
2. In order to ensure the patron's identity, prior to the acceptance of a cash equivalent made payable to a presenting patron or of a casino check issued pursuant to Section 457(g) of the Act, the general cashier shall be required to examine that

patron's identification credentials or verify that the patron's signature recorded on the cash equivalent or casino check and the patron's physical description agree with the information recorded in the patron's credit file prepared pursuant to Section 455-5.10. Each casino licensee shall maintain documentation supporting that examination or verification.

3. Any cash equivalent other than a travelers check or credit card and any casino check which is accepted from a patron by a general cashier shall be:

i. Endorsed in blank by the patron (but in the case of a cash equivalent, only if the cash equivalent is made payable to the presenting patron); and

ii. Except as otherwise provided in 455-5.5(e)4ii below, restrictively endorsed "For Deposit Only" to the bank account of the casino licensee immediately upon acceptance by the general cashier and deposited no later than the next banking day following the date of the transaction.

4. A casino licensee may, in its discretion, allow a patron who has exchanged a cash equivalent (other than a travelers check or credit card) for currency, coin or a Customer Deposit Form to repurchase the cash equivalent for an equal amount of cash, gaming chips, plaques or slot tokens prior to the deposit of the cash equivalent by the casino licensee. If a casino licensee agrees to provide a patron with this repurchase option, the general cashier shall, prior to acceptance of the cash equivalent:

i. Immediately determine the validity of the cash equivalent by performing the verification required in 455-5.5(e)1 above; and

ii. In lieu of complying with the requirements of 455-5(e)3ii above, comply with the approved internal control procedures of the casino licensee for the processing of such transactions, which procedures shall include, at a minimum, the following:

(1) The creation of an audit trail which shall assure that no single employee is in a position to convert the cash equivalent to his or her personal use without detection;

(2) The establishment of a definite time limit on the repurchase rights of the patron, which time limit shall be no later than the end of the fifth calendar day following the date of acceptance of the cash equivalent; and

(3) Upon expiration of the time limit required by 455-5.5(e)4ii(2) above, the immediate restrictive endorsement of the cash equivalent "For Deposit Only" to the bank account of the casino licensee, and the deposit of the cash equivalent by no later than the next banking day.

(f) Prior to the acceptance of any casino check from a patron, a general cashier shall determine the validity of such casino check by contacting the U.S. Virgin Islands casino licensee which issued the check and shall verify the following information:

1. The date of the check;

2. The check number;
3. The name of the payee appearing on the check;
4. The amount of the check; and
5. That the check represents:
 - i. The return of a patron's deposit money;
 - ii. The redemption of the casino licensee's gaming chips; or
 - iii. The winnings from slot machine payoffs.

(g) Each casino licensee shall maintain a casino check log.

1. The general cashier of the casino licensee accepting a casino check shall document the verifications performed in (f) above in the casino check log and shall record the name of the cashier providing such information and the date and time the information was obtained. In addition, the general cashier shall record his or her name and license number in the log.
2. A general cashier of the U.S. Virgin Islands casino which issued the casino check shall provide the information required by (f) above to the casino licensee accepting such check, and shall indicate that verification was requested by notating in the casino check log the following information:
 - i. The date and time of the request;
 - ii. The name of the casino requesting the information;
 - iii. The name of the general cage cashier making the request;
 - iv. The check number;
 - v. The date of the check;
 - vi. The name of the payee appearing on the check; and
 - vii. The reason for the check as either:

- (1) The return of a patron's deposit money;
- (2) The redemption of the casino licensee's gaming chips; or
- (3) The winnings from slot machine payoffs.

(h) Prior to acceptance of a travelers check from a patron, the general cashier shall verify its validity by:

- 1. Requiring the patron to countersign the travelers check in his or her presence;
- 2. Comparing the countersignature with the original signature on the travelers check;
- 3. Examining the travelers check for any other signs of tampering, forgery or alteration; and
- 4. Performing any other procedures which the issuer of the travelers check requires in order to indemnify the acceptor against loss.

(i) A person may obtain cash at the cashiers' cage or slot booth to be used for gaming purposes by presenting a recognized credit card to a general cashier or slot cashier. Prior to the issuance of cash to a person, the general cashier or slot cashier shall verify through the recognized credit card company the validity of the person's credit card or shall verify through a recognized electronic funds transfer company which, in turn, verifies through the credit card company the validity of the person's credit card and shall obtain approval for the amount of cash the person has requested. The general cashier or slot cashier shall then prepare such documentation as required by the casino licensee to evidence such transactions and to balance the imprest fund prior to the issuance of the cash.

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32 V.I. R. & Regs. § 455-5.6

455-5.6. Exchange of Counter Checks by Patrons.

(a) A casino licensee may offer credit to patrons pursuant to Section 455-6.1. Table Counter Checks shall be prepared by pit clerks at table games in exchange for chips or plaques. Slot Counter Checks shall be prepared by slot cashiers at slot booths and coin redemption locations and by general cashiers at the cashiers' cage in exchange for which patrons may receive any combination of coin, currency or slot tokens. Table Counter Checks and Slot Counter Checks shall be collectively referred to as "Counter Checks". The following procedures and requirements over Counter Checks shall be observed:

1. Counter Checks shall be serially prenumbered forms. The series numbers of all Counter Checks shall be accounted for by employees with no incompatible functions.

i. The original and all copies of voided Counter Checks shall be marked "VOID" and shall require the signature of the preparer.

2. For establishments in which Counter Checks are manually prepared:

i. Each series of Counter Checks shall be a five-part form, at a minimum, which consists of an original, a redemption copy, an accounting copy, an issuance copy and acknowledgment copy and shall be attached in a book that will permit an individual slip in the series and its copies to be written upon simultaneously, while still contained in the book, and that will allow the removal of the original and all duplicate copies.

ii. Access to the Slot Counter Checks shall be maintained and controlled at all times by the general cashier or slot cashier responsible for control of and accounting for the unused supply of Slot Counter Checks, and the preparation of Slot Counter Checks for a patron's signature.

iii. Access to the Table Counter Checks shall be maintained and controlled at all times by the pit clerks responsible for controlling of and accounting for the unused supply of Table Counter Checks, and the preparation of Table Counter Checks for a patron's signature.

3. For establishments in which Counter Checks are computer prepared, each series of Counter Checks shall be a four-part form, at a minimum, which consists of an original, a redemption copy, an issuance copy and accounting copy and shall be inserted in a printer that will: simultaneously print an original and duplicates; store, in machine readable form, all information printed on the original and duplicates; and discharge the original and duplicates. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Counter Check.

(b) For each Counter Check exchanged, in accordance with (a) above, the pit clerk, general cashier or slot cashier shall:

1. Verify the patron's identity by either:

i. Obtaining, at a minimum, the amount of the requested Counter Check and the patron's signature on a form, which signature shall be compared to the original signature, or a computer generated facsimile thereof, contained within the patron's credit file. The pit clerk, general cashier or slot cashier shall sign the form indicating that the signature of the patron on the form appears to agree with the signature on his or her credit file. Such form shall be attached to the accounting copy of the Counter Check exchanged by the patron prior to forwarding it to the accounting department in conformity with (i) or (j) below.

(1) After the patron's identity has been verified by the pit clerk, general cashier or slot cashier as required above, the requirements for subsequent verification of the patron's identity may be satisfied by that pit clerk, general cashier or slot cashier signing a form attesting to the patron's identity before each subsequent Counter Check is exchanged. In the case of a Table Counter Check, the subsequent verification of the patron's identity by the pit clerk shall only be permitted during the same shift and in the same gaming pit. The form shall include the patron's name and the serial number of the initial Counter Check exchanged by the patron. Such form shall be attached to the accounting copy of the Counter Check prior to forwarding it to the accounting department in conformity with (i) or (j) below; or

ii. Obtaining the attestation of a casino supervisor or slot supervisor as to the identity of the patron. The casino supervisor, in the case of a Table Counter Check or the slot supervisor, in the case of a Slot Counter Check, shall sign a form attesting to the patron's identity and shall record his or her license number thereon and the amount requested by the patron. Such form shall be attached to the accounting copy of the Counter Check exchanged by the patron prior to forwarding it to the accounting department in conformity with (i) or (j) below;

2. Determine the patron's remaining credit limit either from a check bank cashier or from a computer terminal located in an area as approved by the Commission;

3. Prepare the Counter Check for the patron's signature by recording, at a minimum, on the face of the original and all duplicates of the Counter Check, with the exception of the acknowledgment copy which shall only have recorded on it the location of preparation, or in stored data, the following information:

i. The name of the patron exchanging the Counter Check;

ii. The name of the patron's bank (required on the original copy only);

iii. The current date and time;

iv. The amount of the Counter Check expressed in numerals;

v. The location of preparation of the Slot Counter Check or the game and table number of the Table Counter Check;

vi. The signature of the following verifying that the Counter Check was prepared for the correct amount and for the correct individual per the information recorded on the form referenced in (b)1 above:

(1) In the case of a Slot Counter Check, the cage supervisor or slot supervisor; or

(2) In the case of a Table Counter Check, the casino supervisor; and

vii. The signature of the preparer or, if computer prepared, the identification code of the preparer;

4. Place an impression on the back of the original Counter Check a restrictive endorsement “for deposit only” to the casino licensee’s bank account;

5. Present the original and all duplicate copies of Counter Check to the patron for signature;

6. Receive the signed original and all duplicate copies of the Counter Check directly from the patron. The pit clerk, general cashier or slot cashier shall, if verification occurs in accordance with (b)1i above, compare the patron’s signature on the signed Counter Check to the form referenced in (b)1 above and sign the form referenced in (b)1 above if the signatures appear to agree. In no instance shall chips, plaques, currency, coin or slot tokens be given to the patron prior to the receipt of the signed copy of the Counter Check by the pit clerk, general cashier or slot cashier.

(c) Distribution of the Table Counter Check copies shall be as follows:

1. The original, redemption, and acknowledgment copies of the Counter Check shall be expeditiously transported to the cashiers’ cage where the original and redemption copies shall be maintained and controlled by the Check Bank Cashier;

2. The accounting copy of the Counter Check shall be maintained and controlled at all times by the pit clerk; and

3. The issuance copy of the Counter Check shall be deposited by the dealer or boxman in the drop box immediately after the issuance of chips or plaques to the patron.

(d) Distribution of the Slot Counter Check copies shall be as follows:

1. The issuance copy of the Slot Counter Check, which shall serve as documentation of the exchange of currency, coin or slot tokens for the Slot Counter Check and shall be maintained by the general cashier or slot cashier in his or her imprest fund immediately after the issuance of currency, coin or slot tokens to the patron.

2. The original, redemption, and acknowledgment copies of the Slot Counter Check, if not issued by the general cashier, shall be expeditiously transported to the cashiers' cage by a security department member or via a pneumatic tube system where the original and redemption copies shall be maintained and controlled by the check bank cashier. If the Slot Counter Check was issued by a general cashier, the general cashier shall expeditiously transport the original, redemption and acknowledgment copies of the Slot Counter Check to the check bank cashier where the original and redemption copies shall be maintained. The acknowledgment copy shall be returned to the general cashier or slot cashier in accordance with either (e) or (f) below; and

i. The accounting copy of the Slot Counter Check shall be attached to the form referenced in (b)1 above by the general cashier or slot cashier and deposited into a locked accounting box for forwarding to the accounting department in conformity with (i) below.

(e) For establishments in which the chip bank cashier receives the original, redemption and acknowledgment copies of the Counter Check, the chip bank cashier shall sign and time stamp the acknowledgment copy of the Counter Check and expeditiously return it to the pit clerk, general cashier or slot cashier via a security department member or pneumatic tube system and shall transfer the original and redemption copies of the Counter Check to the check bank cashier in return for properly signed documentation.

(f) For establishments in which the check bank cashier receives the original, redemption and acknowledgment copies of the Counter Check directly from the pit clerk, general cashier or slot cashier, whether directly through the use of the pneumatic tube system or transported by a security department member, the check bank cashier shall:

1. Sign and time stamp the acknowledgment copy and shall transmit it to the pit clerk, general cashier directly or to the slot cashier via a security department member or pneumatic tube system, and shall maintain the original and redemption copies of the Counter Check.

(g) If there is no acknowledgment copy, the check bank cashier shall be responsible for consummating the transaction in the computer upon receipt of the original and redemption copies of the Counter Check.

(h) Once the acknowledgment copy of the Counter Check has been returned to the pit clerk, general cashier or slot cashier, it shall be attached to the issuance copy of the Counter Check. All Slot Counter Check copies shall be forwarded to the main bank or master coin bank at the end of the cashier's shift. All acknowledgment copies of Table Counter Checks shall be agreed to the accounting copy and maintained by the pit clerk.

(i) At the end of the gaming activity each day, at a minimum, the following procedures and requirements shall be observed with respect to Slot Counter Checks:

1. The original and all copies of voided Slot Counter Checks and the accounting copy of the Slot Counter Check shall be picked up by a representative of the accounting department with no incompatible functions and returned to the accounting department for agreement, on a daily basis, with the issuance and acknowledgment copies of the Slot Counter Check received from the general cashiers or slot cashiers.

2. The redemption copy of a Slot Counter Check maintained and controlled in conformity with (d)1 above shall be forwarded to the accounting department subsequent to the redemption, consolidation or deposit of the original Slot Counter Check for agreement with the accounting and issuance copies of the Slot Counter Check or stored data.

(j) At the end of each gaming day, at a minimum, the following procedures and requirements shall be observed with respect to Table Counter Checks:

1. The original and all copies of void Table Counter Checks and the accounting and acknowledgment copies of the Table Counter Check shall be forwarded by a representative of the accounting or security department to the accounting department for agreement, on a daily basis, with the issuance copy of the Table Counter Check removed from the drop box or stored data.

2. The redemption copy of a Table Counter Check maintained and controlled in conformity with 455-5.6(c)1 above shall be forwarded to the accounting department subsequent to the redemption, consolidation or deposit of the original Table Counter Check for agreement with the accounting and issuance copies of the Table Counter Check or stored data.

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32 V.I. R. & Regs. § 455-5.6, 32 VI ADC § 455-5.6

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455-5. Subchapter 5. Cashiers' Cage Accounting Controls

32 V.I. R. & Regs. § 455-5.7

455-5.7. Substitution, Redemption and Consolidation of Patron Checks.

(a) The drawer of an undeposited Counter Check may use a personal check to substitute for or partially redeem such Counter Check or to consolidate two or more undeposited Counter Checks if the personal check is drawn on an account which has been verified pursuant to Section 455-6.1, complies with the requirements of Section 455-5.5 (b) and (c), and is deposited or redeemed in accordance with the requirements of Section 457 of the Act and this chapter.

1. For purposes of this chapter, a personal check which is used by a drawer in a substitution, partial redemption or consolidation transaction shall be referred to as a "replacement check."

2. The drawer of an undeposited replacement check may use another replacement check in a substitution, consolidation or partial redemption transaction involving the original replacement check.

(b) The drawer of an undeposited patron check may redeem it:

1. In its entirety by exchanging cash, cash equivalents, complimentary cash gifts, casino checks, slot tokens, gaming chips or gaming plaques in an amount equal to the amount of the patron check being redeemed; or

2. In part by exchanging:

i. Another patron check in a lesser amount; and

ii. Cash, cash equivalents, complimentary cash gifts, casino checks, slot tokens, gaming chips or gaming plaques in an amount which equals the difference between the amount of the check exchanged in (b)2i above and the amount of the patron check being partially redeemed.

(c) If a drawer has more than one undeposited patron check outstanding, such checks shall be redeemed in reverse chronological order (the most recently dated patron check shall always be redeemed first).

1. If more than one patron check bears the same date, the drawer may choose the order in which to redeem the identically dated checks.

2. If, pursuant to its internal controls, a casino licensee does not require a patron check used in a substitution, consolidation or partial redemption transaction to be dated with the date of the initial patron check being substituted, consolidated or partially redeemed, then the date of the initial patron check, and not the date of the replacement, consolidation or partial redemption check, shall be used to determine the order in which outstanding patron checks shall be redeemed.

(d) The drawer of a patron check may consolidate some or all undeposited patron checks by exchanging another patron check in an amount equal to the total amount of the outstanding patron checks being consolidated.

(e) All consolidations, total or partial redemptions or substitutions of patron checks by gaming patrons shall be made by general cashiers' at the cashiers' cage. Consolidation, redemption or substitution of personal checks exchanged for non-gaming purposes pursuant to Section 455-5.5(d)1v shall not be allowed.

(f) No casino licensee or any other person licensed under the Act, or any other person acting on behalf of or under any arrangement with a casino licensee or other person licensed under the Act, shall accept any patron check in redemption, consolidation or substitution of any patron check for the purpose of avoiding or delaying the deposit of a patron check in a bank for collection or payment within the time periods specified in Section 455-5.9.

(g) Upon completion of a redemption, consolidation or substitution transaction pursuant to this section, the general cashier shall return any original patron check being redeemed, consolidated or substituted to the drawer in accordance with the requirements in (h) below. If the redemption, consolidation or substitution of a patron check is accomplished by the acceptance of another patron check, the general cashier accepting the new patron check shall date and time stamp the new check, place his or her initials on the new check, and record on the new check the serial number of any Counter Check or replacement check being redeemed, consolidated or substituted. The new patron check shall be dated with the date of the initial patron check being redeemed, consolidated or substituted unless the internal controls of the casino licensee include an independent procedure to ensure that the date of the initial patron check shall be used to determine the date by which the new patron check shall be redeemed or deposited pursuant to Section 455-5.9.

(h) Any original patron check which may be returned to the drawer pursuant to this section or Section 455-5.8 shall be returned directly to the drawer by one of the following methods:

1. If the drawer personally appears at the cashiers' cage and requests the return of the check, the general cashier shall:

- i. Obtain the original patron check from the check bank cashier;
- ii. Verify the identity of the drawer through signature comparison, examination of identification credentials, comparison of the drawer's actual appearance to the physical description in the drawer's credit file or personal attestation by a cage or casino supervisor as to the identity of the drawer; and
- iii. Return the original patron check to the drawer contemporaneously with the request.

2. If the drawer requests, either orally or in writing, that one, some or all of his or her patron checks be returned by mail, the casino licensee shall maintain a record of the specific terms of any oral request or a copy of the written request in the credit file of the drawer and the check bank cashier shall:

i. Obtain the original patron check; and

ii. Present the original patron check to a cage supervisor who shall direct a casino accounting department employee, as authorized in the casino licensee's internal controls, to mail the patron check by ordinary mail to only the address of the drawer's current residence as indicated in his or her credit file pursuant to Section 455-6.1; provided, however, that the patron check may be returned by ordinary mail to any other address requested by the drawer for which the drawer certifies, in a writing comparable to Section 455-6.1(a)11, that the address information is accurate and for which the casino licensee maintains in the credit file a record of the request and the certification, and a log of the details of each patron check so mailed.

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32 V.I. R. & Regs. § 455-5.7, 32 VI ADC § 455-5.7

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455-5. Subchapter 5. Cashiers' Cage Accounting Controls

32 V.I. R. & Regs. § 455-5.8

455-5.8. Acceptance of Payments Toward Outstanding Patron Checks.

(a) A casino licensee may, in its discretion, permit the drawer of an undeposited patron check or any person acting for the benefit of such drawer to deposit cash, cash equivalents, casino checks, slot tokens, gaming chips or gaming plaques with a general cashier for the purpose of having such payment applied to the total or partial redemption of the patron check by the drawer pursuant to Section 455-5.7.

(b) Prior to a casino licensee accepting payments pursuant to (a) above, the casino licensee shall establish a system of internal controls for such transactions, which internal controls shall, at a minimum, provide for:

1. A method of documenting or recording the receipt of each such payment, which method shall include, without limitation, the following:

i. The names of the drawer and the person making the payment;

ii. All significant details concerning the transaction;

iii. The signatures of the person making the payment and the general cashier accepting the payment; and

iv. The issuance of a receipt to the person making the payment;

2. The maintenance of the general cashier's imprest inventory; and

3. The notation in the drawer's credit account of the receipt of the payment.

(c) If any payments received by a casino licensee pursuant to this section entitle the drawer of a patron check to redeem the original patron check in its entirety, or if any such payments received in conjunction with the submission of a new patron check by the drawer in a lesser amount entitle the drawer of a patron check to redeem the original patron check in part, the casino licensee shall return the original patron check to the drawer in accordance with the provisions of Section 455-5.7.

(d) If the drawer of a patron check fails to redeem it prior to the date on which the patron check must be deposited pursuant to Section 455-5.9, the casino licensee shall deposit the patron check regardless of whether any payment has been received pursuant

to the provisions of this section. The casino licensee, after timely depositing the patron check and allowing a commercially reasonable time for the patron check to clear in accordance with its internal controls established pursuant to Section 455-5.9(f), shall apply any payments received pursuant to this section in accordance with the following priorities:

1. If the casino licensee has any returned checks issued by the drawer which have not been completely satisfied, the payments shall be applied to such obligations;
2. If the casino licensee, after all obligations of the drawer described in (d)1 above have been completely satisfied, possesses any outstanding patron checks issued by the drawer which have not been deposited or cleared in accordance with the requirements of Section 455-5.9, the casino licensee shall hold the payments until all outstanding patron checks of the drawer have cleared; or
3. If the casino licensee does not have any unpaid returned checks or outstanding patron checks issued by the drawer, the payments shall be returned immediately to the drawer unless the drawer has orally or in writing instructed the casino licensee to retain the payments in a cash deposit account and the casino licensee maintains in the credit file a record of the specific terms of those instructions, including a copy of any written instructions.

(e) Any payment received pursuant to this section that the drawer directs be deposited in a cash deposit account pursuant to (d)3 above shall be deposited by the casino licensee in accordance with the requirements of Section 455-5.2 except that, if the drawer is not present in the casino hotel:

1. The Customer Deposit Form may be prepared without the patron's signature on the duplicate copy;
2. The original of the Customer Deposit Form shall be mailed to the drawer in accordance with Section 455-5.7(h)2; and
3. After the payment is deposited in the patron cash deposit account, it shall only be used by or refunded to the drawer in accordance with Section 455-5.2 and, if applicable, Section 455-5.4.

(f) If a patron check is dishonored by the drawer's bank upon presentation for payment and returned to the casino licensee, any payments received pursuant to this section, including payments that have been transferred to a patron cash deposit account pursuant to (d)3 above, that have not been returned to the drawer shall be used to reduce the amount to be collected from the drawer or to be deemed uncollectible pursuant to the provisions of Section 455-6.3.

(g) Except as otherwise provided in this section, any payment authorized by this section shall be made for the sole benefit of the drawer. No junket representative, junket enterprise or employee or agent of a junket enterprise shall, and no casino licensee or employee or agent of a casino licensee shall, except as specifically authorized by the rules of the Commission, make a payment for the benefit of the drawer of a patron check pursuant to this section. No casino licensee, or employee or agent thereof, shall require the drawer of a patron check to make, or to have some other person make, the payments authorized by this section as a pre-condition to initially approving or subsequently increasing a credit limit for the drawer or for any other reason whatsoever.

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32 V.I. R. & Regs. § 455-5.9

455-5.9. Procedure for Depositing Checks Received from Gaming Patrons.

(a) All checks, unless redeemed or consolidated prior to the time requirements herein, received from gaming patrons in conformity with Sections 455-5.5 or 455-5.6 shall be deposited in the casino licensee's bank account in accordance with the casino licensee's normal business practice, and such practice must be submitted in writing to both the Commission and Division, but in no event later than:

1. The banking day after the date of the check for a non-gaming check;
2. Seven calendar days after the date of the check for a check in an amount of \$ 1,000 or less;
3. Fourteen calendar days after the date of the check for a check in an amount greater than \$ 1,000 but less than or equal to \$ 5,000; or
4. Forty-five calendar days after the date of the check for a check in an amount greater than \$ 5,000.

(b) All checks received for consolidation in conformity with Section 455-5.7 shall be deposited in the casino licensee's bank account within:

1. Seven calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount of \$ 1,000 or less;
2. Fourteen calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount greater than \$ 1,000 but less than or equal to \$ 5,000; or
3. Forty-five calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount greater than \$ 5,000.

(c) All checks received as part of a redemption in conformity with Section 455-5.7 shall be deposited in the casino licensee's bank account within:

1. Seven calendar days after the date of the initial check if the initial check is in an amount of \$ 1,000 or less;

2. Fourteen calendar days after the date of the initial check if the initial check is in an amount greater than \$ 1,000 but less than or equal to \$ 5,000; or

3. Forty-five calendar days after the date of the initial check if the initial check accepted is in an amount greater than \$ 5,000.

(d) In computing a time period prescribed by this section, the last day of the period shall be included unless it is a Saturday, Sunday, or a Territorial or Federal holiday, in which event the time period shall run until the next business day.

(e) In the event of a series of consolidation or redemption transactions with a patron, the initial check shall be the earliest dated check returned to the patron in the first of the series of consolidation or redemption transactions.

(f) Any check deposited into a bank will not be considered clear until a reasonable time has been allowed for such check to clear the bank. The licensee must submit to the Commission the time allotted for checks to clear the bank.

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32 V.I. R. & Regs. § 455-5.9, 32 VI ADC § 455-5.9

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32 V.I. R. & Regs. § 455-5.10

455-5.10. Recording of Checks Exchanged, Redeemed or Consolidated.

(a) All transactions affecting a patron's outstanding indebtedness to the casino licensee shall be recorded in chronological order in the patron's credit file and credit transactions shall be segregated from the safekeeping deposit transactions. The following information shall be included:

1. The date, amount and check number of each Counter Check initially accepted from the patron;
2. The date, amount and check number of each consolidation check and the check numbers of the checks returned to the patron;
3. The date, method, amount and check number of each redemption transaction and the check number of the redeemed check returned to the patron;
4. The date, amount and check number of each substitution transaction and the check number of the check returned to the patron;
5. The date, amount and check number of each check deposited;
6. The date, amount and check number of each check returned to the casino licensee by the patron's bank and the reason for its return;
7. The outstanding balance after each transaction; and
8. The date, amount and check number of any checks which have been partially or completely written off by the casino licensee and a brief explanation of the reason for such write off.

(b) A log of all Counter Checks exchanged and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a daily basis, by check cashiers and such log shall include, at a minimum, the following:

1. The balance of the checks on hand in the cashier's cage at the beginning of each shift;

2. For checks initially accepted and for checks received for consolidation, redemption or substitution;

i. The date of the check;

ii. The name of the drawer of the check;

iii. The amount of the check;

iv. The Counter Check serial number(s) for Counter Check(s) received; and

v. An indication as to whether the check was initially accepted or received in a redemption, consolidation or substitution.

3. For checks deposited, redeemed by patrons for cash, cash equivalents, complimentary cash gifts, gaming chips and plaques, or any combination thereof, consolidated or replaced:

i. The date on which the check was deposited, redeemed, consolidated or replaced;

ii. The name of the drawer of the check;

iii. The amount of the check;

iv. The Counter Check serial number(s) for Counter Check(s) deposited, redeemed, consolidated or replaced; and

v. An indication as to whether the check was deposited, redeemed, consolidated or replaced.

4. The balance of the checks on hand in the cashiers' cage at the end of each shift.

(c) A list of all Counter Checks on hand, and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a monthly basis, at a minimum, and shall include the following:

1. The date of the check;

2. The name of the drawer of the check;

3. The amount of the check; and

4. The Counter Check serial number(s) for Counter Check(s) received.

(d) At the end of each gaming day, at a minimum, the following procedures shall be performed:

1. The daily total of the amounts of checks initially recorded as described in (b)2 above shall be agreed to the daily total of Counter Checks issued;
2. The daily total of the checks indicated as deposited on the log required by (b)3 above shall be agreed by employees with no incompatible functions to the bank deposit slips corresponding to such check; and
3. The balance required by (b)4 above shall be agreed to the total of the checks on hand in the cashiers' cage.

(e) All information recorded in the credit file shall be in accordance with the licensee's system of internal accounting control submitted to the Commission.

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32 V.I. R. & Regs. § 455-5.10, 32 VI ADC § 455-5.10

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455-6. Subchapter 6. Credit and Collection Accounting Controls

32 V.I. R. & Regs. § 455-6.1

455-6.1. Procedures for Granting Credit.

(a) A credit file for each patron shall be prepared by a general cage cashier or credit department representative with no incompatible functions either manually or by computer prior to the casino licensee's approval of a patron's credit limit. All patron credit limits and changes thereto shall be supported by the information contained in the credit file. Such file shall contain a credit application form upon which shall be recorded, at a minimum, the following information provided by the patron:

1. The patron's name;
2. The address of the patron's residence;
3. The number of years at that address;
4. The telephone number at the patron's residence;
5. Employment information including:
 - i. The name of the patron's employer, or an indication of self employment or retirement;
 - ii. Type of business;
 - iii. The patron's position;
 - iv. Number of years employed;
 - v. The patron's business address; and
 - vi. The patron's business telephone number.
6. Banking information including:

i. The name and location of the patron's bank; and

ii. The account number of the patron's personal checking account upon which the patron is individually authorized to draw and upon which all Counter Checks and all checks used for substitution, redemption or consolidation will be drawn. Checking accounts of sole proprietorships shall be considered as personal checking accounts. Partnership or corporate checking accounts shall not be considered personal checking accounts.

7. The credit limit requested by the patron;

8. The name of each casino where the patron has a casino credit limit;

9. The approximate amount of all other outstanding indebtedness;

10. The amount and source of income and assets in support of the requested credit limit; and

11. The patron's signature indicating acknowledgment of the following statement, which shall be included at the bottom of every credit application form containing the information required to be submitted by the patron pursuant to this subsection: "I certify that I have reviewed all of the information provided above and that it is true and accurate. I authorize (insert the name of the casino licensee) to conduct such investigations pertaining to the above information as it deems necessary for the approval of my credit limit. I am aware that this application is required to be prepared by the regulations of the U.S. Virgin Islands Casino Control Commission and I may be subject to civil or criminal liability if any material information provided by me is willfully false."

(b) A general cage cashier or credit department representative with no incompatible functions shall record the following information in the credit file prior to the casino licensee's approval of a patron's credit limit:

1. A physical description of the patron which shall include, but not be limited to, the following:

i. Date of birth;

ii. Height;

iii. Weight;

iv. Hair color; and

v. Eye color.

2. The type of identification credentials examined containing the patron's signature and whether said credentials included a photograph or general physical description of the patron; and

3. The signature of the general cage cashier or credit department representative with no incompatible functions indicating that the signature of the patron in the credit file appears to agree with the signature on the identification credentials presented by the patron and that the physical description of the patron appears to agree with the patron's actual appearance. The date and time of the signature of the general cage cashier or credit department representative with no incompatible functions shall be recorded either mechanically or manually contemporaneously with the transaction.

(c) Prior to the casino licensee's approval of the patron's credit limit, a credit department representative with no incompatible functions shall:

1. Verify the address of the patron's residence;

2. Verify the patron's current casino credit limits and outstanding balances which shall include the following:

i. The date the patron's credit account was established;

ii. The amount of the current approved credit limit at each casino; and

iii. The current balance and status of the patron's credit account at each casino including checks deposited by U.S. Virgin Islands casino licensees that have not yet cleared the bank and derogatory information. ("Derogatory" is defined as patron credit accounts partially or completely uncollectible, checks returned unpaid by the patron's bank, settlements, liens, judgments, and any other credit problems of the patron);

3. Verify the patron's outstanding indebtedness;

4. Verify the patron's personal checking account information which shall include, but not be limited to, the following:

i. Type of account (personal or sole proprietorship);

ii. Account number;

iii. Date the account was opened;

iv. Average balance of the account for the last twelve months, if available (if this information is not available, then this shall be noted in the credit file);

v. Current balance in the account if available (if this information is not available then this shall be noted in the credit file);

vi. Whether the patron can sign individually on the account;

vii. Name and title of the person supplying the information; and

5. Verify that the patron's name is not designated on the master list of persons who have voluntarily requested suspension of credit privileges pursuant to Section 455-6.2.

(d) All verifications performed by the credit department in (c) above together with accurate and verifiable information received from the security and surveillance departments pursuant to Section 455-2.1(c) shall be recorded in the credit file and accompanied by the signature of the credit department representative who performed the required verifications or filed the relevant information. The date and time of the signature of the credit department representative shall be recorded either mechanically or manually contemporaneously with the transaction. The casino licensee's credit department shall fulfill the requirements of (c) above as follows:

1. Verification of the address of the patron's residence, as required by 455-6.1(c)1 above, shall be satisfied by confirming the patron's address with a credit bureau or bank. If neither of these sources has the patron's address on file or will not provide the information, the licensee may use an alternative source which shall not include any identification credentials required in 455-6.1(b) above or other documentation presented by the patron at the casino. The casino shall record the source of verification and the method by which such verification was performed in the patron's credit file. Verification of the patron's address may be performed telephonically.

2. Verification of the patron's current casino credit limits and outstanding balances, as required by 455-6.1(c)2 above, shall be performed through a casino credit bureau and, if appropriate, through direct contact with other casinos. The casino licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If no casino credit information relating to the patron is available from these sources, this shall be noted in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee requests written documentation of all such information as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

3. Verification of the patron's outstanding indebtedness, as required by 455-6.1(c)3 above, shall be performed by contacting a consumer credit bureau which is reasonably likely to possess information concerning the patron, to the extent such consumer credit bureau is available, and a casino credit bureau to determine whether the applicant has any liabilities or if there is any derogatory information concerning the applicant's credit history. Such contact shall be considered a verification of the outstanding indebtedness provided by the patron. If such contact is not immediately possible, the casino licensee may use an alternative source which has made the required contact. The casino licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If either one or both of these credit bureaus do not have information relating to a patron's outstanding indebtedness this shall be recorded in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee requests written documentation of all information obtained as soon as possible and includes such written documentation

in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

4. Verification of the patron's personal checking account information, as required by 455-6.1(c)4 above, shall be performed by the casino licensee or a bank verification service directly with the patron's bank. A bank verification service utilized by a casino licensee may make use of another bank verification service to make direct communication with the patron's bank. If such information is not immediately available, the casino licensee may use an alternative source. The casino licensee shall record the source of the verification and the method by which each verification was performed in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee or bank verification service requests written documentation of all information obtained as soon as possible and such written documentation is included in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained. No bank verification service may be used by a casino licensee or another bank verification service to perform the verifications required by this section unless the bank verification service has filed a completed application for an appropriate casino service industry license under Section 444 of the Act and accompanying regulations. If a bank verification service is used as a primary source of verification, either directly by a casino licensee or by another bank verification service, each service and the licensee shall, in addition to complying with any other requirement imposed by this section, record the date that the patron's personal checking account information was obtained from the bank by the service.

(e) Any U.S. Virgin Islands casino licensee requesting information from another U.S. Virgin Islands casino licensee concerning a credit patron shall represent to the requested casino licensee that the patron has a credit line or has applied for credit and shall provide the patron's name, address of the patron's residence and the name and location of the patron's bank. Upon receipt of this information, the requested U.S. Virgin Islands casino licensee shall be required to furnish to the requesting U.S. Virgin Islands casino licensee any information in its possession concerning a patron as required by 455-6.1(c) above.

(f) The credit limit, and any changes thereto, must be approved by any one or more of the individuals holding the job positions of credit manager, assistant credit manager, credit shift manager, credit executive, or a casino key employee in a direct reporting line above the casino manager or a credit committee composed of casino key employees which may approve credit as a group but whose members may not approve credit individually unless such person is included in the job positions referenced above. The approval shall be recorded in the credit file and shall include:

1. Any other information used to support the credit limit and any changes thereto, including the source of the information, if such information is not otherwise recorded pursuant to this section;
2. A brief summary of the key factors relied upon in approving or reducing the requested credit limit and any changes thereto;
3. The reason credit was approved if derogatory information was obtained during the verification process; and
4. The signature of the employee approving the credit limit. The date and time of the signature shall be recorded either mechanically or manually contemporaneously with the transaction.

(g) Prior to approving a credit limit increase, a representative of the casino licensee's credit department shall:

1. Obtain a written request from the patron which shall include:
 - i. Date and time of the patron's request;
 - ii. Amount of credit limit increase requested by the patron; and
 - iii. Signature of the patron.
2. Verify the patron's current casino credit limits and outstanding balances, as required by 455-6.1(c)2ii and 455-6(c)2iii above, unless such verification has been performed earlier that same gaming day;
3. Verify the patron's outstanding indebtedness and personal checking account information, as required by 455-6.1(c)3 and 455-6.1(c)4 above, unless such procedures have been performed within the previous six months;
4. Consider the patron's player rating based on a continuing evaluation of the amount and frequency of play subsequent to the patron's initial receipt of credit. The patron's player rating shall be readily available to representatives of the casino licensee's credit department prior to their approving a patron's request for a credit limit increase.
5. For table game play, the information for the patron's player rating shall be recorded on a player rating form by casino department supervisors or put directly into the licensee's computer system pursuant to an approved submission and shall include, but not be limited to, the following:
 - i. Patron's name;
 - ii. Game and table number;
 - iii. Average bet;
 - iv. Approximate length of time played;
 - v. Rating as determined by supervisor or approved computer system;
 - vi. Signature and license number of the casino supervisor responsible for providing the patron's player rating information; and
 - vii. Date of observations.

6. For slot play, the information for the patron's player rating shall be recorded on a player rating form by slot department supervisors, or put directly into the casino licensee's computer system pursuant to an approved submission, or generated by insertion of a card, by a patron, into a card reader attached to a slot machine. Such ratings shall include, but not be limited to, the following:

- i. The patron's name;
- ii. A designation indicating it is for slots;
- iii. The rating as determined by a supervisor or an approved computer system;
- iv. The signature and license number of the slot supervisor responsible for providing the patron's player rating information; if manually prepared; and
- v. The date of play.

7. Include the information and documentation required by (g)1 through 3 above and the patron's player rating indicated at the time the credit increase is approved in the patron's credit file.

(h) Credit limit increases may be approved without performing the requirements of 455-6.1(g)2 and 455-6.1(g)3 above if the increases are temporary and are noted as being for this trip only (TFO) in the credit file. Temporary increases shall be limited to two during any thirty day period and the total amount of the temporary increases during that period shall not exceed ten percent of the currently approved credit limit.

(i) The casino licensee's credit department shall:

1. Comply with the requirements of either 2 or 3 below whenever:

- i. A patron's credit file has been inactive for a six month period; or
- ii. A patron has failed to completely pay off his credit balance at least once within a six month period; or
- iii. A check is returned to any casino by a patron's bank; or
- iv. Any information is received by a casino licensee's credit department which reflects negatively on the patron's continued credit worthiness; or

v. The information in the patron's credit file, as required by 455-6.1(c)1 through 455-6.1(c)4 above, has not been verified for a 12-month period.

2. Reverify the patron's address, current casino credit limits, outstanding balances, outstanding indebtedness, and personal checking account information, as required by 455-6.1(c)1 through 455-6.1(c)4 above.

3. Suspend the patron's credit privileges. If a patron's credit privileges have been suspended, the procedures required by (c)1 through (c)4 above shall be performed before that patron's credit privileges are reinstated; provided, however, if the suspension is the result of the requirement of 1.iii. above, the casino licensee may alternatively reinstate the patron's credit privileges by complying with the requirements of (j) below.

4. Verify the information required by 455-6.1(a)2 and 455-6.2(a)6 above, in accordance with the procedures in (d) above, whenever the casino licensee has reason to believe that this information has changed.

(j) Any patron having a check returned to any casino unpaid by the patron's bank shall have his credit privileges suspended at all U.S. Virgin Islands casino licensees until such time as the returned check has been paid in full or the reason for the derogatory information has been satisfactorily explained. All derogatory information concerning a patron's credit account shall be reported by each casino licensee on a daily basis to a casino credit bureau used by U.S. Virgin Islands casino licensees. Each U.S. Virgin Islands casino licensee shall request written documentation of any derogatory information pertaining to its patrons to be reported to that casino licensee on a daily basis by a casino credit bureau used by U.S. Virgin Islands casino licensees. All documentation obtained from the casino credit bureau shall be maintained in the patron's credit file. Any casino licensee desiring to continue the patron's credit privileges on the basis of a satisfactory explanation having been obtained for the returned check may do so if the licensee records the explanation for its decision in the credit file before accepting any further checks from the patron along with the signature of the credit department representative accepting the explanation.

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32 V.I. R. & Regs. § 455-6.1, 32 VI ADC § 455-6.1

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Subchapter 455. Internal Controls

455-6. Subchapter 6. Credit and Collection Accounting Controls

32 V.I. R. & Regs. § 455-6.2

455-6.2. Patron Request for Suspension of Credit Privileges.

(a) Any person may voluntarily suspend his or her credit privileges at all licensed casinos by submitting a written request to the Commission in accordance with this section.

1. Such request may be submitted in person at the offices of the Casino Control Commission or at the Commission inspector's booth at any licensed casino. Any person requesting suspension of credit privileges in person shall present valid identification credentials containing the person's signature and either a photograph or a general description of that person.

2. Such request may also be submitted by mail addressed to the Casino Control Commission, Attention Executive Secretary, 5 Orange Grove, Christiansted, U.S. Virgin Islands 00820. Any request for suspension of credit privileges which is submitted by mail shall be signed before a notary public or other person empowered by law to take oaths and shall contain a certificate of acknowledgment by such notary public or other person attesting to the identity of the person making the request.

(b) A request for suspension of credit privileges shall be in a form prescribed by the Commission, which shall include the following:

1. The name of the person requesting suspension of credit privileges;
2. The address of the person's residence;
3. The person's date of birth;
4. The name of each licensed casino where the person currently has an approved line of credit;
5. The signature of the person requesting suspension of credit privileges, indicating acknowledgment of the following statement "I certify that the information which I have provided above is true and accurate. I am aware that my signature below authorizes the Casino Control Commission to direct all U.S. Virgin Islands casino licensees to suspend my credit privileges for a minimum period of 30 days from the date of this request and indefinitely thereafter, until such time as I submit a written request to the Commission for the reinstatement of any such credit privileges";

6. If the request for suspension of credit privileges is made in person:

- i. The type of identification credentials examined containing the person's signature, and whether said credentials included a photograph or general description of the person; and
- ii. The signature of a Commission employee authorized to accept such request, indicating that the signature of the person requesting suspension of credit privileges appears to agree with that contained on his or her identification credentials and that any physical description or photograph of the person appears to agree with his or her actual appearance; and

7. If the request for suspension of credit privileges is made by mail, a certificate of acknowledgment executed by a notary public or other person empowered by law to take oaths attesting to the identity of the person who is making the request for suspension of credit privileges.

(c) The Commission shall maintain an updated master list of all persons who have requested suspension of credit privileges pursuant to this section, and shall notify the credit department of each casino licensee in writing of any additions to or deletions from the list. The casino licensee shall date and time stamp any such notice immediately upon receipt.

1. Each casino licensee shall suspend the credit privileges of any listed person, effective immediately upon receipt of notice that such person's name has been added to the list.

2. An updated master list of persons who have requested suspension of credit privileges shall be maintained by the credit department of each licensed casino.

3. Each casino licensee shall note any suspension or reinstatement of credit privileges pursuant to this section in any existing credit file for the affected patron, including the following:

- i. A copy of any applicable Commission notice of the suspension or reinstatement of credit privileges; and
- ii. The date, time and signature of the credit department representative making the suspension or reinstatement entry in the credit file.

(d) Any person whose credit privileges have been suspended pursuant to this section may, no sooner than 30 days after the request for suspension of credit privileges, request reinstatement of his or her credit privileges by submitting a written request to the Commission in accordance with the procedures specified in 455-6.2(a)1 and 2 above.

1. Such request shall be in a form prescribed by the Commission, which shall include the following:

- i. The information specified in 455-6.2(b)1, 2, 3, 4, 6 and 455-6.2(b)7 above; and

ii. The signature of the person requesting reinstatement of credit privileges, indicating acknowledgment of the following statement: "I certify that the information which I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for suspension of credit privileges, and authorizes the Casino Control Commission to permit any U.S. Virgin Islands casino licensee to reinstate my credit privileges."

2. The Commission shall delete such person's name from the list established pursuant to (c) above, and so notify the credit department of each casino licensee, no later than three days from submission of the written request for reinstatement of credit privileges. The casino licensee shall date and time stamp any such notice immediately upon receipt.

3. Upon receipt of notice that such person's name has been deleted from the list, a casino licensee may reinstate such person's credit upon reverification of the information required by Section 455-6.1(c), or may extend credit to such person in accordance with the procedures set forth in Section 455-6.1.

(e) Information furnished to or obtained by the Commission pursuant to this section shall be deemed confidential, and shall not be disclosed except in accordance with this section and the regulations concerning confidentiality. No casino licensee shall divulge that any person's name is designated on the master list maintained pursuant to Section 457(j) of the Act and this section, other than to authorized credit department employees or other casino personnel whose duties and functions require access to such information.

1. If, in the ordinary course of business, a casino licensee is requested to provide information regarding the status of the patron's credit account, the casino licensee shall not disclose any information other than to identify the credit account as voluntarily suspended.

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32 V.I. R. & Regs. § 455-6.2, 32 VI ADC § 455-6.2

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455-6. Subchapter 6. Credit and Collection Accounting Controls

32 V.I. R. & Regs. § 455-6.3

455-6.3. Collecting and Recording of Checks Returned to the Casino After Deposit.

(a) All dishonored checks returned by a bank (“returned checks”) after deposit shall be returned directly to, and controlled by, accounting department employees and shall have no incompatible functions.

(b) No person other than one licensed in a separate collection section within the accounting department as a casino key employee or as a casino employee, and one who has no incompatible functions may engage in efforts to collect returned checks except that an attorney-at-law representing a casino licensee may bring action for such collection. Any verbal or written communication with patrons regarding collection efforts, shall be documented in the collection section.

(c) Continuous records of all returned checks shall be maintained by accounting department employees with no incompatible functions. Such records shall include, at a minimum, the following:

1. The date of the check;
2. The name and address of the drawer of the check;
3. The amount of the check;
4. The date(s) the check was dishonored;
5. The Counter Check serial number for Counter Checks; and
6. The date(s) and amount(s) of any collections received on the check after being returned by a bank, including the date(s) and amount(s) of any complimentary cash gifts applied as payment on the check after being returned by a bank.

(d) A check dishonored by a bank may be immediately redeposited if there is sufficient reason to believe the check will be honored the second time.

(e) Statements shall be sent to patrons, by accounting department employees with no incompatible functions, immediately upon initial receipt of a returned check or immediately upon receipt of a check returned for a second time if the check was

immediately redeposited pursuant to (d) above, and on a quarterly basis thereafter until collection efforts are discontinued and such statements shall include, but not be limited to, the following:

1. The name and address of the drawer;
2. The date of the check;
3. The amount of the check; and
4. The date(s) and amount(s) of any collections received on the check after being returned by the bank.

(f) Patrons to whom statements are sent shall be advised of a return address and department to which replies shall be sent.

(g) Employees with no incompatible functions shall receive directly and shall initially record all collections.

(h) Copies of statements and other documents supporting collection efforts shall be maintained and controlled by accounting department employees.

(i) A record of all collection efforts shall be recorded and maintained by the collection area within the accounting department.

(j) After reasonable collection efforts, returned checks may be considered uncollectible for accounting purposes and charged to the casino licensee's allowance for uncollectible patron's checks. A check which is unenforceable pursuant to Section 457 of the Act shall not be charged to the allowance account for the purpose of computing the maximum provision allowed pursuant to Section 402 of the Act concerning gross revenue. Any patron's indebtedness, in excess of \$ 1,000, may only be considered uncollectible for accounting purposes and charged to the allowance for uncollectible patron's checks account after the following information has been included in the patron's credit file:

1. Documentation by two or more of the casino licensee's collection department employees evidencing independent efforts to collect the patron's outstanding check(s) and the reason why such collection efforts were unsuccessful; and/or
2. A letter from an attorney representing the casino documenting the efforts to collect the patron's outstanding checks and the reasons why such collection efforts were unsuccessful or were not pursued further.

(k) Listings of uncollectible checks shall be approved in writing by, at a minimum, the chief executive officer, a casino key employee approved by the Commission and the controller. All such uncollectible checks and listings shall be maintained and controlled by accounting department employees. A continuous trial balance of all uncollectible checks shall be maintained by employees of the accounting department. The continuous trial balance shall be adjusted for any subsequent collections.

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32 V.I. R. & Regs. § 455-6.3, 32 VI ADC § 455-6.3

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455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.1

455-7.1. Slot Cash Storage Boxes; Transportation to and from Bill Changers; Storage

(a) Each bill changer in a casino shall have contained in it a secure metal container known as a “slot cash storage box” in which shall be deposited all cash and coupons inserted into the bill changer. Each slot cash storage box shall:

1. Have two separate locks securing the contents of the slot cash storage box, the keys to which shall be different from each other, and shall also comply with the requirements of Section 455-7.4;
2. Have a slot opening through which currency and coupons can be inserted into the slot cash storage box;
3. Have a mechanical arrangement or device that prohibits removal of currency and coupons from the slot opening whenever the slot cash storage box is removed from the bill changer;
4. Be fully enclosed, except for such openings as may be required for the operation of the bill changer or the slot cash storage box; provided, however, that the location and size of such openings shall not affect the security of the slot cash storage box, its contents or the bill changer, and shall be approved by the Commission and the Division; and
5. Each casino licensee shall develop and maintain, with prior Commission approval, a system for assigning a unique identification number to its slot cash storage boxes, which system ensures that each slot cash storage box can readily be identified, either manually or by computer, when in use with, attached to, and removed from a particular bill changer. Each such unique identification number shall be at least two inches in height and shall be permanently imprinted, affixed or impressed on the outside of each slot cash storage box. In addition, emergency slot cash storage boxes may be maintained without such numbers, provided the word “emergency” is permanently imprinted, affixed or impressed thereon, and when put into use, are temporarily marked with the asset number of the slot machine to which the bill changer is attached, and provided further, that the casino obtains the express written approval of the Commission before placing an emergency slot cash storage box into use.

(b) The key to one of the locks securing the contents of a slot cash storage box shall be maintained and controlled by the accounting department. The key to the second lock securing the contents of slot cash storage boxes shall be maintained and controlled by Commission inspectors.

(c) Each casino licensee shall place on file with the Commission and the Division a schedule setting forth the specific times at which the slot cash storage boxes will be brought to or removed from the bill changers. Each casino licensee shall also maintain and make available to the Commission and the Division upon request, the names and license numbers of all employees

participating in the transportation of such slot cash storage boxes. No slot cash storage box shall be brought to or removed from any bill changer at other than the time specified in such schedule except with the express written approval of a Commission inspector.

(d) All slot cash storage boxes removed from bill changers shall be transported directly to and secured in the count room by a Commission inspector, security department member and a member of the casino accounting department, at a minimum; provided however, that a slot cash storage box removed from a bill changer in order to service the bill changer may be temporarily stored in the corresponding double-locked base of the slot machine (the compartment of the slot machine containing the slot drop bucket or slot drop box) attached to the bill changer, and shall be replaced and relocked in the bill changer when the repairs are completed. If the repairs cannot be completed and the slot cash storage box cannot be replaced in the bill changer by the end of the repair person's shift, or if the bill changer must be removed from the casino floor, the slot cash storage box shall be removed from the locked slot compartment and transported to the count room in accordance with Section 455-7.7.

(e) All slot cash storage boxes not contained in a bill changer, including emergency slot cash storage boxes which are not actively in use, shall be stored in the count room or other secure area outside the count room approved by the Commission, in an enclosed storage cabinet or trolley and secured in such cabinet or trolley by a separately keyed, double locking system. The key to one lock shall be maintained and controlled by the security department and the key to the second lock shall be maintained and controlled by a Commission inspector.

(f) All slot cash storage boxes not contained in a bill changer, including emergency slot cash storage boxes which are not actively in use, shall be stored in the count room or other secure area outside the count room approved by the Commission, in an enclosed storage cabinet or trolley and secured in such cabinet or trolley by a separately keyed, double locking system. The key to one lock shall be maintained and controlled by the security department and the key to the second lock shall be maintained and controlled by a Commission inspector.

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455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.2

455-7.2. Slot Booths.

(a) Each establishment may have on or immediately adjacent to the gaming floor one or more physical structures, each to be known as a slot booth, to house one or more slot cashiers and to serve as the central location in the casino or, when there are multiple slot booths, in that portion of the casino, for the following:

1. The custody of the slot booth inventory comprising currency, coin, slot tokens, forms, documents, and records normally associated with the operation of a slot booth;
2. The exchange by patrons of coin for currency or slot tokens;
3. The exchange by patrons of currency for coin or slot tokens;
4. The exchange by patrons of gaming chips, prize tokens or slot tokens for currency, slot tokens or coin;
5. The exchange by patrons of coupons for currency, coin or slot tokens in conformity with Section 455-3.4(j);
6. The exchange by patrons of signed Slot Counter Checks for currency, coin or slot tokens, or any combination thereof, in conformity with Section 455-5.6;
7. The issuance of Hopper Fills in conformity with Section 455-7.14;
8. The issuance of Payouts in conformity with Section 455-7.9; and
9. The issuance of coin or slot tokens to automated coupon redemption machines in exchange for proper documentation; and
10. The issuance of cash to patrons upon the presentation of a recognized credit card in accordance with Section 455-5.5(i);
11. The exchange with the master coin bank of any coin, currency, slot tokens, prize tokens, chips, plaques, issuance copies of Slot Counter Checks and documentation and the related preparation of a Slot Booth Exchange Slip, which shall be a two-part, serially prenumbered form signed by the master coin bank cashier, slot cashier, and the security department

member responsible for transporting the funds. Except for the exchanging of coin, currency, prize tokens and slot tokens with changepersons, the slot booth shall not be allowed to obtain coin, currency, prize tokens or slot tokens, from other than patrons, through exchange or otherwise, from any source other than the master coin bank or a coin vault approved pursuant to Section 455-2.6(e). An exchange with the master coin bank or coin vault must be accompanied by a Slot Booth Exchange Slip or by a Fill Slip authorizing the distribution of coins, prize tokens or slot tokens to the slot booth. An exchange with a changeperson must be documented in accordance with procedures approved by the Commission.

(b) Each slot booth shall be designed and constructed to provide at all times maximum security for the materials housed therein and for the activities performed therein. At a minimum, each slot cashier window shall be equipped with an electrical system, approved by the Commission, which enables a slot cashier or other authorized person in the booth to transmit a signal that is audibly and visually reproduced in each of the following locations whenever an emergency exists:

1. The monitoring rooms required by Section 455-2.3;
2. The casino security department of the casino licensee; and
3. The Commission's office in the casino hotel.

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32 V.I. R. & Regs. § 455-7.2, 32 VI ADC § 455-7.2

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455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.3

455-7.3. Accounting Controls for Slot Booths and Change Machines.

(a) The assets for which slot cashiers are responsible shall be supplied from the cashiers' cage. Each slot cashier shall operate with an individual imprest inventory. At the end of each shift, the slot cashier assigned to the outgoing shift shall record on a Slot Cashiers' Count Sheet the face value of each slot booth inventory item counted and the total opening and closing slot booth inventories and shall reconcile the total closing inventory with the total opening inventory.

(b) Signatures attesting to the accuracy of the information contained on the Slot Cashiers' Count sheet shall be, at a minimum, of the following cashiers after preparation of the Slot Cashiers' Count sheet:

1. The cashier assigned to the outgoing shift; and
2. The cashier assigned to the incoming shift.

(c) At the end of each gaming day, at a minimum, a copy of the Slot Cashiers' Count Sheets for the previous gaming day shall be forwarded to the accounting department for agreement of opening and closing inventories, agreement of amount thereon to other records and documents required by this regulation, and recording of transactions.

(d) The slot booth inventory may be used to supply changepersons with an imprest inventory of coin, currency and slot tokens, provided that such inventory shall only be used to accept any combination of currency, coin, gaming chips, slot tokens, prize tokens or coupons presented by a patron in exchange for an equivalent amount of any combination of currency, coin or slot tokens. The slot booth inventory may also be used to provide a changeperson with coin, currency and slot tokens in exchange for an equal amount of any combination of coin, currency, coupons, prize tokens or gaming chips. The exchange of coupons shall be in accordance with Section 455-3.4(j). If a changeperson's inventory is obtained from a location other than a slot booth, the location and the procedures for the issuance and maintenance of the inventory shall be approved by the Commission.

(e) The slot booth inventory may be used to supply automated coupon redemption machines with an imprest inventory of coin or slot tokens.

(f) Change machines shall be governed by the accounting and internal control procedures required by this section, which shall be submitted to the Commission for review and approval.

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32 V.I. R. & Regs. § 455-7.3, 32 VI ADC § 455-7.3

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455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.4

455-7.4. Slot Machines and Bill Changers; Coin and Slot Token
Containers; Slot Cash Storage Boxes; Entry Authorization Logs.

(a) Each slot machine located in a casino shall have the following coin, prize token or slot token containers:

1. At least one but no more than two containers, each to be known as a payout reserve container ("hopper"), in which coins, prize tokens or slot tokens are retained by the slot machine to automatically pay jackpots or to dispense change as directed by a bill changer connected to the slot machine; provided, however, that:

i. Coins or slot tokens shall be retained in a separate hopper, known as an "all-purpose hopper," that is designed to accept coin or slot tokens of the same denomination, and only such coin or slot tokens, upon insertion thereof into the slot machine's coin acceptor, and that is capable of paying out or dispensing only coin or slot tokens of the same denomination as jackpots or as change; provided, however, that any coins or slot tokens that are accepted by the coin acceptor and that exceed the capacity of the hopper shall be diverted to the slot drop bucket, and if applicable, the slot drop box;

ii. Prize tokens shall be retained only in a separate hopper, known as a "payout-only hopper," that is capable of retaining and making jackpot payouts only of prize tokens of the same denomination, and that is incapable of making change or of accepting any coin or slot token upon insertion thereof into the slot machine's coin acceptor, which shall divert coins or slot tokens that it has accepted to the slot drop bucket or any applicable slot drop box;

iii. No slot machine shall have more than one all-purpose hopper unless each hopper accepts the same denomination of coin or slot token;

iv. Notwithstanding (a)1i above, coins or slot tokens of the same denomination that are placed in a payout-only hopper exclusively through hopper fills may be retained in that hopper to make payouts to winning patrons, subject to the Division's inspection and the Commission's approval of the machine as part of the review of that machine and of the internal controls therefor;

v. Unless both hoppers on slot machines with multiple hoppers either each contain the same denomination of coin, slot tokens or prize tokens, or are connected to win meters that satisfy the requirements of Section 456-7.6(b)4i and Section 456-8.4(c)5i of the Conduct of Gaming Regulations or Section 456-7.6(b)4ii and Section 456-8.4(c)5ii of the Conduct of Gaming Regulations, each automatic pay jackpot of coins, slot tokens or prize tokens that is made from a multiple hopper slot machine on a round of play shall be paid out only on the round of play when the winning combination is hit and only from one, but not both, of the machine's hoppers for any winning combination that is hit

on that round, and no casino licensee shall offer or provide a jackpot at such slot machine that will be paid out from both hoppers for any winning combination that is hit on the same round; and

vi. Prize tokens shall not be placed in or retained by a payout-only hopper that retains coins or slot tokens pursuant to (a)1iv above;

2. A container, known as a slot drop bucket or slot drop box, to collect coins or slot tokens that are retained by the slot machine and are not used to make change or automatic jackpot payouts. Each slot drop bucket or slot drop box shall be identified by a number which corresponds to the asset number of the slot machine, and which is permanently imprinted on or affixed to the outside of the slot drop bucket or slot drop box in numerals at least two inches high; and

3. On those slot machines to which a bill changer is attached, a container known as a slot cash storage box, in which currency and coupons accepted by the bill changer are retained.

(b) A slot drop bucket shall be housed in a locked compartment separate from any other compartment of the slot machine. The compartment shall have two locks, the keys to which shall be different from each other and from the keys utilized to secure all other compartments of the slot machine. One key to the compartment shall be maintained and controlled by a Commission inspector. The second key to the compartment shall be maintained and controlled by the casino security department in a secure area within that department, access to which may be gained only by a casino security department supervisor.

(c) A slot drop box shall have:

1. A slotted opening through which coins and slot tokens can be deposited;

2. A device that will automatically close and lock the slotted opening upon removal of the slot drop box from the slot machine; and

3. Two separate locks securing the contents of the slot drop box, the keys to which shall be different from each other. The key to one of the locks shall be maintained and controlled by a Commission inspector. The key to the second lock, which shall also be different from the keys utilized to secure the compartments of the slot machine and the slot drop box, shall be maintained and controlled by the accounting department in a secure area within that department, access to which may be gained only by a supervisor in that department.

(d) A slot drop box shall be housed in a locked compartment separate from any other compartment of the slot machine. The area in which the slot drop box is located shall be secured by two separate locks, the design, location and operation of which shall be approved by the Commission, and the keys to which shall be different from each other. The key to one of the locks securing this area shall be maintained and controlled by a Commission inspector. The key to the second lock, which shall also be different from the keys utilized to secure any other compartments of the slot machine and the contents of the slot drop box, shall be maintained and controlled by the casino security department in a secure area within that department, and access to the key may be gained only by a supervisor in that department.

(e) Any slot machine equipped to accept slot tokens in denominations of \$ 25.00 or more shall:

1. Be opened only by a slot department supervisor or a supervisor thereof; and

2. Utilize a slot drop box, rather than a slot drop bucket.

(f) The area in which the slot cash storage box is located shall be secured by two separate locks, the design, location, and operation of which shall be approved by the Commission, and the keys to which shall be different from each other.

(g) The key to one of the locks securing the area where the slot cash storage box is located shall be maintained and controlled by a Commission inspector. The key to the second lock to such area, which key shall also be different from the keys securing the contents of the slot cash storage box, shall be maintained and controlled by the casino security department or the slot department in a secure area within that department. Access to the key may be gained only by a supervisor in that department, provided, however, that if the slot department controls the key, the supervisor of the slot department may issue the key to a casino security department supervisor, who may give it to appropriate casino security department personnel only for the purpose of participating in the transportation of slot cash storage boxes, pursuant to Section 455-7.1.

(h) Keys to each slot machine, or any device connected thereto which may affect the operation of the slot machine, with the exception of the keys to the compartments housing the slot drop bucket and to the locks securing the areas where the slot cash storage box and slot drop box are located, shall be maintained in a secure place and controlled by the slot department. Keys to slot machines equipped to accept slot tokens in denominations of \$ 25.00 or more shall be maintained and controlled by the slot department in a secure area within that department, access to which may be gained only by a supervisor in that department.

(i) Any key removed from a department's secure area pursuant to (b), (c), (d), (g) or (h) above, shall be returned no later than the end of the shift of the department member to whom the key was issued, and the department shall establish a sign-out and sign-in procedure approved by the Commission for all such keys removed.

(j) Unless a computer which automatically records the information specified in (j)1, 2, and 3 below is connected to the slot machines in the casino, the following entry authorization logs shall be maintained by the casino licensee:

1. Whenever it is required that a slot machine or any device connected thereto which may affect the operation of the slot machine be opened, with the exception of a bill changer, certain information shall be recorded on a form to be entitled "Machine Entry Authorization Log." The information shall include, at a minimum, the date, time, purpose of opening the machine or device, and the signature of the authorized employee opening the machine or device. The Machine Entry Authorization Log shall be maintained in the slot machine and shall have recorded thereon a sequential number and a manufacturer's serial number or the asset number of that slot machine.

2. Whenever it is required that a progressive controller not housed within the cabinet of a slot machine be opened, the information specified in (j)1 above shall be recorded on a form to be entitled "Progressive Entry Authorization Log." The Progressive Entry Authorization Log shall be maintained in the progressive unit and shall have recorded thereon a sequential number and serial number of the progressive controller.

3. With the exception of the transportation of slot cash storage boxes, pursuant to Section 455-7.1, whenever it is required that a bill changer, other than a separate slot cash storage box compartment, be opened, certain information shall be recorded on a form to be entitled "Bill Changer Log." The information shall include, at a minimum, the date, time, purpose of opening the bill changer, and the signature of the authorized employee opening the bill changer. The Bill Changer Log shall be maintained in the bill changer and shall have recorded thereon a sequential number and the serial number or asset number of the bill changer. If the bill changer is contained completely within the cabinet of a slot machine and there is no separate access to the bill changer unit, the information may be recorded on the Machine Entry Authorization Log required by (j)1 above, provided that any information that concerns the opening of the bill changer may be distinguished from any other information that concerns the opening of the slot machine or any other device connected thereto.

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32 V.I. R. & Regs. § 455-7.4, 32 VI ADC § 455-7.4

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32 V.I. R. & Regs. § 455-7.5

455-7.5. Slot Machines; Hopper Storage Areas.

(a) A hopper storage area may be used in connection with the operation of the slot machine, for the purpose of temporarily storing coins, prize tokens or slot tokens that are to be deposited only into the slot machine's hopper that corresponds with the coin or type of token stored in the hopper storage area.

(b) A hopper storage area shall be a secure compartment located adjacent to, but separate from, any compartment of its corresponding slot machine, or the drop bucket compartment of such slot machine, and shall:

1. Be constructed so as to provide maximum security for the coins or tokens stored in it;
2. Be secured by two separate locks, the keys to which shall be different from each other. One of the keys, which may be the same as the key which opens the slot machine corresponding to that hopper storage area, shall be maintained and controlled by the slot department. The other key, which shall be different from the key securing the corresponding slot machine, shall be maintained and controlled by the casino security department, in a secure area within that department, and access to that key may be gained only by a supervisor in that department. Removal of the key from this area may be undertaken only for use and return no later than the end of the shift of the department member to whom the key was issued, and upon the approval of a supervisor of that department, and entry of the following information into a log:
 - i. The signature of the department member to whom the key was issued;
 - ii. The signature of the supervisor authorizing such issuance;
 - iii. The date and time issued; and
 - iv. The date and time replaced; and
3. Include a device that indicates when the door of the hopper storage area is open.

(c) Hopper storage areas shall be filled and utilized in accordance with the procedures in Section 455-7.14 and a casino licensee's system of internal controls.

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32 V.I. R. & Regs. § 455-7.6

455-7.6. Slot Machines and Bill Changers; Identification; Signs; Meters.

(a) Unless otherwise authorized by the Commission, each slot machine in a casino shall have the following identifying features:

1. A manufacturer's serial number affixed to the outside of the slot machine cabinet in a location as approved by the Commission.
2. An asset number, at least two inches in height, permanently imprinted, affixed or impressed on the outside of the machine;
3. A display located conspicuously on the front of the slot machine that automatically illuminates when a player has won a jackpot not paid automatically and totally by the slot machine and which advises the player to see an attendant to receive full payment;
4. A display on the front of the slot machine that provides fair notice of the following:
 - i. The rules of play, character combinations which will award payouts and the related payouts;
 - ii. If the slot machine offers a payout of merchandise or some other thing of value, a clear description of the merchandise or thing of value including its cash equivalent value (unless the payout is an annuity jackpot), the dates the merchandise or thing of value will be offered if the casino licensee establishes a time limit for offering the merchandise or thing of value as provided in Section 455-7.10, and the availability or unavailability to the patron of the optional cash equivalent value authorized by Section 455-7.10(m). The display need only contain the name or a brief description of the merchandise or thing of value offered, provided that a sign containing all of the information specified in (a)4ii above shall be displayed in a location near the slot machine as approved by the Commission;
 - iii. If the slot, machine offers a progressive jackpot, the dates the progressive jackpot will be offered and the payout limit, if the casino licensee establishes a time limit or payout limit as provided in Section 455-7.8. If no time limit or payout limit is established, the display shall state that the casino licensee reserves the right to change or discontinue the progressive slot machine upon 30 days notice. The display need not contain this information provided that a sign which does contain this information shall be displayed in a location near the slot machine as approved by the Commission;
 - iv. If the slot machine is equipped with a payout-only hopper, a statement either that:

(1) Any prize tokens that are paid out as a jackpot from that hopper cannot be used to activate play at any slot machine; or

(2) Any coins or slot tokens that are paid out from that hopper cannot be used to activate play at that slot machine; and

v. If the slot machine is equipped with multiple hoppers and has the win meter permitted by (b)4ii below and Section 456-8.4(c)5 of the Conduct of Gaming regulations, a statement, approved by the Commission in consultation with the Division, that reasonably explains to patrons the information disclosed by the win meter.

5. A mechanical, electrical, or electronic device that automatically precludes a player from operating the slot machine after a jackpot requiring a manual payout and requires an attendant to reactivate the machine;

6. A light on the pedestal above the slot machine that automatically illuminates when the door to the slot machine or any device connected which may affect the operation of the slot machine is opened; and

7. A location number, at least two inches in height, affixed to the outside of the machine and visible to the casino licensee's closed circuit camera coverage system.

(b) Unless otherwise authorized by the Commission, each slot machine in a casino shall be equipped with the following:

1. A mechanical, electrical or electronic device, to be known as an "in-meter" that continuously and automatically counts the number of coins or slot tokens placed by patrons into the machine for the purpose of activating play;

2. A mechanical, electrical or electronic device, to be known as a "drop meter," that continuously and automatically counts the number of coins or slot tokens that are dropped into the machine's slot drop bucket or slot drop box;

3. For each hopper in a slot machine, a separate mechanical, electrical or electronic device, to be known as a "jackpot meter," that continuously and automatically counts, for that hopper only, the number of coins, prize tokens or slot tokens that are automatically paid by the machine from the corresponding hopper and that displays the aggregate number so counted; provided, however, that:

i. In lieu of the jackpot meter for a payout-only hopper displaying the aggregate number of coins, slot tokens or prize tokens paid out from that hopper, each casino licensee that uses a slot machine which is capable of converting the number of coins, slot tokens or prize tokens paid out from a payout-only hopper into the equivalent number of coins or slot tokens that match the denomination of the coin or slot token which that slot machine is designed to accept in order to activate play (the "machine denomination equivalent"), may, in accordance with internal controls approved by the Commission, set the jackpot meter connected to each payout-only hopper in that slot machine to continuously and automatically count and display the aggregate number of coins, slot tokens or prize tokens paid out from that

hopper by its machine denomination equivalent (for example, the jackpot meter on a 25 slot machine may display the payout of one \$ 3.00 prize token as the payout of “12” quarters); and

ii. Each slot machine with multiple hoppers may have a single jackpot meter to count and display the aggregate number of coins, slot tokens or prize tokens paid out from that machine's hoppers provided that:

(1) Each hopper is connected to that meter;

(2) The jackpot meter counts and displays, in accordance with (b)3i above, the aggregate number of coins, slot tokens or prize tokens paid out from a payout-only hopper by its machine denomination equivalent; and

(3) Each payout-only hopper has a separate jackpot meter, to be known as a “payout-only jackpot meter,” that counts and displays the aggregate number of coins, slot tokens or prize tokens actually paid out from that hopper only; and

4. A mechanical, electrical or electronic device, to be known as a “win meter,” visible from the front of the machine, that, upon a player hitting a winning combination, advises the player of the number of coins, prize tokens or slot tokens for that round that have been paid to the player by the machine from the corresponding hopper; provided, however, that multiple win meters, as provided in (b)4i or ii below after approval of the casino licensee's internal controls therefor, shall be used on each multiple hopper slot machine whenever one or more winning combinations that are hit on the same round of play at that machine entitle the winning player to automatically receive coins, slot tokens or prize tokens from both hoppers and each hopper contains a different denomination of coins, slot tokens or prize tokens, as follows:

i. A separate win meter for each hopper that, for the round in which a winning combination is hit, advises the winning player of the actual number of coins, slot tokens or prize tokens won from that hopper only; or

ii. A win meter to which each hopper is connected that advises the winning player of the aggregate number of coins, slot tokens or prize tokens won that round from both hoppers after first converting the aggregate number of any coins, slot tokens or prize tokens won on that round from a payout-only hopper into its machine denomination equivalent, and a separate win meter, to be known as a “payout-only win meter,” connected to each payout-only hopper that advises the player of the number of coins, slot tokens or prize tokens actually won on that round from the corresponding hopper only (for example, a win meter on a multiple hopper 25 slot machine may, pursuant to this paragraph, record the payout, on the same round of play, of one \$ 3.00 prize token and two quarters as the payout of “14” quarters, provided there is a separate payout-only win meter advising the player that one prize token was paid out).

(c) Unless otherwise authorized by the Commission each slot machine which does not totally and automatically pay the full amount of a jackpot to a patron shall be equipped with a mechanical, electrical or electronic device to be known as a “manual jackpot meter” that continuously and automatically records a pulse(s) for a predetermined number of coins or slot tokens that are to be paid manually.

(d) Unless otherwise authorized by the Commission, each slot machine that accepts currency shall have meters that accomplish the objectives set forth in (b) and (c) above.

(e) Unless otherwise authorized by the Commission, each slot machine that has an attached bill changer shall also be equipped with mechanical, electrical or electronic devices as follows:

1. A “change meter,” that continuously and automatically counts the number of coins or slot tokens that are vended from the slot machine's all-purpose hopper to make change, whether for currency or coupons;
2. A number of “bill meters,” that continuously, automatically and separately count, for each denomination of currency accepted by the bill changer, the actual number of bills accepted by the bill changer; and
3. If the attached bill changer can accept coupons but does not contain the coupon meters identified in Section 455-3.7
 - i. A “numerical coupon meter” that continuously, automatically and separately counts the total number of all coupons accepted by the bill changer; and
 - ii. A “value coupon meter” that continuously, automatically and separately counts the total dollar value of all coupons accepted by the bill changer.

(f) All meters described in this section and in Section 456-8.4 of the Conduct of Gaming regulations shall be placed in a position so that the numbers thereon can be read and recorded without opening the slot machine.

(g) Each casino licensee shall set each of its slot machines to pay out, at a minimum, 83 percent of the amount of coins, currency or slot tokens that are placed by patrons into that slot machine and shall maintain a record of each slot machine setting and theoretical payout percentage. No payout of any merchandise or thing of value or payment of cash in lieu of any merchandise or thing of value pursuant to Section 455-7.10 shall be included in determining whether a slot machine meets the 83 percent minimum payout requirement.

(h) Each slot machine in a casino shall have such test connections as may be specified by the Division and approved by the Commission for the on-site inspection, examination, and testing of such machine.

- (i) Each slot machine in a casino shall have devices, equipment, features and capabilities as may be required by the Commission for that particular model of slot machine after the prototype model is tested and examined by the Division.

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32 V.I. R. & Regs. § 455-7.7

455-7.7. Slot Machines and Bill Changers; Location; Movements.

(a) Each casino licensee shall file with the Commission a floor plan of the casino which identifies each slot machine and bill changer on the casino floor by a location number in accordance with Section 455-7.6(a)7. Any alterations to such floor plan shall not become effective until approved in writing by a Commission inspector. A revised floor plan containing such alterations shall be filed with the Commission within 24 hours of the alteration.

(b) No slot machine or bill changer shall be removed from, or returned to, a location in the casino or moved from one location to another without the prior written approval of the Commission.

(c) Once a slot machine or bill changer has been placed in the casino, all movements of that machine and/or bill changer from or to a location shall be recorded by a slot department member in a machine movement log which shall include the following:

1. The manufacturer's serial number and the asset number of the moved slot machine and/or bill changer;
2. The date and time of movement of the slot machine and/or bill changer;
3. The location from which the slot machine and/or bill changer was moved;
4. The location to which the slot machine and/or bill changer was moved; and
5. The signatures of the slot shift manager and the lead technician verifying the movement of the slot machine and/or bill changer.

(d) Prior to removing a slot machine from the gaming floor:

1. The machine's slot drop bucket or slot drop box shall be removed and transported to the count room;
2. All meters shall be read and recorded in conformity with the procedures set forth in Section 455-7.16; and

3. Any coins or slot tokens in any of the slot machine's hoppers or in the corresponding hopper storage area shall be removed, transported, and counted with the slot drop bucket or slot drop box; provided, however, that a slot machine may be removed from the casino with coins or slot tokens contained therein so long as:

i. Removal of the coins or the slot tokens, or any combination thereof, is precluded by mechanical or electrical difficulty;

ii. The casino licensee records in a slot machine movement log whether coins or slot tokens remain in the slot machine that is removed from the casino, and also records in that log the nature of the mechanical or electrical difficulty, the date and time that the coins or slot tokens are removed from the slot machine and transported to the count room, the date and time that the slot machine is removed from the casino, and the date and time that the slot machine is opened; and

iii. The removal and transportation to the count room of the coins or slot tokens is completed immediately after the slot machine is opened; and

4. Any prize tokens in a payout-only hopper or in a corresponding hopper storage area shall be removed, transported and counted in accordance with procedures and internal controls submitted to and approved by the Commission pursuant to Section 455-1.3.

(e) Prior to removing a bill changer from the gaming floor, the slot cash storage box shall be removed and transported to the count room and all meters except the cash box meter shall be read and recorded in conformity with the procedures set forth in Section 455-7.16. A bill changer may be removed from the casino with currency or coupons contained therein when removal of the slot cash storage box is precluded by mechanical or electrical difficulty. If currency or coupons remain in a bill changer when it is removed from the casino, this fact and the date and time that the slot cash storage box or, if necessary, currency or coupons are removed from the bill changer and transported to the count room shall be recorded in the machine movement log.

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32 V.I. R. & Regs. § 455-7.8

455-7.8. Progressive Slot Machines.

- (a) This section shall apply to any slot machine with a “progressive meter(s)” that increases as the machine is played.
- (b) Unless otherwise authorized by the Commission, each progressive machine in a casino shall have the following identifying features:
1. A mechanical, electrical or electronic device, to be known as a “progressive meter(s)”, visible from the front of the machine which increments at a set rate of progression with coins placed into the machine, and which advises the player of the amount which can be won if the progressive jackpot combination appears;
 2. A mechanical, electrical or electronic device, to be known as a “progressive jackpot meter” that is visible without opening the door and that continuously and automatically records the number of times a progressive jackpot is hit.
 3. A separate key and key switch to reset the “progressive meter(s)” or such other separate-reset mechanism as may be approved by the Commission;
 4. A separate key locking the compartment housing the progressive meter(s) or other means by which to preclude any unauthorized alterations to the progressive meters.
- (c) Unless otherwise authorized by the Commission, each progressive slot machine connected to a common progressive display unit shall:
1. Be the same denomination and have the same probability of hitting the combination that will award the progressive jackpot as every other machine connected to such display unit;
 2. Require that the same number of coins be inserted to entitle the player to a chance at winning the progressive jackpot and each coin shall increment the meter(s) by the same rate of progression as every other machine connected to such display unit; and

3. Have its microprocessor or other control unit that controls the common display unit housed in a location which would allow dual key control of the Commission and the casino licensee, or with such other key controls as the Commission may approve.

(d) Every casino seeking to utilize a progressive slot machine connected to a common progressive display unit shall submit to the Commission for approval the location and manner of installing the common progressive display unit.

(e) No progressive slot machine shall be placed on the casino floor until the casino licensee has submitted to the Commission and the Commission has approved the following:

1. The initial and reset amounts at which the “progressive meter(s)” will be set;
2. The proposed system for controlling the keys and access codes to these machines; and
3. The proposed rate of progression for each machine;

(f) No progressive meter(s) shall be turned back to a lesser amount unless:

1. The amount indicated has been actually paid to a winning patron;
2. The progressive jackpot amount won by the patron has been recorded in accordance with an approved system of internal controls;
3. The time limit for the progressive jackpot established pursuant to (i) below has expired; or
4. The change is necessitated by a slot machine or meter(s) malfunction, in which case an explanation must be entered on the Progressive Slot Summary required in (k) below and the Commission inspector must preapprove the resetting in writing.

(g) Once an amount appears on a progressive meter(s), the probability of hitting the combination that will award the progressive jackpot may not be decreased unless the progressive jackpot has been won by a patron or the time limit for offering the progressive jackpot established pursuant to (i) below has expired.

(h) If the “progressive meter(s)” progresses without a payout until the meter(s) return to zero because of digital limitations on the meter(s), some means must be utilized to clearly advise the patrons of the value of the undisplayed digit.

(i) A casino licensee may, at any time, establish a time limit of not less than 30 days for the offering of a progressive jackpot by providing notice of the time limit in accordance with Section 455-7.6(a)4. Upon the expiration of such time limit, the casino licensee may reduce the amount on the progressive jackpot meter, remove the progressive slot machine from the gaming floor, or decrease the probability of hitting the combination that will award the progressive jackpot. A casino licensee may also establish

a payout limit for a progressive jackpot by providing notice of the payout limit in accordance with Section 455-7.6(a)4 prior to the time the payout limit is registered on the progressive meter.

(j) Slot machines which are linked to offer the same progressive jackpot shall have the same probability of hitting the combination that will award that jackpot, provided, however, that the probability may vary among such machines when necessary to enable a casino licensee to institute a change in the probability which is otherwise permitted by this section, if the change is completed expeditiously in accordance with procedures that have been filed with and approved by the Commission.

(k) The amount indicated on the “progressive meter(s)” and “in meter” on each slot machine shall be recorded on a Progressive Slot Summary, at a minimum, once each gaming day and each summary shall be signed by the preparer. Supporting documents shall be maintained to explain any reduction in the registered amount from the previous entry and shall indicate the date, asset number of the slot machine, and the amount of the reduction.

(l) Except as otherwise authorized by this section, a progressive slot machine removed from the gaming floor shall be returned to or replaced on the gaming floor within five gaming days. The amount on the progressive meter(s) on the returned or replacement machine shall not be less than the amount on the progressive meter(s) at the time of removal. If the machine is not returned or replaced, then the progressive meter(s) amount at the time of removal shall, within five days of the slot machine's removal, be added to a slot machine approved by the Commission which machine offers the same or a greater probability of winning the progressive jackpot, and accepts a denomination of coin or slot token not greater than the denomination accepted by the slot machine which was removed. Any time limit for the offering of a progressive jackpot shall be extended by the number of days during which the progressive jackpot was not offered as the result of any action taken by a casino licensee pursuant to this subsection.

(m) Progressive slot machines may have payout-onlyoppers from which prize tokens may be paid as jackpots; provided, however, that prize tokens shall not be available as a payout on a winning progressive jackpot combination.

(n) Two or more casino licensees may, with the prior approval of the Commission, operate a multi-casino progressive slot system in which certain progressive slot machines are interconnected in the participating casinos, provided that:

1. Any multi-casino progressive slot system approved by the Commission shall be operated in accordance with all relevant requirements of the Act and the Commission's regulations governing casino licensees and the conduct of gaming. Any casino licensee seeking approval to participate in a multi-casino progressive slot system shall submit for Commission approval a system of accounting and internal controls specifying the manner in which participating casino licensees will satisfy the requirements of the Act and the Commission's regulations concerning the operation of slot machines.

2. A casino licensee may, with the prior approval of the Commission, designate one or more casino key employees to represent the interests of the casino licensee in the operation and control of a multi-casino progressive slot system. Any designated representative shall only be permitted to exercise the duties and responsibilities he or she is authorized to perform for the casino licensee pursuant to Section 455-1.11; provided, however, a designated representative may also communicate information and directions concerning the operation and control of the system to or from other employees of the casino licensee who are authorized to exercise responsibility for such matters.

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32 V.I. R. & Regs. § 455-7.9

455-7.9. Jackpot Payouts of Cash, Slot Tokens or Prize
Tokens That Are Not Paid Directly from the Slot Machine.

(a) Whenever a patron wins a jackpot of coins, slot tokens or prize tokens that is not totally and automatically paid directly from the slot machine, a Request for Jackpot Payout Slip ("Request") shall be prepared after the preparer observes the combinations on the slot machine and determines the appropriate amount of the payout, based on the winning combinations. If the manual jackpot is less than \$ 10,000, the preparer of the Request shall be a slot attendant or a slot attendant supervisor. If the manual jackpot is \$ 10,000 or more, the preparer of the Request shall be a slot attendant supervisor. The Request shall be, at a minimum, a one-part form or the information required on it maintained in stored data, access to which, prior to use or input, shall be restricted to slot attendants and slot attendant supervisors.

(b) The following information, at a minimum, shall be on the Request or maintained in stored data:

1. The date and time of the jackpot;
2. The asset number of the slot machine on which the jackpot was registered;
3. The winning combination of characters constituting the jackpot;
4. The amount to be paid to the winning patron;
5. The method of payment requested by the patron (cash, slot tokens, prize tokens or casino check);
6. The signature or identification code of the preparer; and
7. The following additional signatures or identification codes shall be required if the slot machine or the progressive meter is reset prior to the patron being paid or if payment is made directly to the patron by a slot cashier, master coin bank cashier or general cashier:
 - i. The signature or identification code of the casino security department member attesting to the characters constituting the jackpot and the amount to be paid to the winning patron; and

ii. The signature or identification code of the slot shift manager attesting to the characters constituting the jackpot and the amount to be paid to the winning patron when the jackpot amount is \$ 25,000 or more.

(c) Following preparation, the Request shall be immediately transported by the preparer or the information maintained in stored data shall be available to a slot booth, the master coin bank or the cashiers' cage where it will serve to authorize the preparation of a Jackpot Payout Slip ("Payout") by a slot cashier, master coin bank cashier or general cashier.

(d) If the winning patron will not be paid before the slot machine or progressive meter is reset, the preparer of the Request required by (a) above shall also prepare a Jackpot Payout Receipt ("Receipt"). The Receipt shall be, at a minimum, a two-part form, and shall contain the following information:

1. The date and time of the jackpot;
2. The asset number of the slot machine on which the jackpot was registered;
3. The winning combination of characters constituting the jackpot;
4. The amount to be paid to the winning patron stated in numbers and in words;
5. The signature of the winning patron on the original form only; and
6. The signature of the preparer indicating that the information on the Receipt is correct and agrees with the information on the Request or as maintained in the stored data required by (a) above.

(e) Upon preparation, the Receipt shall be distributed as follows:

1. The original shall be immediately delivered to the slot cashier, master coin bank cashier or general cashier by the preparer or a casino security department member along with the Request if manually generated in accordance with (c) above; and
2. The duplicate shall be immediately presented to the winning patron who shall be required to present the duplicate Receipt before being paid the jackpot in accordance with the procedures set forth in this section.

(f) Payouts shall be serially prenumbered forms, each series of which shall be used in sequential order, and the series of numbers of all Payouts received by a casino shall be accounted for by employees independent of the cashiers' cage and the slot department. All original and duplicate void Payouts shall be marked "VOID" and shall require the signature of the preparer. Notwithstanding the above, a serially prenumbered combined jackpot payout hopper fill form may be utilized in conjunction with Section 455-7.14, as approved by the Commission, provided that the combined form shall be used in a manner which otherwise complies with the procedures and requirements established by this section.

(g) For establishments in which Payouts are manually prepared, the following procedures and requirements shall be observed:

1. Each series of Payouts shall be a three-part form, at a minimum, and shall be inserted in a locked dispenser that will permit an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser, and that will discharge the original and duplicate while the triplicate remains in a continuous, unbroken form in the dispenser; and
2. Access to the triplicates shall be maintained and controlled at all times by employees responsible for controlling and accounting for the unused supply of Payouts, placing Payouts in the dispensers, and removing from the dispensers each day the triplicates remaining therein. These employees shall have no incompatible functions.

(h) For establishments in which Payouts are computer prepared, each series of Payouts shall be a two-part form, at a minimum, and shall be inserted in a printer that will: simultaneously print an original and a duplicate and store, in a machine-readable form, all information printed on the original and duplicate, other than the serial number of any casino check or prize token issued to the patron who won the jackpot for which the slip was prepared; and discharge the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Payout.

(i) On Payout originals, duplicates, triplicates, or in stored data, the preparer shall record, or if computerized, the printer shall print, at a minimum, the following information:

1. The asset number of the slot machine on which the jackpot was registered;
2. The winning combination of characters constituting the jackpot;
3. The date on which the jackpot occurred;
4. The amount to be paid from cashiers' cage, master coin bank or slot booth funds;
5. The location from which the amount is to be paid; and
6. The signature or, if computer prepared, identification code of the preparer.

(j) The time of preparation of the payment and the serial number of any casino check or prize token issued incident to the jackpot payment shall be recorded, at a minimum, on the original and duplicate upon preparation of the Payout.

(k) All cash or slot tokens paid or any casino check or prize token issued to a patron as a result of winning a jackpot shall be:

1. Distributed by the slot cashier, general cashier or master coin bank cashier directly to the patron in accordance with the procedures in (l) below; or

2. Disbursed by a slot cashier, general cashier or master coin bank cashier to:

i. A slot attendant or slot attendant supervisor, if the manual jackpot is less than \$ 10,000 or to a slot attendant supervisor if the manual jackpot is \$ 10,000 or more who shall transport the cash, slot tokens or casino check directly to the patron in accordance with (m) below; or

ii. A casino security department member who shall transport the cash, slot tokens, prize tokens or casino check to a slot attendant or slot attendant supervisor if the manual jackpot is less than \$ 10,000 or to a slot attendant supervisor if the manual jackpot is \$ 10,000 or more for payment to the patron in accordance with (m) below.

(l) Whenever the winning patron is paid directly by the slot cashier, general cashier or master coin bank cashier, the following procedures shall be followed:

1. The cashier shall prepare or generate a Payout in accordance with (i) and (j) above;

2. If a casino security department member has not signed the Request, the cashier shall summon a casino security department member and provide him or her with the Request. The casino security department member shall proceed to the slot machine identified on the Request and shall verify that the winning characters on the slot machine and the amount to be paid match those which appear on the Request and sign the Request. If the jackpot amount is \$ 25,000 or more, a slot shift manager shall similarly verify that the winning characters of the slot machine and the amount to be paid match those which appear on the Request and sign the Request. The Request shall then be immediately returned to the cashier by the casino security department member;

3. After the cashier determines that all required signatures verifying the characters of the slot machine and the amount to be paid have been placed on the Request, if the amount being paid is less than \$ 10,000, the cashier shall pay the winning patron in the presence of the casino security department member and the slot attendant or slot attendant supervisor who signed the Request in accordance with this section, or if the amount being paid is \$ 10,000 or more but less than \$ 25,000, the cashier shall pay the winning patron in the presence of the casino security department member and the slot attendant supervisor who signed the Request in accordance with this section. If the amount being paid by the cashier is \$ 25,000 or more, the cashier shall pay the winning patron in the presence of the casino security department member, the slot attendant supervisor, and the slot shift manager who signed the Request in accordance with this section. All casino personnel required by this section to witness the payment shall sign the duplicate Payout attesting to the accuracy of the information on the Payout and the disbursement of the payment to the patron;

4. If a Receipt was issued and all the required verifications of the characters were completed in accordance with (b) above, the cashier shall summon a casino security department member and a slot attendant or slot attendant supervisor if the manual jackpot is less than \$ 10,000, a casino security department member and slot attendant supervisor if the manual jackpot is \$ 10,000 or more and if the jackpot is \$ 25,000 or more, a slot shift manager shall also be summoned. The patron shall be required to present the duplicate Receipt to the cashier and sign it in his or her presence in order to receive payment. The cashier shall compare the duplicate Receipt to the original Receipt and, if in agreement, make the payment to the winning patron. All casino personnel required by this section to witness the payment shall sign

the duplicate Payout attesting to the accuracy of the information on the Payout and the disbursement of the payment to the patron;

5. Once payment has been made and all required signatures obtained, the cashier shall give the duplicate Payout to the casino security department member, who shall as expeditiously as possible deposit it into a locked accounting box at the casino security podium or other location as approved by the Commission; and

6. The cashier shall attach the Request, if applicable, and the original and duplicate Receipt, if applicable, to the original Payout. If the disbursement is made from a slot booth all forms shall be forwarded by the end of the gaming day to the master coin bank for reimbursement. If the disbursement is made from the cashiers' cage, all forms shall be forwarded by the end of the gaming day to the main bank for reimbursement.

(m) Whenever a winning patron will be paid by a slot attendant or slot attendant supervisor, the following procedures shall be followed:

1. The slot cashier, general cashier or master coin bank cashier shall prepare or generate a Payout in accordance with (i) or (j) above;

2. The cashier shall disburse the cash, slot tokens, prize tokens or casino check to the slot attendant or slot attendant supervisor. The casino employee receiving the payment shall verify the amount to be paid to the patron and sign the original and duplicate Payout attesting to the accuracy of the information on the Payout and the receipt of the payment from the cashier. The cashier shall retain the original Payout and the duplicate Payout shall be transported with the payment by the casino employee;

3. If a casino security department member has not signed the Request, the slot attendant or slot attendant supervisor shall provide the duplicate Payout to the casino security department member who shall verify that the winning characters of the slot machine and the amount to be paid-match those which appear on the duplicate Payout. If the jackpot amount is \$ 25,000 or more and the slot shift manager has not signed the Request, the slot shift manager shall similarly verify that the winning characters of the slot machine and the amount to be paid match those which appear on the duplicate Payout;

4. Once the verifications required by (m)3 above have been completed, if the payment is less than \$ 10,000, the slot attendant or slot attendant supervisor shall pay the winning patron in the presence of the casino security department member who verified the winning characters and the amount to be paid, if the payment is \$ 10,000 or more but less than \$ 25,000, the payment shall be made by a slot attendant supervisor in the presence of the casino security department member who verified the winning characters and the amount to be paid, and if the payment is \$ 25,000 or more, the payment shall be made in the presence of the casino security department member and the slot shift manager who verified the winning characters and the amount to be paid. Once the patron has been paid, all casino personnel required by this section to witness the payment shall sign the duplicate Payout attesting to the verification of the characters, the accuracy of the information on the Payout and the disbursement of the payment to the winning patron;

5. If a Receipt was issued and all the required verifications of the characters were completed in accordance with (b) above, the cashier shall give the slot attendant or slot attendant supervisor the original Receipt along with the duplicate

Payout in accordance with (m)2 above to be transported with the payment. The patron shall be required to present the duplicate Receipt to the slot attendant or slot attendant supervisor and sign it in his or her presence in order to receive the payment. The slot attendant or slot attendant supervisor shall compare the duplicate Receipt to the original Receipt and if in agreement make the payment to the winning patron;

6. Once the patron has been paid and all necessary signatures have been obtained on the duplicate Payout in accordance with (m)4 above, a casino security department member shall as expeditiously as possible deposit the duplicate Payout into a locked accounting box at the security podium or other location as approved by the Commission;

7. The slot attendant or slot attendant supervisor shall immediately return the original and duplicate Receipt, if applicable, to the slot booth, cashiers' cage or master coin bank; and

8. The cashier shall attach the Request, if applicable, and the original and duplicate Receipt, if applicable, to the original Payout. If the disbursement is made from a slot booth all forms shall be forwarded by the end of the gaming day to the master coin bank for reimbursement. If the disbursement is made from the cashiers' cage, all forms shall be forwarded by the end of the gaming day to the main bank for reimbursement.

(n) Nothing in this section shall preclude the use of a computerized data storage system, as approved by the Commission, that electronically records the information required on a Request.

(o) At the end of each gaming day, at a minimum, all forms required by this section shall be forwarded as follows:

1. The original Payout with the attached Request, if applicable, and the original and duplicate Receipt, if applicable, shall be forwarded to the accounting department, which, as reasonably practicable after receipt, shall confirm that the information required to appear thereon pursuant to (b), (d) and (i) above agrees with the information required to appear on the triplicate Payout or in stored data pursuant to (i) above; and

2. The duplicate Payout shall be collected from the locked accounting boxes located at the security podium or other approved location by an accounting department employee and returned to the accounting department, which, as reasonably practicable after receipt, shall record the information therefrom on the Slot Win Sheet and shall confirm that the information required to appear on the duplicate Payout pursuant to (i) above agrees with:

i. The meter reading recorded on the Slot Meter Sheet; and

ii. The information required to appear on the triplicate Payout or in stored data pursuant to (i) above.

(p) No casino licensee shall offer a jackpot of prize tokens unless that jackpot is totally and automatically paid directly from the slot machine.

Current through September 11, 2015.

32 V.I. R. & Regs. § 455-7.9, 32 VI ADC § 455-7.9

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455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.10

455-7.10. Jackpot Payouts of Merchandise or Other Things of Value.

(a) This section shall apply to all jackpot payouts of merchandise or other things of value, including annuity jackpots as defined in Section 455-7.11, except where such annuity jackpots are specifically exempted herein.

(b) Whenever a casino licensee offers any merchandise or thing of value as part of a slot machine payout, such merchandise or thing of value shall have a cash equivalent of at least \$ 5,000 and shall not be included in the total of all sums paid out as winnings to patrons for purposes of determining gross revenue or be included in determining the payout percentage of any slot machine. The cash equivalent value of such merchandise or thing of value shall be determined in accordance with the following requirements:

1. Any merchandise or thing of value of a type sold directly to the public in the normal course of a casino licensee's business shall be recorded at an amount based upon the full retail price normally charged for such item;
2. Any merchandise or thing of value which is of a type not offered for sale to the public in the normal course of a casino licensee's business but which is provided directly to the patron by the casino licensee shall be recorded at an amount based upon the actual cost to the casino licensee of providing such item;
3. Any merchandise or thing of value provided directly or indirectly to the patron on behalf of a casino licensee by a third party not affiliated with the casino licensee shall be recorded at an amount based upon the actual cost to the casino licensee of having the third party provide such item;
4. Any merchandise or thing of value provided directly or indirectly to the patron on behalf of a casino licensee by a third party who is affiliated with the casino licensee shall be recorded by the casino licensee in accordance with the provisions of this section as if the affiliated party were the licensee.

(c) The casino licensee shall retain and make available to the Commission and Division upon request supporting documentation relating to the acquisition and valuation of any merchandise or thing of value to be offered as a payout and shall accumulate the total cash equivalent value and number of such payouts. The supporting documentation shall include a detailed description of the merchandise or thing of value and shall specifically identify which slot machines offer which merchandise or things of value as payouts. If the payout is in the form of an annuity jackpot, the documentation shall include all annuity contracts purchased pursuant to Section 455-7.11. In addition, a quarterly report shall be filed with the Commission, on a form prescribed by the Commission, which shall, at a minimum, provide the current quarter and year-to-date total cash equivalent value and number of payouts of merchandise or things of value.

(d) Whenever a patron wins a jackpot which includes any merchandise or thing of value, an accounting representative, with no incompatible functions, shall prepare a Payout Slip ("Slip"). Such Slips shall be serially prenumbered forms, each series of Slips shall be used in sequential order, and the series of numbers of all Slips received by a casino shall be accounted for by employees independent of the cashiers' cage and the slot department. All original and duplicate void Slips shall be marked "Void" and shall require the signature of the preparer.

(e) For establishments in which Slips are manually prepared, the following procedures and requirements shall be observed:

1. Each series of Slips shall be a three-part form, at a minimum, and shall be inserted in a locked dispenser that will permit an individual Slip in the series and its copies to be written upon simultaneously while still locked in the dispenser, and that will discharge the original Slip and a duplicate copy while the triplicate copy remains in a continuous, unbroken form in the dispenser; and
2. Access to the triplicate copy shall be maintained and controlled at all times by employees responsible for controlling and accounting for the unused supply of Slips, placing Slips in the dispensers, and removing from the dispensers each day the triplicate copy remaining therein. These employees shall have no incompatible functions.

(f) For establishments in which Slips are computer prepared, each series of Slips shall be a two-part form, at a minimum, and shall be inserted in a printer that will: simultaneously print an original Slip and duplicate copy; store, in machine readable form, all information printed on those copies; and discharge the original Slip and duplicate copy. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Slip.

(g) On the original and all copies of the Slip, or in stored data, the preparer shall record, at a minimum, the following information:

1. The asset number of the slot machine on which the jackpot was registered;
2. The winning combination of characters constituting the jackpot;
3. The date, shift and time when the jackpot occurred;
4. A description of the merchandise or thing of value won and, unless the jackpot is an annuity jackpot, its cash equivalent value;
5. The selection of merchandise or its cash equivalent value as made by the patron;
6. The time of the Slip's preparation; and
7. The signature or, if computer prepared, identification code of the preparer.

(h) Signatures attesting to the accuracy of the information contained on the Slip shall be, at a minimum, of the following personnel at the following times:

1. The original:

- i. An accounting representative with no incompatible functions upon preparation; and
- ii. A slot supervisor after observing the combination of characters indicated on the slot machine; and

2. The duplicate:

- i. An accounting representative with no incompatible functions upon preparation;
- ii. A slot supervisor after observing the combination of characters indicated on the slot machine; and
- iii. A security department member after observing the combination of characters indicated on the slot machine.

(i) Upon meeting the signature requirements as described in (h) above, the security department shall maintain and control the duplicate copy of the Slip, and the accounting department shall maintain and control the original Slip.

(j) At the end of each gaming day, at a minimum, the original Slip and duplicate copy of the Slip shall be forwarded as follows:

- 1. The original Slip shall be forwarded to the accounting department for agreement with the triplicate copy or stored data; and
- 2. The duplicate Slip shall be forwarded to the accounting department for agreement with the triplicate copy or stored data.

(k) Except as otherwise provided in (m) below, any merchandise or thing of value to which a patron is entitled as a result of a slot machine payout shall be given to the patron. Documentation supporting the receipt by the patron of such merchandise, thing of value or, in accordance with (m) below, cash equivalent value shall be prepared by a representative of the casino licensee having no incompatible functions and shall be agreed to the triplicate copy of the Slip or stored data by a representative of the accounting department having no incompatible functions.

(l) A casino licensee may, at any time, establish a time limit of not less than 30 days for the offering of a jackpot of merchandise or other thing of value by providing notice of the time limit in accordance with Section 455-7.6(a)4.

(m) Except when the payout is an annuity jackpot, the casino licensee may permit a winning patron to request and receive the exact cash equivalent value of the merchandise or thing of value as determined in (b)1-4 above in lieu of the merchandise or thing of value. However, any cash so provided shall not be included in determining gross revenue or in determining the minimum 83 percent payout of any slot machine as required by Section 455-7.6(g). If a licensee chooses to offer a patron this option, the licensee shall advise the patron in advance of actual play pursuant to Section 456-7.6(a)4 and Section 456-8.4(a)5 of the Conduct of Gaming regulations.

(n) Any advertising involving slot machine payouts of any merchandise or thing of value by the casino licensee shall include an accurate description of the merchandise or thing of value, the dates the merchandise or thing of value will be offered if the casino licensee establishes a time limit for offering the merchandise or thing of value pursuant to (l) above, and, except for annuity jackpots, the cash equivalent value of the merchandise or thing of value. Any advertising concerning annuity jackpots shall also provide clear notice of the following:

1. That the jackpot will be paid over time and not in one lump sum; and
2. The number of payments and the time interval between payments.

(o) Until the expiration of any time limit established in accordance with (l) above or, if no such time limit is established by the casino licensee, until the merchandise or thing of value offered as a slot machine payout is won by a patron, a casino licensee shall not decrease the probability of hitting the combination that will award the merchandise or thing of value, increase the denomination of the machine, nor in any other way vary the terms upon which the merchandise or thing of value is offered to the public.

(p) Slot machines which are linked to offer the same merchandise jackpot shall have the same probability of hitting the combination that will award that jackpot, provided, however, that the probability may vary among such machines when necessary to enable a casino licensee to institute a change in the probability which is otherwise permitted by this section, if the change is completed expeditiously in accordance with procedures that have been filed with and approved by the Commission.

(q) Except as otherwise authorized by this section, a slot machine which offers merchandise or some other thing of value as a payout which is removed from the gaming floor shall be returned to or replaced on the gaming floor within five days. If the machine is not returned or replaced, the merchandise or thing of value shall, within five days of the slot machine's removal, be offered as a payout on a slot machine approved by the Commission which offers the same or a greater probability of winning the merchandise or thing of value, and accepts a denomination of coin or slot token not greater than the denomination accepted by the slot machine which was removed. Any time limit for offering a jackpot of merchandise or other thing of value shall be extended by the number of days during which the merchandise or thing of value was not offered as the result of any action taken by a casino licensee pursuant to this subsection.

Current through September 11, 2015.

32 V.I. R. & Regs. § 455-7.10, 32 VI ADC § 455-7.10

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455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.11

455-7.11. Jackpot Payouts in the Form of an Annuity.

(a) For purposes of this section, the phrase “annuity jackpot” refers to any slot machine jackpot offered by a casino licensee or group of casino licensees pursuant to which a patron wins the right to receive cash payments at specified intervals in the future. No annuity jackpot shall be permitted unless it provides for the payment of fixed amounts at fixed intervals. In addition, no annuity jackpot shall be permitted unless it expressly prohibits the winner from encumbering, assigning, or otherwise transferring in any way his or her right to receive the future cash payments, except as permitted by (k)2i below, and except for a transfer to the estate of the winner upon his or her death. A casino licensee or group of casino licensees may, with the prior approval of the Commission, terminate all future payments to a winner who attempts to encumber, assign or otherwise transfer the right to receive future payments in violation of this prohibition.

(b) Any casino licensee or group of casino licensees planning to offer an annuity jackpot shall establish a trust fund which shall be used to make future cash payments. The trust fund shall be administered in accordance with a written trust agreement which shall be reviewed and approved by the Commission prior to the offering of the jackpot. The trust agreement shall, at a minimum, require that:

1. Any casino licensee participating in offering the annuity jackpot serve as trustee for the trust fund;
2. The monies in the trust fund be used to purchase annuity contracts or United States treasury bonds, treasury notes, or treasury bills in accordance with (c) or (d) below to assure that the trust will have sufficient monies available in each year to make all annuity jackpot payments which are required under the terms of the annuity jackpots which are won;
3. A reserve be established and maintained within the trust fund which is sufficient to purchase the annuity contracts, treasury bonds, treasury notes or treasury bills required under (b)2 above as annuity jackpots are won;
4. The trust continue to be maintained until all payments owed to winners of the annuity jackpots have been made; and
5. The trustees obtain and file with the Commission and the Division within 30 days of receipt an annual audit by an independent certified public accountant licensed to practice in the U.S. Virgin Islands attesting to:
 - i. The financial position of the trust fund, including whether the trust will be able to pay all of its obligations when due; and

ii. Disclosing whether the records and control procedures examined are maintained in accordance with the Act, the Commission's regulations, and generally accepted accounting principles.

(c) If the trustee or trustees purchase annuity contracts in satisfaction of (b)2 above, a separate annuity contract shall be purchased for each annuity jackpot won. The annuity contract shall name the trust fund as beneficiary, shall provide for annuity payments which are equal to or greater than the payments required under the annuity jackpot, and shall provide for each annuity contract payment to be made to the trust fund prior to the date the payment is required to be made under the annuity jackpot. The annuity contract shall be purchased within 180 days after the annuity jackpot is won, unless it is purchased pursuant to (d) below, and a copy of the contract shall be provided to the Commission and Division within 30 days of its purchase. The annuity contract shall be issued by an insurance company which:

1. Has fidelity and fiduciary insurance or bonding coverage for 100 percent of the value of the annuity contract;
2. Has a combined capital and surplus of at least 100 million dollars, assets of at least one billion dollars, and an A.M. Best Company rating of A plus (superior); and
3. Is authorized to issue annuities in U.S. Virgin Islands by the Office of the Lieutenant Governor and is either licensed to sell annuities in this Territory, or represented by an entity so licensed.

(d) If the trustee or trustees purchase United States treasury bonds, treasury notes or treasury bills in satisfaction of (b)2 above, a separate treasury bond, note or bill shall be purchased for each payment which is required to be made under the terms of the annuity jackpot. Each treasury bond, note or bill shall have a surrender value at maturity, excluding any interest which is paid before the maturity date, which is equal to or greater than the value of the corresponding annuity jackpot payment, and shall have a maturity date which is prior to the date the annuity jackpot payment is required to be made. All treasury bonds, notes or bills shall be purchased within 180 days after the annuity jackpot is won, and a copy of the bonds, notes or bills will be provided to the Commission and the Division within 30 days of their purchase. No treasury bond, note or bill purchased pursuant to this section shall be sold prior to its maturity date unless the proceeds are used to purchase another treasury bond, note or bill or an annuity contract in compliance with the requirements of this section to assure that the remaining deferred payments are made as promised, which purchase must be completed within 30 days of the sale of the bonds, notes or bills.

(e) Any casino licensee or group of casino licensees which offers an annuity jackpot shall be strictly and immediately liable for any payment which is owed to a bona fide winner of such a jackpot, as ascertained by the rules of the Commission, in the event that the payment is not made by the trustees when due. Where the annuity jackpot is offered as part of a multi-casino progressive slot system, each casino licensee participating in the system when the jackpot is won shall be jointly and severally liable for each jackpot payment required to be made under this subsection.

(f) All checks received by the trustees under the annuity contracts and all checks received upon the sale or surrender of the treasury bonds, notes or bills shall be restrictively endorsed "for deposit only" to the bank account of the trust or, with the approval of the Commission, to an account with a non-bank broker dealer which is registered with the Securities and Exchange Commission and is a member of the Securities Investor Protection Corporation, deposited into such an account, and immediately recorded on an Annuity Deposit Log. The Annuity Deposit Log shall contain, at a minimum, the following:

1. The date the payment is received;

2. The amount of the payment;
3. The source of the payment, including, if applicable, the name of the insurance company issuing the payment; and
4. The signature of the person making the entry.

(g) Upon the deposit of the payments received in accordance with (f) above, the trustees may invest such proceeds in United States Treasury notes, bonds or bills or in shares of mutual funds which invest only in such Treasury securities. The term of any such investment shall not exceed 90 days and shall not interfere with the ability of the trust to make any annuity jackpot payout when due. If an investment authorized by this subsection is made by the trustees, the Annuity Deposit Log shall contain, at a minimum, the following information for each investment:

1. The date of purchase or sale;
2. The purchase or sale price;
3. A description of the investment; and
4. The signature of the person making the entry.

(h) The trustees shall make all payments owed to a patron as the result of that patron winning an annuity jackpot by check made payable to the winning patron. Such payments shall be recorded on an Annuity Payment Log which shall contain, at a minimum, the following:

1. The patron's name and address;
2. The check number and the date the check was mailed or presented to the patron;
3. The amount of the check;
4. The date the payment was due;
5. The names of the persons signing the check; and
6. The signature of the person making the entry.

(i) The trustees shall also maintain an Annuity Jackpot Summary Log for each patron who wins an annuity jackpot to summarize the payments owed and made to the winning patron. The Annuity Jackpot Summary Log shall be prepared when a patron wins an annuity jackpot.

1. At the time of preparation, the Log shall contain, at a minimum, the following information:

- i. The patron's name and address;
- ii. The date the annuity jackpot was won;
- iii. The total amount of the annuity jackpot;
- iv. The amount of each annuity payment;
- v. The date each annuity payment is due; and
- vi. The signature of the preparer.

2. As annuity payments are made to the patron, the following information, at a minimum, shall be entered in the Log:

- i. The date of the payment;
- ii. The amount of the check;
- iii. The check number; and
- iv. The signature of the person making such an entry.

(j) Any casino licensee or group of casino licensees which offers an annuity jackpot shall comply with the display and sign requirements established in Section 456-7.6(a)4 and Section 456-8.4(a)5 of the Conduct of Gaming regulations, except that the display or sign need not include the cash equivalent value. In addition, each such display or sign shall provide clear notice of the following:

1. That the displayed jackpot will be paid over time and not in one lump sum;
2. The number of payments and the time interval between payments; and

3. That the right to receive the jackpot payments may not be encumbered, assigned, or otherwise transferred in any way except to the estate of the winner upon his or her death, and that any attempt to make a prohibited transfer may result in the winner forfeiting the right to receive future payments.

(k) Any casino licensee or group of casino licensees planning to offer an annuity jackpot shall first be required to establish to the satisfaction of the Commission either that:

1. A winning patron will not be liable for income tax on the deferred portion of the annuity jackpot in the tax year in which the jackpot is won; or

2. Reasonable accommodations have been made to enable a winning patron to satisfy any income tax liability attributable to the deferred portion of the annuity jackpot which is incurred in the tax year in which the jackpot is won.

i. If the casino licensee or group of casino licensees comply with this section by lending funds to a winning patron to pay the income tax liability, the casino licensee or group of casino licensees may require a winning patron to encumber, assign or transfer to it or them the right to receive a portion of the future payments sufficient to repay such a loan.

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32 V.I. R. & Regs. § 455-7.11, 32 VI ADC § 455-7.11

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32 V.I. R. & Regs. § 455-7.12

455-7.12. Multi-Casino Slot System Jackpot Payouts of Cash.

(a) Any slot machine jackpot payout of cash or slot tokens which will be included in the calculation of gross revenue by two or more casino licensees as part of a multi-casino progressive slot system shall be subject, except as otherwise provided in this section, to any procedural or documentation requirement established in Section 455-7.9. All forms utilized in the preparation or payment of a multi-casino progressive slot system jackpot shall be clearly identified as forms used for such purpose.

(b) For establishments in which Jackpot Payout Slips (“Payouts”) are manually prepared, a separate series of Multi-Casino Jackpot Payout Slips (“Multi-Casino Payouts”) shall be used in lieu thereof and shall be subject to the following additional procedures and requirements:

1. Each series of Multi-Casino Payouts shall be a four-part form, at a minimum, and shall be inserted in a locked dispenser that will:

i. Permit an individual Multi-Casino Payout in the series and its copies to be written upon simultaneously while still locked in the dispenser; and

ii. Discharge the original, duplicate and triplicate while the quadruplicate remains in a continuous, unbroken form in the dispenser;

2. The duplicate and triplicate Multi-Casino Payouts shall be treated like a duplicate Payout under Section 455-7.9, except that:

i. The amount of the Multi-Casino Payout shall not be included in the daily calculation of the Slot Win Sheet but shall be reported as a periodic adjustment in a manner approved by the Commission; and

ii. At the end of each gaming day, at a minimum, the triplicate Multi-Casino Payout shall be forwarded by the accounting department to the casino licensee or group of casino licensees approved to operate the slot system (“slot system operator”) for comparison and agreement with the combined system readings and reports, and for calculation of tax deductions and cash reimbursements, if applicable; and

3. The quadruplicate Multi-Casino Payout shall be treated like a triplicate Payout under Section 455-7.9.

(c) For establishments in which Payouts are computer prepared, a separate series of Multi-Casino Payouts shall be used in lieu thereof and shall be subject to the following additional procedures and requirements:

1. Each series of Multi-Casino Payouts shall be a three-part form, at a minimum, and shall be inserted in a printer which shall:
 - i. Simultaneously print an original, duplicate and triplicate Multi-Casino Payout while the computer stores, in machine-readable form, all information printed on the Multi-Casino Payout; and
 - ii. Discharge the original, duplicate and triplicate;
2. Stored data shall not be susceptible to change or removal by any personnel after preparation of a Multi-Casino Payout; and
3. The duplicate and triplicate Multi-Casino Payout shall be treated like a duplicate Payout under Section 455-7.9, except that:
 - i. The amount of the Multi-Casino Payout shall not be included in the daily calculation of the Slot Win Sheet but shall be reported as a periodic adjustment in a manner approved by the Commission; and
 - ii. At the end of each gaming day, at a minimum, the triplicate Multi-Casino Payout shall be forwarded by the accounting department to the slot system operator for comparison and agreement with the combined system readings and reports, and for calculation of tax deductions and cash reimbursements, if applicable.

(d) If a multi-casino slot machine system will not permit slot department personnel employed by the casino licensee where the jackpot is won to determine from the slot machine or the progressive display the actual amount of the jackpot payout of cash or slot tokens won by the patron, the following additional requirements shall apply:

1. The slot cashier who is responsible for preparing the Multi-Casino Payout shall request the slot operator to provide documentation of the actual amount of the jackpot payout of cash or slot tokens won by the patron;
2. The slot system operator shall provide, in a form and manner approved by the Commission, documentation of the actual amount of the jackpot payout to the slot cashier, who shall use the documentation in the preparation of the Multi-Casino Payout and attach the documentation to the original Multi-Casino Payout; and
3. The documentation required by (d)1 above shall include the winning jackpot amounts which should be displayed on the slot machine or the progressive meter on the floor of the casino.

(e) Prize tokens shall not be available as a Multi-Casino Payout.

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32 V.I. R. & Regs. § 455-7.12, 32 VI ADC § 455-7.12

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32 V.I. R. & Regs. § 455-7.13

455-7.13. Inspection of Slot Machine Jackpots.

(a) Prior to the payment of any slot machine jackpot paid pursuant to Section 455-7.9 which has a value of at least \$ 25,000, any jackpot of merchandise or a thing of value to be paid pursuant to Section 455-7.10, or any jackpot where there is evidence of a malfunction, a casino licensee shall notify the Division that a winning combination has been registered and permit the Division to inspect any slot machine, progressive equipment or related equipment involved. Upon notification by the casino licensee, the Division shall advise the casino licensee whether the Division will conduct an inspection. When an inspection is conducted, the casino licensee may award payment of the jackpot to the winning patron upon completion of the inspection absent a contrary direction from the Division pursuant to its authority under the Act. Failure of the Division to object to the payment of the jackpot upon completion of its inspection shall not constitute waiver or estoppel of any charge, issue or claim raised in any criminal or regulatory complaint subsequently filed against any person in connection with the winning or payment of that jackpot.

(b) Nothing in (a) above shall be deemed to limit the obligation of a casino licensee under the Act and the Commission's rules to cooperate with the Division or Commission in any inquiry or investigation concerning slot machine jackpots.

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Chapter 21. Casino Control Commission

Subchapter 455. Internal Controls

455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.14

455-7.14. Procedure for Filling Payout Reserve Containers of Slot Machines and Hopper Storage Areas.

(a) Each hopper of a slot machine may be filled by requesting coin, slot tokens or prize tokens, which are compatible with the hopper to be filled, on a Hopper Fill Slip, or by utilizing coin, slot tokens or prize tokens that are compatible with the hopper to be filled and that are stored in its corresponding hopper storage area pursuant to Section 455-7.5.

(b) The filling of a hopper or a hopper storage area by means of a Hopper Fill Slip shall be accomplished as follows:

1. Whenever a slot supervisor, attendant or mechanic requests coins, slot tokens or prize tokens to fill a hopper or a hopper storage area of a slot machine, he or she shall obtain a properly completed and signed Hopper Fill Slip ("Hopper Fills") from a slot cashier, general cashier or master coin bank cashier.

2. Hopper Fills shall be serially prenumbered forms, each series of Hopper Fills shall be used in sequential order, and the series numbers of all Hopper Fills received by a casino licensee shall be accounted for by employees independent of the cashiers' cage and the slot department. All original and duplicate void Hopper Fills shall be marked "VOID" and shall require the signature of the preparer. Notwithstanding the above, a serially prenumbered combined Jackpot Payout/Hopper Fill form may be utilized in conjunction with Section 455-7.9(b), as approved by the Commission, provided that the combined form shall be used in a manner which otherwise complies with the procedures and requirements established by this section.

3. For establishments in which Hopper Fills are manually prepared, the following procedures and requirements shall be observed:

i. Each series of Hopper Fills shall be a three-part form, at a minimum, and shall be inserted in a locked dispenser that will permit an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser, and that will discharge the original and duplicate while the triplicate remains in a continuous, unbroken form in the dispenser; and

ii. Access to the triplicates shall be maintained and controlled at all times by employees responsible for controlling and accounting for the unused supply of Hopper Fills, placing Hopper Fills in the dispensers, and removing from the dispensers the triplicates remaining therein.

4. For establishments in which Hopper Fills are computer prepared, each series of Hopper Fills shall be a two-part form, at a minimum, and shall be inserted in a printer that will: simultaneously print an original and a duplicate and store, in

a machine-readable form, all information printed on the original and duplicate; and discharge the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of a Hopper Fill.

5. On originals, duplicates and triplicates, or in stored data, the Hopper Fill shall include, at a minimum, the following information:

- i. The asset number of the slot machine to which the coins, slot tokens or prize tokens are to be distributed;
- ii. The date and shift during which the coins, slot tokens or prize token are distributed;
- iii. The denomination of the coin, slot tokens or prize tokens that are to be distributed;
- iv. The amount of coins, slot tokens or prize tokens that are to be distributed;
- v. The location from which the coins, slot tokens or prize tokens are distributed;
- vi. The signature and, if computer prepared, the identification code of the preparer;
- vii. The signature or identification code of the person requesting coins, slot tokens or prize tokens to fill the hopper (on the original and the duplicate only); and
- viii. Whether the coins, slot tokens or prize tokens are to be placed in the slot machine's all-purpose hopper or payout-only hopper, or in its corresponding hopper storage area.

6. The time of preparation of the Hopper Fill shall be recorded at a minimum, on the original and duplicate upon preparation.

7. All coins, slot tokens or prize tokens distributed from a slot booth, master coin bank or the cashiers' cage to a slot machine or its corresponding hopper storage area shall, during their transportation directly to the machine and until their deposit into the appropriate hopper, remain in pre-wrapped secured bags; provided, however, that:

- i. A casino security department member shall transport the pre-wrapped secured bags containing loose coin, slot tokens or prize tokens directly to the slot machine or its corresponding hopper storage area, accompanied by the duplicate Hopper Fill for signature;
- ii. The secured bags in which prize tokens are transported shall have sufficient identifying features, approved by the Commission, to distinguish those bags and their contents from the secured bags in which coins or slot tokens are transported; and

iii. The casino security department member shall observe the deposit of the coins, slot tokens or prize tokens in the appropriate slot machine hopper or the slot machine's corresponding hopper storage area, and the closing and locking of the slot machine or its corresponding hopper storage area by the slot mechanic or slot attendant before obtaining the signature of the slot mechanic or attendant on the duplicate copy of the Hopper Fill.

8. A slot mechanic who participates in filling a slot machine hopper shall inspect the slot machine and determine if the empty hopper resulted from a machine malfunction. A slot attendant participating in a hopper fill shall review the Machine Entry Authorization Log and alert a slot mechanic to inspect the slot machine if the entries in the log indicate a consistent malfunction problem.

9. Signatures attesting to the accuracy of the information contained on the Hopper Fill shall be, at a minimum, of the following personnel at the following times:

i. The original:

(1) The slot cashier, master coin bank cashier or general cashier--upon preparation; and

(2) The security department member transporting the coins, slot tokens or prize tokens to the slot machine--upon receipt from the cashier of the coins, slot tokens or prize tokens to be transported; and

ii. The duplicate:

(1) The slot cashier, master coin bank cashier or general cashier--upon preparation;

(2) The security department member transporting the coins, slot tokens or prize tokens to the slot machine--upon receipt from the cashier of coins, slot tokens or prize tokens to be transported; and

(3) The slot mechanic or attendant--after depositing the coins, slot tokens or prize tokens in the appropriate hopper of the slot machine and closing and locking the slot machine.

10. Upon meeting the signature requirements as described in (b)9 above, the security department member shall maintain and control the duplicate and the slot cashier, master coin bank or general cashier shall maintain and control the original of the Hopper Fill Slip.

11. At the end of each gaming day, at a minimum, the original and duplicate Hopper Fill Slip shall be forwarded as follows:

i. The original Hopper Fill Slip shall be forwarded, in exchange for coin, currency or credit, to the master coin bank if prepared by a slot cashier or to the main bank if prepared by a general cashier. All original Hopper Fill Slips received or prepared by the master coin bank or received by the main bank shall then be forwarded to the accounting

department, which, as reasonably practicable after receipt, shall confirm that the information on the original Hopper Fill agrees with the information on the triplicate or in stored data.

ii. The duplicate Hopper Fill Slip shall be forwarded directly to the accounting department, which, as reasonably practicable after receipt, shall record the information from the Hopper Fill Slip on the Slot Win Sheet, and shall confirm that the information recorded on the Hopper Fill Slip agrees with the meter readings recorded on the Slot Meter Sheet and with the information on the triplicates or in stored data.

(c) Each slot machine hopper may be filled from its corresponding hopper storage area as follows:

1. Whenever a slot machine's hopper requires coin, slot tokens or prize tokens, a slot attendant or mechanic, after confirming that the hopper storage area contains the necessary coin, slot tokens or prize tokens to replenish the hopper to be filled, may, in the presence of a member of the security department, transfer the necessary coin, slot tokens or prize tokens from that slot machine's hopper storage area directly to the appropriate hopper of the corresponding slot machine. The security department member shall observe the deposit of the coins, slot tokens or prize tokens in the appropriate slot machine hopper and the closing and locking of the slot machine and its corresponding hopper storage area by the slot mechanic or attendant.

2. After transferring the coins, slot tokens or prize tokens to the slot machine's appropriate hopper, the slot attendant or mechanic shall make the entries required on the slot machine's log, which, at a minimum, shall include the following:

i. The date and time of the transfer;

ii. The type of hopper in the slot machine to which the coins, slot tokens or prize tokens were transferred;

iii. The amount of coins, slot tokens or prize tokens that were placed in that hopper; and

iv. The name and license number of the slot attendant or slot mechanic who made the transfer.

(d) Hopper storage areas shall be filled by using Hopper Fill Slips, in accordance with the procedures in (b) above.

(e) Each casino licensee shall submit and have approved internal controls for detecting and removing prize tokens from the all-purpose hoppers of its slot machines. Each casino licensee so removing a prize token shall count it, for purposes of calculating its gross revenue pursuant to Section of the Act, as cash received from gaming operations for the face amount of the prize token.

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32 V.I. R. & Regs. § 455-7.14, 32 VI ADC § 455-7.14

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Subchapter 455. Internal Controls

455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.15

455-7.15. Procedures Governing the Removal of Coin, Slot Tokens and Slugs from a Slot Machine Hopper.

(a) Except as provided in Section 455-7.7(d), and (b) through (d) below, no coin, slot tokens, or slugs shall be removed from a slot machine hopper.

(b) If a slot machine malfunctions during a payout and the slot machine cannot be repaired in a timely manner, coin and slot tokens may be removed from a slot machine's hopper in order to complete the slot machine paid jackpot. The coin or slot tokens shall be removed from the slot machine hopper by a slot attendant, slot mechanic or supervisor thereof for slot machines which accept coin or slot tokens in denominations less than \$ 25.00, or a slot department supervisor for slot machines which accept slot tokens in denominations of \$ 25.00 or more. The removal of the coin or slot tokens shall be documented on the Machine Entry Authorization Log pursuant to Section 455-7.4(j). Nothing in this section shall preclude a casino licensee from preparing a Jackpot Payout Slip for the amount of coin or slot token owed the patron provided that the payout is completed in accordance with Section 455-7.9 and a notation is made on the Jackpot Payout Slip indicating the reason for the slip.

(c) If coin or slot tokens are inserted by a patron and are neither registered nor returned to the patron by the slot machine, a member of the slot department in accordance with (b) above may remove the coin or slot tokens from the slot machine hopper and return them to the patron. The removal of the coin or slot tokens shall be documented on the Machine Entry Authorization Log pursuant to Section 455-7.4(j). Under no circumstances shall a casino licensee remove more coin or slot tokens than the maximum number of coin or slot tokens which can be wagered on one handle pull of the slot machine.

(d) Whenever slugs are found in a slot machine's hopper the following procedures and requirements shall be followed:

1. A slot attendant, slot mechanic or supervisor thereof shall, for slot machine denominations less than \$ 25.00, or a slot department supervisor for slot machine denominations of \$ 25.00 or more, immediately remove the slugs from the slot machine hopper and place the slugs into an envelope or container. The individual who found the slugs shall record the asset number and denomination of the slot machine, the quantity of slugs found, the date the slugs were found, and his or her signature on the Machine Entry Authorization Log pursuant to Section 455-7.4(j). The envelope or container may be maintained inside the slot machine until the number of slugs in the envelope or container is nine. When the number of slugs in the envelope or container reaches nine or at such other times as may be necessary, the slot attendant, slot mechanic or slot supervisor shall complete a three-part Slug Report which contains, at a minimum, the following:

i. The date and time;

ii. The asset number of the slot machine from which the slugs were removed;

- iii. The denomination of the slot machine;
- iv. The denomination and quantity of slugs;
- v. A brief description of the slugs; and
- vi. The signature of the slot attendant, slot mechanic or slot department supervisor completing the Slug Report.

2. Upon completion of the Slug Report required by (d)1 above, the slot attendant, slot mechanic or slot department supervisor shall remove the envelope or container, seal the envelope or container and transport it with the Slug Report to the Master Coin Bank or other location as approved by the Commission. The individual accepting receipt of the slugs shall sign all three parts of the Slug Report. The slot department member shall deliver the original copy of the Slug Report to the Commission's Principal Inspector and the triplicate to the Division's in-house office. The duplicate Slug Report shall remain with the slugs until their destruction.

3. If more than nine slugs are found at any one time in a slot machine's hopper, the slot department member shall place the slugs into the envelope or container and immediately complete the Slug Report required by (d)1 above. The slugs shall be immediately transported in accordance with (d)2 above. The slot department member shall inspect the slot machine and coin mechanism to determine if there is a malfunction. The results of this inspection shall be documented on the Machine Entry Authorization Log pursuant to Section 455-7.4(j).

4. All slugs shall be destroyed in accordance with procedures submitted to and approved by the Commission and the Division.

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32 V.I. R. & Regs. § 455-7.16

455-7.16. Removal of Slot Drop Buckets, Slot Drop Boxes and
Slot Cash Storage Boxes; Unsecured Currency; Meter Readings.

(a) For each slot machine and attached bill changer on the gaming floor, the slot drop bucket, slot drop box and slot cash storage box shall be removed at least once a week on specific days and at times designated by the casino licensee on a schedule which shall be filed with the Commission and the Division. No slot drop bucket, slot drop box or slot cash storage box shall be emptied or removed from its compartment at other than the times specified on such schedule except with the express approval of the Commission. Prior to emptying or removing any slot drop bucket, slot drop box or slot cash storage box, a casino licensee shall notify the Commission and the surveillance department of the transportation route that will be utilized.

1. All slot drop boxes which are not attached to a slot machine or temporarily stored in the base of a slot machine pursuant to (c)2ii below, including emergency slot drop boxes which are not actively in use, shall be stored in the count room or other secure area outside the count room approved by the Commission, in an enclosed storage cabinet or trolley and secured in such cabinet or trolley by a separately keyed, double locking system. The key to one lock shall be maintained and controlled by the security department and the key to the second lock shall be maintained and controlled by the Commission.

(b) Slot drop buckets, slot drop boxes and slot cash storage boxes shall be removed from their compartments in a slot machine or bill changer, in the presence of a Commission inspector, by at least three employees, two of whom shall be members of the casino security department, and one of whom shall be a member of the accounting department.

(c) Procedures and requirements for removing slot drop buckets, slot drop boxes and slot cash storage boxes from the casino shall be as follows:

1. The slot drop bucket, slot drop box or slot cash storage box shall be removed from its compartment and an empty slot drop bucket, slot drop box, or slot cash storage box shall be placed into the compartment, and if applicable, a unique identification number shall be assigned and recorded for the slot cash storage box, either upon its insertion or removal, after which the compartment shall be closed and locked;

2. All slot drop buckets, slot drop boxes and slot cash storage boxes removed from compartments shall be transported directly to, and secured in the count room by the personnel required by Section 455-7.1, for the counting of their contents; provided, however, that:

i. A slot cash storage box removed from a bill changer in order to service the bill changer may be temporarily stored in the corresponding double-locked base of the slot machine (the compartment of the slot machine containing the slot drop bucket or slot drop box) attached to the bill changer, and shall be replaced and relocked in the bill changer

when the repairs are completed. If the repairs cannot be completed and the slot cash storage box cannot be replaced in the bill changer by the end of the repair person's shift, or if the bill changer must be removed from the casino floor, the slot cash storage box shall be removed from the locked slot compartment and transported to the count room in accordance with Section 455-7.7; and

ii. A full or inoperable slot drop box shall be replaced with an empty emergency slot drop box, and may be stored in its corresponding double-locked slot machine base until no later than the next scheduled slot drop box pickup; and

3. Except for members of the casino accounting department participating in the emergency removal of a slot cash storage box or slot drop box, casino security department employees and representatives of the Commission and Division, all persons participating in the removal of slot drop buckets, slot drop boxes and slot cash storage boxes shall wear as outer garments only a full-length, one-piece pocketless garment with openings only for the hands, feet and neck.

(d) In addition to complying with the procedures included in (b) and (c) above, a casino licensee shall submit to the Commission for approval its procedures detailing how the slot drop bucket, slot drop box and slot cash storage box for each slot machine and attached bill changer on the gaming floor will be emptied or removed from its compartment when the casino is open to the public for 24 hours. Such submission shall include at least the following:

1. How patrons will be notified that a slot machine will be closed for emptying or removing slot drop buckets, slot drop boxes or slot cash storage boxes;
2. How patrons will be removed from slot aisles;
3. How the area will be secured while the slot drop buckets, slot drop boxes or slot cash storage boxes are emptied or removed; and
4. How the compartments in which the full slot drop buckets, slot drop boxes or slot cash storage boxes are transported, will be secured while they are in the casino.

(e) Whenever currency is found inside a bill changer but outside the slot cash storage box ("unsecured currency"), a slot supervisor or casino accounting supervisor shall complete a form which includes the asset number or, pursuant to Section 455-7.1), other unique identification number of the slot cash storage box in the bill changer in which the unsecured currency was found, the date the unsecured currency was found and the total dollar amount of the unsecured currency. The slot supervisor or casino accounting supervisor and a member of the casino security department shall then sign the form as evidence of the total dollar amount being transported; place the form and the unsecured currency into an envelope or container, unless the form is printed on the front of the envelope in which the currency is being placed; seal the envelope or container using a method approved by the Commission, which method shall provide evidence of any tampering; and transport the envelope or container directly to the cashiers' cage.

(f) Upon receipt of the sealed envelope or container from the slot supervisor or casino accounting supervisor, a cage supervisor shall immediately prepare an Unsecured Bill Changer Currency Report.

(g) Unsecured Bill Changer Currency Reports shall be serially prenumbered forms. Each series of Unsecured Bill Changer Currency Reports shall be used in sequential order and shall be accounted for by employees independent of the cashiers' cage and slot department. All original and duplicate void Unsecured Bill Changer Currency Reports shall be marked "VOID" and shall require the signature of the preparer. All copies of void Unsecured Bill Changer Currency Reports shall be forwarded to the accounting department at the end of the gaming day.

(h) For establishments in which Unsecured Bill Changer Currency Reports are manually prepared, the following procedures and requirements shall be observed:

1. Each series of Unsecured Bill Changer Currency Reports shall be a three-part form, at a minimum, and shall be inserted into a locked dispenser that will permit an individual slip in the series and its copies to be written upon simultaneously while still locked in the dispenser, and that will discharge the original and duplicate while the triplicate remains in a continuous, unbroken form in the dispenser; and
2. Access to the triplicates shall be maintained and controlled at all times by employees responsible for controlling and accounting for the unused supply of Unsecured Bill Changer Currency Reports, placing Unsecured Bill Changer Currency Reports in the dispensers, and removing from the dispensers the triplicates remaining therein.

(i) For establishments in which Unsecured Bill Changer Currency Reports are computer prepared, each series of Unsecured Bill Changer Currency Reports shall be a two-part form, at a minimum, and shall be generated by a computer system that will: simultaneously print an original and duplicate and store, in machine-readable form, all information printed on the original and duplicate; and discharge the original and duplicate. The stored data shall not be susceptible to change or removal by any personnel after preparation of the Unsecured Bill Changer Currency Report.

(j) On the original, duplicate and triplicate or, if applicable, in stored data, the cage supervisor shall record, at a minimum, the following information:

1. The date and time of preparation;
2. The asset number or, pursuant to Section 455-7.1, other unique identification number of the slot cash storage box in the bill changer from which the unsecured currency was removed;
3. The denomination(s) of unsecured currency;
4. The total dollar amount of the unsecured currency; and
5. The signature or, if computer prepared, identification code of the preparer.

(k) The original and duplicate copies of the Unsecured Bill Changer Currency Report shall be presented to the slot supervisor or casino accounting supervisor and the casino security representative for signature. Upon meeting the signature requirements, the cage supervisor shall transport the unsecured currency along with the original and duplicate copies of

the Unsecured Bill Changer Currency Report to the main bank. The main bank cashier shall sign the original and duplicate copies of the Unsecured Bill Changer Currency Report and retain the original and the unsecured currency. The duplicate Unsecured Bill Changer Currency Report shall be returned to the cage supervisor who shall attach the form referenced in (e) above to the duplicate and expeditiously deposit the duplicate with the attached form into the locked accounting box located in the cashiers' cage. The main bank cashier shall either:

1. Add the value of the unsecured currency to the main bank's accountability and retain the original of the Unsecured Bill Changer Currency Report until the end of the gaming day; or

2. Maintain the unsecured currency and the original Unsecured Bill Changer Currency Report until both are collected by a count room supervisor and immediately transported to the count room where:

i. The currency shall be counted with the contents removed from the corresponding slot cash storage box and recorded on the Slot Cash Storage Box Report; and

ii. The original Unsecured Bill Changer Currency Report shall be forwarded to the accounting department in accordance with Section 455-8.2.

(l) At the end of the gaming day, at a minimum, the original and duplicate copy of the Unsecured Bill Changer Currency Report shall be forwarded as follows:

1. If, pursuant to (k)1 above, the main bank cashier has retained possession of the original, the cashier shall forward the original directly to the accounting department for agreement with the triplicate or stored data; and

2. The duplicate with the attached form shall be forwarded directly to the accounting department for recording on the Slot Cash Storage Box Report and Slot Win Sheet, and agreement with the triplicate or stored data; provided, however, that no additional recording of the unsecured currency shall be required if the currency has been transported to the count room, counted and recorded pursuant to (k)2 above.

(m) The duplicate copy of the Unsecured Bill Changer Currency Report shall be attached to the Slot Cash Storage Box Report as supporting documentation. A notation shall be made on the duplicate Unsecured Bill Changer Currency Report indicating whether the dollar amount of the unsecured currency has been added to the Slot Cash Storage Box Report and Slot Win Sheet in accordance with (k)2 above or (l)2 above.

(n) Notwithstanding the requirements of (e) through (m) above, when unsecured currency is found during the collection of slot cash storage boxes, a casino licensee shall transport the unsecured currency directly to the soft count room. The completion of the form required by (e) above shall be performed by a count team member and a member of the casino security department. The envelope or container shall be transported with the slot cash storage boxes to the count room pursuant to Section 455-7.1. The unsecured currency shall be counted and recorded with the contents removed from the corresponding slot cash storage box. The form prepared pursuant to (e) above shall be forwarded to the accounting department with the Slot Cash Storage Box Report pursuant to Section 455-7.2).

(o) Accounting department employees with no incompatible functions shall, at least once a week read and record on a Slot Meter Sheet the numbers on the in-meter, drop meter, jackpot meter, manual jackpot meter, change meter and coupon meters. Accounting department employees shall periodically read and record on a Slot Meter Sheet the numbers on the bill meters in accordance with a schedule established by the casino licensee and approved by the Commission, but in no event shall the casino licensee be required to read and record the bill meters more than once a week. These procedures shall be performed in conjunction with the removal and replacement of the slot drop buckets, slot drop boxes or slot cash storage boxes prior to opening the slot machines for patron play.

(p) After preparation of the Slot Meter Sheet each employee involved with its preparation shall sign the Slot Meter Sheet attesting to the accuracy of the information contained thereon after which the sheet shall be forwarded directly to the accounting department for comparison to the Slot Win Sheet and calculation of slot machine statistics.

(q) Whenever there is a variance of \$ 25.00 or more between the meter reading taken from the change meter and recorded on the Slot Meter Sheet pursuant to (f) above, and the total amount of cash and coupons removed from the bill changer's slot cash storage box, the casino licensee's accounting department shall, as expeditiously as possible, read and record on a Slot Meter Sheet the bill meters and value coupon meter, and shall remove the slot cash storage box and count the contents in accordance with Section 455-7.2. The meter readings from the bill meters and value coupon meter shall be compared to the total amount of cash and coupons removed from the slot cash storage box for the period from the last date the bill meters and value coupon meter were read to verify the variance. The casino licensee shall be required to file an incident report with the casino controller, Commissioner and Division whenever a variance between the meter readings from the change meter and the cash and coupons removed from the slot cash storage box is \$ 25.00 or more. The incident report shall include, at a minimum, the following:

1. The date of the meter reading;
2. The date the report was filed;
3. The amount of the variance, by denomination;
4. The asset number of the bill changer involved;
5. An indication as to the cause of the variance, if available;
6. An indication as to whether the bill meters and value coupon meter confirmed the variance; and
7. The signature and license number of the preparer.

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32 V.I. R. & Regs. § 455-7.16, 32 VI ADC § 455-7.16

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455-7. Subchapter 7. Slot Operations Accounting Controls

32 V.I. R. & Regs. § 455-7.17

455-7.17. Computer Recordation and Monitoring of Slot Machines.

(a) In lieu of the requirements of Section 455-7.6(b) and (c), and Section 7.16(o), a casino licensee may have a computer connected to slot machines in the casino to record and monitor the activities of such machines.

(b) The computer permitted by (a) above shall be designed and operated to automatically perform the functions relating to slot machine meters in the casino as follows:

1. Record the number and total value of coins or slot tokens placed in the slot machine for the purpose of activating play;
2. Record the number and total value of coins or slot tokens deposited in the slot drop bucket or slot drop box of the slot machine;
3. Record the number and total value of coins, prize tokens or slot tokens automatically paid by the slot machine as the result of a jackpot;
4. Record the number and total value of coins or slot tokens to be paid manually as the result of a jackpot;
5. Record the number and total value of coins or slot tokens vended from the slot machine all-purpose hopper to make change;
6. Record the total value of each denomination of currency accepted and stored in the slot cash storage box;
7. Record the total number and total dollar amount of all coupons accepted and stored in the slot cash storage box; and
8. Record, if applicable, the unique identification number on the corresponding slot cash storage box and the asset number of the slot machine in which the slot cash storage box was placed for the purpose of recording and determining which slot cash storage box was placed into which slot machine bill changer.

(c) The computer shall store in machine-readable form all information required by (b) above and such stored data shall not be susceptible to change or removal by any personnel.

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455-8. Subchapter 8. Count Room Accounting Controls

32 V.I. R. & Regs. § 455-8.1

455-8.1. Count Room; Characteristics.

(a) Except as provided in (d) below, each casino licensee shall have immediately adjacent to the cashier's cage a room, to be known as the "count room," specifically designated, designed and used for counting the contents of drop boxes, slot cash storage boxes, slot drop buckets and slot drop boxes.

(b) The count room shall be designed and constructed to provide maximum security for the materials housed therein and for the activities conducted therein. Each casino licensee shall design and construct a count room with, at a minimum, the following security measures:

1. A metal door installed on each entrance and exit;

2. Each entrance and exit door shall be equipped with:

i. Two separate locks;

ii. An alarm device, approved by the Commission, which audibly signals the monitoring rooms required by Section 455-2.3, the casino security department and the Division's office in the approved hotel whenever a door to the count room is opened at times other than those times for which the casino licensee has provided prior notice pursuant to Section 455-7.2(b) or 455-8.3(b); and

iii. A light system, approved by the Commission, which illuminates one or more lights in the monitoring rooms required by Section 455-2.3, in the Division's office in the approved hotel, at each count room door, and at such other locations as the Commission may require, for purposes of maintaining constant surveillance on whether each count room door is open or closed;

3. Each lock required by (b)2i above shall be controlled by a key which is different from:

i. The key to the other lock on that door;

ii. The keys to the locks securing the contents of each drop box, slot cash storage box, and slot drop box; and

iii. The keys to the locks of each slot drop bucket compartment;

4. The key to one of the locks required by (b)2i above shall be maintained and controlled by the casino security department in a secure area within the casino security department, access to which may be gained only by a security supervisor, and the key to the other lock shall be maintained and controlled by a Commission inspector; and

5. The casino security department shall establish a sign-out procedure for all keys removed from the security department.

(c) Located within the count room shall be:

1. A table constructed of clear glass or similar material for the emptying, counting, and recording of the contents of drop boxes and slot cash storage boxes which shall be known as the "count table";

2. Closed circuit television cameras and microphone wired to monitoring rooms capable of, but not limited to, the following:

i. Effective and detailed audio-video monitoring of the entire count process;

ii. Effective, detailed video-monitoring of the interior of the count room, including storage cabinets or trolleys used to store drop boxes and slot cash storage boxes; and

iii. Audio-video taping of the entire count process and any other activities in the count room.

(d) Each casino licensee may count the contents of slot drop buckets and slot drop boxes in a different room, to be known as the "hard count room," from that used for counting the contents of drop boxes and slot cash storage boxes, in which event the latter room shall be known as the "soft count room." In all other respects the hard count room shall comply with the requirements of this section, except that the hard count room need not contain the audio equipment required by (c)2i and (c)2iii above. In addition, the hard count room shall contain a fixed-door type or hand-held metal detector to inspect all persons exiting the hard count room.

(e) In addition to the light system required by (b)2iii above, each hard count room shall contain a separate light system or other device approved by the Commission which shall provide a continuous visual signal at the count room door, the Commission booth and such other locations as the Commission may require whenever any access door to the count room is open while the system is activated. The light system or device shall:

1. Maintain the visual signal until the system is reset or deactivated; and

2. Be designed so as to permit its activation, deactivation or resetting only by the Commission.

Current through September 11, 2015.

32 V.I. R. & Regs. § 455-8.1, 32 VI ADC § 455-8.1

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Title 32. Sports and Parks

Chapter 21. Casino Control Commission

Subchapter 455. Internal Controls

455-8. Subchapter 8. Count Room Accounting Controls

32 V.I. R. & Regs. § 455-8.2

455-8.2. Opening, Counting and Recording Contents of Drop Boxes and Slot Cash Storage Boxes ("Soft Count").

(a) The contents of the drop boxes and slot cash storage boxes (the "soft count") shall be counted and recorded in the count room in conformity with this Section.

(b) Each casino licensee shall place on file with the Commission and the Division the specific times during which the contents of drop boxes removed from gaming tables and contents of slot cash storage boxes are to be counted and recorded, which, at a minimum, shall be once each gaming day for drop boxes. Slot cash storage boxes shall be removed from bill changers in accordance with Section 455-7.16(a) and shall be counted and recorded, at a minimum, once a week.

(c) The opening, counting and recording of the contents of drop boxes and slot cash storage boxes shall be performed in the presence of a Commission inspector by at least three employees with no incompatible functions ("count team"). To gain entrance to the count room, the Commission inspector shall present an official identification card containing his or her photograph issued by the Commission.

(d) All persons present in the count room during the counting process, except representatives of the Commission and the Division, shall wear as outer garments, only a full-length, one-piece pocketless garment with openings only for the arms, feet, and neck.

(e) No person shall:

1. Carry a pocketbook or other container unless it is transparent; or

2. Remove his hands from or return them to a position on or above the count table unless the backs and palms of his hands are first held straight out and exposed to the view of other members of the count team and the closed circuit television camera.

(f) Immediately prior to opening the drop boxes or slot cash storage boxes, the doors to the count room shall be securely locked and, except as required by (i)1 below, no person shall be permitted to enter or leave the count room, except during normal work break or in an emergency, until the entire counting, recording, and verification process is completed. During a work break or in the event of an emergency, or to permit slot cash storage boxes to be secured in the count room for the count of the contents, the counting and recording process shall be discontinued unless the appropriate number of personnel as described in (c) above is present.

(g) Immediately prior to the commencement of the count, one count team member shall notify the person assigned to the closed circuit television monitoring station in the establishment that the count is about to begin, after which such person shall make an audio-video recording, with the time and date inserted thereon, of the entire counting process which shall be retained by the surveillance department for at least five days from the date of recordation unless otherwise directed by the Commission or the Division.

(h) Procedures and requirements for conducting the count shall be as follows:

1. As each drop box or slot cash storage box is placed on the count table, one count team member shall verbalize, in a tone of voice to be heard by all persons present and to be recorded by the audio recording device, the game, table number, and shift marked thereon for drop boxes, or the asset or unique identification number marked thereon for slot cash storage boxes;
2. In full view of the closed circuit television cameras located in the count room, the contents of each drop box or slot cash storage box shall be emptied on the count table and either manually counted separately on the count table or counted on a currency or coupon counting machine which has been approved by the Commission and is located in a conspicuous location on, near or adjacent to the count table;
3. Immediately after the contents of a drop box or slot cash storage box are emptied onto the count table, the inside of the drop box or slot cash storage box shall be held up to the full view of a closed circuit television camera and shall be shown to at least one other count team member and the Commission inspector to assure all contents of the drop box or slot cash storage box have been removed, after which the drop box or slot cash storage box shall be locked and placed in the storage area for drop boxes or slot cash storage boxes;
4. The contents of each drop box or slot cash storage box shall be segregated by a count team member into separate stacks on the count table by each denomination of coin, currency and coupon, and by type of form, record or document, except that the Commission may permit the utilization of a machine to sort currency or coupons automatically by denomination;
5. Each denomination of coin, currency and coupon shall be counted separately by one count team member who shall place individual bills, coins and coupons of the same denomination on the count table in full view of a closed circuit television camera, after which the coin, currency and coupons shall be counted by a second count team member who is unaware of the result of the original count and who, after completing this count, shall confirm the accuracy of the total, either verbally or in writing, with that reached by the first count team member, except that the Commission may permit a casino licensee to perform aggregate counts by denomination of all currency and coupons collected in substitution of the second count by drop box or slot cash storage box, if the Commission is satisfied that the original counts are being performed automatically by a machine that counts and automatically records the amount of currency or coupons, and that the accuracy of the machine has been suitably tested and proven. The Commission will permit the utilization of currency and coupon counting machines if prior to the start of the count, in the presence of a Commission inspector, the count room supervisor shall:
 - i. Verify that the counting machine has a zero balance on its terminal unit display panel and has a receipt printed which denotes “-0- cash or coupons on hand” and “-0- notes or coupons in machine,” or some other means to indicate that the machine has been cleared of all currency and coupons.

- ii. Visually check the counting machine to be sure there are no bills or coupons remaining in the various compartments of the machine.
 - iii. Supervise a count team member who shall randomly select a drop box or slot cash storage box and place the entire contents of the drop box or slot cash storage box into the first counting machine, which shall count the currency or coupons by denomination and produce a print out of the total amount of currency or coupons by denomination. Any soiled or off-sorted bills or coupons shall be re-fed into the machine and manual adjustments made to the total. Coins or tokens shall also cause manual adjustments to be made to the total. The total as recorded on the counting machine and any adjustments thereto shall not be shown to anyone until completion of the final verification process.
 - iv. Supervise a second count team member, independent of the team member performing the initial count by machine, who shall manually count and summarize the currency and coupons of the drop box or slot cash storage box counted in (h)5iii above. The total shall be posted and maintained separately from the total posted in (h)5iii above. This total shall not be shown to anyone until completion of the final verification process.
 - v. Supervise the second count team member passing the currency or coupons to a count team member, who is unaware of the results of the manual count. The count team member shall count the contents of the drop box slot cash storage box counted in (h)5iii above using a second counting machine. Such machine shall produce a printout of the total amount of currency or coupons contained in the drop box or slot cash storage box. Any soiled or off-sorted bills or coupons shall be re-fed into the machine and manual adjustments made to the total. Coins or tokens shall also cause manual adjustments to be made to the total. The total as recorded on the counting machine and any adjustments thereto shall not be shown to anyone until completion of the final verification process.
 - vi. Following the completion of the test procedures, compare the totals from the test receipts of both counting machines, as computed in (h)5iii and (h)5v, to the manual total computed in (h)5iv. If the three totals compared above are in agreement, the count room supervisor will sign and date the test receipts and forward them to the Accounting department at the end of the count process.
 - vii. If the three totals do not agree, appropriate repairs shall be made to the counting machine and the procedures in (h)5i through (h)5vi shall be repeated until all totals are in agreement. The Commission shall not permit the counting machine to be used until these totals are in agreement.
6. Any coupon deposited in a drop box or a slot cash storage box shall be counted and included as gross revenue pursuant to Section 402 of the Act, without regard to the validity of the coupon.
7. Any coupon which has not already been cancelled upon acceptance or during the count shall be cancelled prior to the conclusion of the count, in a manner approved by the Commission.
8. As the contents of each drop box are counted, one count team member shall record on a Master Game Report or supporting documents, by game, table number, and shift, the following information:
- i. The amount of each denomination of currency counted;

ii. The amount of all denominations of currency counted;

iii. The amount of coin counted;

iv. The total amount of currency and coin counted;

v. The total amount of each denomination of coupon;

vi. The total amount of all denominations of coupons;

vii. The amount of the Opener;

viii. The amount of the Closer;

ix. The serial number and amount of each Counter Check;

x. The amount of all Counter Checks counted;

xi. The serial number and amount of each Fill;

xii. The amount of all Fills;

xiii. The serial number and amount of each Credit;

xiv. The amount of all Credits; and

xv. The table game win or loss.

9. After the contents of each drop box are counted and recorded, one member of the count team shall record by game and shift on the Master Game Report, the total amount of currency, coin and coupons, Table Inventory Slips, Counter Checks, Fills, and Credits counted, and win or loss, together with such additional information as may be required on the Master Game Report by the Commission or the casino licensee.

10. Notwithstanding the requirements of (h)8 and (h)9 above, if the casino licensee's system of internal controls provides for the recording on the Master Game Report or supporting documents of Fills, Credits, Counter Checks and Table Inventory Slips by cage cashiers prior to commencement of the count, a count team member shall compare for agreement the totals of the amounts recorded thereon to the Fills, Credits, Counter Checks and Table Inventory Slips removed from the drop boxes.

11. As the contents of each slot cash storage box are counted, one count team member shall record on the Slot Cash Storage Box Report or supporting documentation the following information:

- i. The asset number of the bill changer to which the slot cash storage box contents correspond or, if a casino licensee utilizes slot cash storage boxes with a unique identification number, the number shall be recorded along with the asset number of the slot machine;
- ii. The amount of each denomination of currency counted;
- iii. The amount of all denominations of currency counted;
- iv. The total amount of currency counted for each slot machine denomination;
- v. The total dollar amount of each denomination of coupon;
- vi. The total dollar amount of all denominations of coupons; and
- vii. Any additional information as may be required on the Slot Cash Storage Box Report by the Commission.

12. Notwithstanding the requirements of (h)8, 9 and 11 above, if the casino licensee's system of internal controls provides for the count team functions to be comprised only if counting and recording currency, coin and coupons, accounting department employees shall perform all other counting, recording and comparing duties required by this section.

13. After preparation of the Master Game Report or Slot Cash Storage Box Report, each count team member shall sign the reports attesting to the accuracy of the information recorded thereon.

(i) At the conclusion of the count:

1. All cash and coupons shall be immediately presented in the count room by a count team member to a reserve cash cashier who, prior to having access to the information recorded on the Master Game Report or the Slot Cash Storage Box Report and in the presence of a count team member and the Commission inspector, shall recount, either manually or mechanically, the cash and coupons presented, and attest by signature on the Master Game Report and Slot Cash Storage Box Report, if applicable, the amounts of cash and coupons counted, after which the Commission inspector shall sign the reports evidencing his or her presence during the count and the fact that both the cashier and count team have agreed on the total amounts of cash and coupons counted.

2. The Master Game Report, after signing, and the Requests for Fills, the Fills, the Requests for Credits, the Credits, the issuance copies of the Counter Checks, the Table Inventory Slips and coupons removed from drop boxes shall be

transported directly to the accounting department and shall not be available to any cashiers' cage personnel. All coupons shall be received and processed by the accounting department in the manner set forth in Section 455-3.4(l).

3. The Slot Cash Storage Box Report, after signing, and any coupons removed from the slot cash storage boxes shall be transported directly to the accounting department and shall not be available to any cashiers' cage personnel. The accounting department shall record the figures from the Slot Cash Storage Box Report on the Slot Win Report and calculate the total drop for that gaming day. All coupons shall be received and processed by the accounting department in the manner set forth in Section 455-3.4(l).

4. If the casino licensee's system of internal control does not provide for the forwarding from the cashiers' cage of the originals of the Fills, Credits, Requests for Credits, and the Requests for Fills, and the issuance copies of the Counter Checks, directly to the accounting department, the originals of all such slips recorded, or to be recorded, on the Master Game Report shall be transported from the count room directly to the accounting department.

(j) The originals and copies of the Master Game Report, the Slot Cash Storage Box Report, Counter Checks, Requests for Fills, Fills, Request for Credits, Credits, Table Inventory Slips and the test receipts from the currency counting equipment shall, on a daily basis, in the accounting department be:

1. Compared for agreement with each other, on a test basis if the originals are received from the count room, by persons with no recording responsibilities and, if applicable, to triplicates or stored data;
2. Reviewed for the appropriate number and propriety of signatures on a tests basis;
3. Accounted for by series numbers, if applicable;
4. Tested for proper calculation, summarization, and recording;
5. Subsequently recorded; and
6. Maintained and controlled by the accounting department as a permanent accounting record.

Current through September 11, 2015.

32 V.I. R. & Regs. § 455-8.2, 32 VI ADC § 455-8.2

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455-8. Subchapter 8. Count Room Accounting Controls

32 V.I. R. & Regs. § 455-8.3

455-8.3. Slot Count; Procedure for Counting and Recording
Contents of Slot Drop Buckets and Slot Drop Boxes ("Hard Count").

- (a) The opening, counting and recording of the contents of slot drop buckets and slot drop boxes (the "hard count") shall be performed in the count room required pursuant to Section 455-7.1 by at least three employees of the casino licensee (the "count team"). Except as otherwise provided in (i) below, the hard count shall be performed in the presence of a Commission inspector. To gain entrance to the count room, a Commission inspector shall present an official identification card issued by the Commission which contains his or her photograph.
- (b) The contents of slot drop buckets and slot drop boxes shall be counted and recorded immediately after removal from their slot machine compartments. Each casino licensee shall file with the Commission and the Division the specific times during which the contents of slot drop buckets and slot drop boxes shall be counted and recorded.
- (c) All members of the count team present in the count room during the counting process shall be required to wear a full-length, one-piece, pocketless outer garment with no openings other than for the hands, feet and neck.
- (d) No person shall carry a pocketbook or other container into the count room at any time unless it is transparent.
- (e) No person other than a Commission inspector or Division representative shall be permitted to enter or leave the count room during the hard count, except in an emergency or for a normal work break, until the hard count is completed. All persons exiting the count room shall be inspected with a metal detector by a casino security department employee in the presence of a Commission inspector. The counting and recording process shall be discontinued and all coin and slot tokens shall be secured during any work break or emergency where the minimum number of count room personnel required by (a) above are not present or are not capable of performing their responsibilities.
- (f) Immediately prior to opening and counting the contents of the slot drop buckets and slot drop boxes, the doors to the count room shall be securely locked and a count team member shall notify the surveillance department employee assigned to the closed circuit television monitoring room required by Section-455-2.3 that the count is about to begin. The surveillance department shall also be notified prior to any person entering or exiting the count room after the hard count has begun.
- (g) The surveillance department shall monitor and make a video recording, with the time and date inserted thereon, of the entire hard count, including any entrance to or exit from the count room by any person during the hard count and all metal detector inspections performed by casino security. The video recording shall be retained by the surveillance department for at least five days from the date of recordation unless otherwise directed by the Commission or the Division.

(h) No coins or slot tokens shall be removed from the slot count room after commencement of the hard count until the coins or slot tokens have been recounted and accepted by a cage cashier or main coin bank cashier. The recount procedures shall include the recounting of any bagged coins or slot tokens on a random sample basis.

(i) Procedures and requirements for conducting the hard count shall be as follows:

1. Prior to the first slot drop bucket or slot drop box being emptied and counted, employees of the casino licensee shall:

i. Provide the name and the employee license number of each person present in the count room at the inception of the hard count to the Commission inspector observing the hard count;

ii. Check, in the presence of the Commission inspector, the accuracy of all weighing and counting equipment, with the exception of coin or slot token wrapping machines, to insure proper calibration for each denomination of coin and slot token; and

iii. Complete and sign a calibration report.

2. All slot tokens in denominations of \$ 25.00 or more shall be counted or weighed at the beginning of the hard count, in the presence of the Commission inspector. The casino licensee may count or weigh other denominations of coins or slot tokens at the same time, provided that the high denomination slot token count proceeds to completion without interruption, except as otherwise provided herein. The Commission inspector shall, independently of the casino licensee, record on a countdown sheet the total amount of each slot token in a denomination of \$ 25.00 or more which is counted or weighed. The inspector shall compare the totals on his or her countdown sheet with the amounts of those slot tokens recorded by the hard count team on the Slot Win Sheet, and verify that the amounts are in agreement and are correct, and if not, shall either satisfactorily account for any discrepancies, if possible, or document the incident and promptly report it to the Division. At the conclusion of the hard count, the inspector shall recompare the totals on the countdown sheet with the final totals determined by the casino licensee.

3. Before each slot drop bucket or slot drop box is emptied, one count team member shall hold it up in full view of the closed circuit television camera and the count team member recording the count so as to permit proper recording of the number contained thereon.

4. The contents of each slot drop bucket or slot drop box shall be emptied, counted and recorded separately and such procedures shall at all times be conducted in full view of the closed circuit television cameras located in the count room.

5. The contents of each slot drop bucket or slot drop box shall be emptied separately into either a machine that automatically counts the coins or slot tokens or a scale that automatically weighs the coins or slot tokens; provided, however, that any prize tokens shall be manually counted and separately recorded on the Slot Win Sheet.

6. Immediately after the contents of each slot drop bucket or slot drop box are emptied into either the counting machine or scale, the inside of the slot drop bucket or slot drop box shall be held up to the full view of the closed circuit television

camera and shall be shown to at least one other count team member and the Commission inspector, if present, to assure that all contents of the slot drop bucket or slot drop box have been removed.

7. As the contents of each slot drop bucket or slot drop box are counted by the counting machine or weighed by the scale, one member of the count team shall record the following information on the Slot Win Sheet or a supporting document:

- i. The asset number of the slot machine to which the slot drop bucket or slot drop box contents corresponds, if not preprinted thereon;
- ii. The number of coins or slot tokens, or the weight of the coins or slot tokens contained in the slot drop bucket or slot drop box; provided, however, that if the value of the coins or slot tokens is not converted into dollars and cents until after the counting process is completed, the conversion shall be calculated and the dollar value of the drop shall be entered by denomination on the Slot Win Sheet; and
- iii. The number and dollar value of each denomination of prize token issued by any casino licensee, and the total dollar value of all prize tokens issued by any casino licensee.

8. A Commission inspector may, at any time, require the accuracy of any weighing, wrapping or counting equipment, or the amount of any previously weighed, wrapped or counted coin or slot tokens, to be checked or rechecked.

9. After all slot tokens in denominations of \$ 25.00 or more have been counted, wrapped or placed in racks, and then secured in a manner approved by the Commission, the Commission inspector may leave the count room to perform other functions as required by the Commission. Upon leaving the count room, the inspector shall:

- i. Notify the surveillance department of his or her departure; and
- ii. Test and activate the light system or other approved device at the count room door required by Section 455-8.1(d).

10. No person shall enter or leave the count room during the hard count when a Commission inspector is not present except in an emergency.

11. After the contents of all the slot drop buckets and slot drop boxes are counted or weighed and recorded, each count team member shall sign the Slot Win Sheet or other document as approved by the Commission attesting to their involvement in the hard count.

12. After the contents of all the slot drop buckets and slot drop boxes are counted or weighed and recorded, any count team member not required to remain pursuant to (i)11ii below may be permitted to exit the count room if the following requirements are satisfied:

- i. The Slot Win Sheet or other approved document must be signed by each count team member exiting the count room, in accordance with (i)10 above;

- ii. At least three count team members must remain in the count room until the verification process is completed;
- iii. The surveillance department must be notified prior to any count team members exiting the count room;
- iv. All activity in the count room shall be discontinued during any period when a count team member is exiting the count room; and
- v. A casino security department employee shall check all count team members leaving the count room with a metal detector, in the presence of a Commission inspector, at a location approved by the Commission and Division.

13. At the conclusion of the hard count, any slugs that have been found shall be delivered to a representative of the Division together with a copy of the Slug Report. The Slug Report shall be a three-part form, at a minimum, which shall include the date, the total number of slugs received and the signature of the preparer, and shall be distributed as follows:

- i. Original to Commission inspector;
- ii. First copy maintained by hard count supervisor; and
- iii. Second copy to Division.

14. Each prize token issued by any casino licensee that is removed from a slot drop bucket or a slot drop box and counted pursuant to this section shall be counted, for purposes of calculating gross revenue pursuant to Section 402 of the Act, as cash received by the casino licensee from gaming operations for the face amount of the prize token, and, notwithstanding the prohibition on prize tokens activating slot machine play, no adjustment to the amount recorded on the Slot Win Sheet in accordance with (i)7iii above shall be allowed.

(j) Procedures and requirements at the conclusion of the hard count shall be as follows:

- 1. Approximately 15 minutes prior to the end of the hard count, if a Commission inspector is not present, an inspector shall be notified that the hard count is about to be completed.
- 2. Upon reentering the count room, the Commission inspector shall:
 - i. Examine the light system or other approved device to ascertain whether any person has entered or exited the count room during the period of his or her absence, and if so, either satisfactorily account for those events, if possible, or document the incident and promptly report it to the Division; and

- ii. Compare the original list of count team members with the persons present at the conclusion of the hard count, ascertain whether the identities of the persons in the count room remained unchanged during the hard count, and if not, either satisfactorily account for any changes in personnel, if possible, or document the incident and promptly report it to the Division.
3. At least one count team member shall sign the Slot Win Sheet attesting to the accuracy of the information recorded thereon.
4. The prize tokens, wrapped coin and slot tokens removed from the slot drop buckets and slot drop boxes shall be recounted in the count room by a cage cashier or master coin bank cashier, in the presence of a count team member and the Commission inspector, prior to the cashier having access to the information recorded on the Slot Win Sheet.
5. The inspector shall then compare the amounts of the slot tokens and prize tokens listed on his or her countdown sheet with the amounts of each of those tokens shown on the Slot Win Sheet, and verify that the amounts are in agreement and are correct, and if not, either satisfactorily account for any discrepancies, if possible, or document the incident and promptly report it to the Division.
6. The cage cashier or master coin bank cashier shall then attest by signature on the Slot Win Sheet to the accuracy of the amount of coin, prize tokens and slot tokens received from the slot machines. The inspector shall then sign the Slot Win Sheet evidencing the inspector's presence and the fact that the inspector, the cashier and count team have agreed on the total amount of coin, prize tokens and slot tokens counted. The coin, prize tokens and slot tokens thereafter shall remain in the custody of cage cashiers or master coin bank cashiers.
7. A casino security department employee, in the presence of the Commission inspector, shall:
 - i. Inspect all persons with a metal detector upon their exiting the count room; and
 - ii. Conduct a thorough inspection of the entire count room and all equipment located therein, for unsecured coins, prize tokens and slot tokens.
8. The Slot Win Sheet and supporting documents shall be transported directly to the accounting department and shall not be available, except for signing, to any cashiers' cage or slot personnel.
9. The preparation of the Slot Win Sheet shall be completed by accounting department employees who shall:
 - i. Compare for agreement, for each slot machine, the number of coins or slot tokens counted and recorded by the count team to the drop meter reading recorded on the Slot Meter Sheet; provided, however, that the accounting department, in making the comparison, shall account for any prize tokens that were counted pursuant to this section after being improperly accepted by the coin acceptor and diverted to the slot drop bucket or slot drop box;
 - ii. Record, for each machine, the Hopper Fills to each slot machine;

- iii. Record, for each slot machine, the Payouts and compare for agreement Payouts to the manual jackpot meter reading recorded on the Slot Meter Sheet;
- iv. Calculate and record the win or loss for each slot machine;
- v. Explain and report for corrections of apparent meter malfunctions to the slot department all significant differences between meter readings and amounts recorded; and
- vi. Calculate statistics by slot machine.

10. The Slot Win Sheet, the Slot Meter Sheet, Payouts, and Hopper Fills shall be:

- i. Compared for agreement with each other and, if applicable, to triplicates or stored data on a test basis;
- ii. Reviewed for the appropriate number and propriety of signatures on a test basis;
- iii. Accounted for by series numbers;
- iv. Tested for proper calculation, summarization, and recording;
- v. Subsequently recorded; and
- vi. Maintained and controlled by accounting department employees.

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32 V.I. R. & Regs. § 455-8.3, 32 VI ADC § 455-8.3

Virgin Islands Administrative Code Currentness

Title 32. Sports and Parks

Chapter 21. Casino Control Commission

Subchapter 455. Internal Controls

455-9. Subchapter 9. Closed Loop Gaming Devices (Clgd) Accounting and Internal Controls

32 V.I. R. & Regs. § 455-9.1

455-9.1. CLGD Definitions.

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

“Access Level” means typical user roles defined within the CLGS on the basis of user needs and authorizations, which defines user competence and user access to applications and data (e.g. administrator, cashier, technician, management, supervisor, regulators).

“Accumulated Credits” is the balance shown on a gaming device as number of credits;

“Bet” is an amount paid by a player to take part in a single game of chance on a particular gaming device.

“Bill Acceptor” (BA) is a gaming device which accepts monetary instruments and increases player's credit by a certain number of credits depending on the value of the monetary instrument.

“Bills In Meter” is a meter that indicates the amount of currency accepted by the BA of a CLGD.

“Call-back Procedure” is a procedure, whereby the computer system or other communication equipment upon the receipt of remote dial in access call, authenticates the user and its access rights, terminates the connection and immediately calls back on the predefined dial number which may be stored in the system or in communication equipment.

“Cash Box” (CB) is a place where the currency is stored within a gaming device. “Cashier terminal” is a computer terminal with an attached printer that tracks and/or generates tickets and jackpot receipts. This terminal is generally located at the cashier cage.

“Cashless Operations” refers to the use of receipts and/or a unique identification number to purchase or redeem credits.

“Closed Loop Gaming Devices” (CLGD) are those authorized gaming devices that are connected to the CLGS.

“Closed Loop Gaming System” (CLGS) is an authorized gaming system comprised of a central server, CLGD and peripheral devices.

“Coin In Meter” is a meter that indicates the total number of credits bet on a CLGD. “Coin Out Meter” is a meter that counts all amounts won by the player at the end of the game that were not paid by the attendant.

“Compatible Terminal” is a remote working station that enables the remote user to execute the programs on the closed loop gaming system with the use of standard terminal emulation programs or standard thin clients (e.g. NT Terminal Server Client).

“Credit” is a unit used to express (measure) bets and wins in a game with a precisely defined value on an individual gaming device.

“Games Played Meter” is a meter that indicates the total number of handle pulls or games played.

“Jackpot Mete?” is a meter that indicates the total amount paid by an attendant.

“Jackpot Receipt” is a document generated by the CLGD which indicates the dollar amount of taxable jackpot payment due the player.

“Log” denotes operating system log, log of relational database system, log of the CLGS or log of any other protection software package about any activity on the system.

“Net win” is drop less jackpots and receipts redeemed by a cashier.

“Players Club Card” is a card issued by the casino licensee to an individual player for the purpose of identifying the individual player with special read equipment mounted on or in gaming devices.

“Receipt” is a document generated by a cashier, that represents the equivalent dollar amount of accumulated credits or credits purchased which may be redeemed for cash or for play on a CLGD through use of a unique identification number.

“Receipts-In Meter” is a meter that indicates the total number of credits accepted on a CLGD via receipt.

“Receipts-Out Meter” is a meter that indicates the total number of credits paid out in the form of a cash-out receipt.

“Ticket” is a document containing a unique identification number printed at the CLGD or generated by a cashier that indicates the equivalent dollar amount of accumulated credits or credits purchased which may be redeemed for cash or for play on a CLGD.

“Ticket In Meter” is a meter that indicates the total number of credits accepted on a CLGD via ticket.

“Ticket Out Meter” is a meter that indicates the total number of credits paid out in the form of a ticket.

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32 V.I. R. & Regs. § 455-9.1, 32 VI ADC § 455-9.1

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32 V.I. R. & Regs. § 455-9.2

455-9.2. Cash Storage Boxes; Transportation; Storage.

The regulation of CLGD cash storage boxes and the transportation and storage of cash boxes shall be in accordance with § 455-7.1 of these regulations.

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32 V.I. R. & Regs. § 455-9.2, 32 VI ADC § 455-9.2

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32 V.I. R. & Regs. § 455-9.3

455-9.3. Entry Authorization Log.

(a) Whenever any person enters a CLGD or any device connected thereto, a Machine Entry Authorization Log (MEAL) shall be completed and filed. Information provided on the log shall include, at minimum, a name, date, time, purpose of opening the device, and the signature of the person entering. A Machine Entry Authorization Log shall be maintained in the CLGD and shall have recorded thereon an identification number corresponding to the serial number or asset number of that CLGD.

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32 V.I. R. & Regs. § 455-9.3, 32 VI ADC § 455-9.3

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32 V.I. R. & Regs. § 455-9.4

455-9.4. CLGD Identification; Signs; Meters.

(a) Unless otherwise authorized by the Commission, each CLGD shall have the following identifying features:

1. A manufacturer's serial number permanently affixed to the outside of the CLGD;
2. An asset number affixed or impressed on the outside of the CLGD;
3. A display, located conspicuously on the CLGD and/or the CLGS, that automatically indicates when a player has won a jackpot not paid automatically and totally by the CLGD and which advises the player to see an attendant to receive full payment;
4. A display that provides fair notice of the rules of play, and character combinations which will award payouts and the related payouts;
5. A mechanical, electrical, or electronic device that automatically precludes a player from operating the CLGD after a jackpot requiring a manual payout has been hit and which requires an attendant to reactivate the machine;
6. A light on the pedestal above the CLGD that automatically illuminates when the door to the CLGD or any device connected which may affect the operation of the CLGD is opened; and
7. A location number, at least two inches in height, affixed to the outside of the CLGD and visible to the casino licensee's closed circuit camera coverage system.

(b) Unless otherwise authorized by the Commission, each CLGD shall be equipped with the following:

1. Ticket or Receipt In Meter (or both if applicable);
2. Coin In Meter;
3. Bills In Meter;

4. Ticket or Receipt Out Meter (or both if applicable);

5. Jackpot Meter; and

6. Games Played Meter.

(c) All meters described in this section, as well as those applicable meters in Section 456-8.4, shall be placed in a position as required by these regulations, so that the numbers thereon can be read and recorded.

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32 V.I. R. & Regs. § 455-9.4, 32 VI ADC § 455-9.4

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32 V.I. R. & Regs. § 455-9.5

455-9.5. CLGD Location; Movements.

(a) Each casino licensee shall file with the Commission a floor plan which identifies each CLGD by a location number. Any alterations to such floor plan shall not become effective until approved by a Commission inspector. A revised floor plan containing such alterations shall be filed with the Commission within 24 hours of the alteration.

(b) No CLGD shall be removed from, or returned to, a location or moved from one location to another without the prior approval of the Commission.

(c) All movements of each machine shall be recorded in a machine movement log which shall include the following:

1. The manufacturer's serial number and the asset number of the moved CLGD;
2. The date and time of movement of the CLGD;
3. The location from which the CLGD was moved;
4. The location to which the CLGD was moved;
5. The new asset number of the CLGD; and
6. The signatures of the shift manager and the technician verifying the movement of the CLGD.

(d) Prior to removing a CLGD from the floor, the cash box shall be removed and transported to the count room in accordance with these regulations.

(e) Each casino licensee shall file with the Commission an electronic network schematic that depicts the electronic network design of the closed loop gaming system.

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32 V.I. R. & Regs. § 455-9.5, 32 VI ADC § 455-9.5

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32 V.I. R. & Regs. § 455-9.6

455-9.6. Progressive CLGDs.

The regulation of progressives CLGDs shall be in accordance with § 455-7.8 of these regulations.

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32 V.I. R. & Regs. § 455-9.6, 32 VI ADC § 455-9.6

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32 V.I. R. & Regs. § 455-9.7

455-9.7. Jackpot Payouts Not Totally and Automatically Paid by the CLGD.

(a) Whenever a patron wins a jackpot that is not totally and automatically paid by the CLGD, the CLGD shall immediately suspend play awaiting an attendant. The attendant shall verify the winning combination and reset the machine with a control key. A jackpot ticket shall be printed.

(b) The following information, at a minimum, shall be on the jackpot ticket and maintained in stored data:

1. The date and time of the jackpot;
2. The player terminal number of the CLGD on which the jackpot was registered;
3. The amount to be paid to the winning patron stated in numbers and/or in words; and
4. The unique identification number.

(c) All other aspects of a jackpot payout shall be governed in accordance with § 455-7.9 of these regulations.

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32 V.I. R. & Regs. § 455-9.7, 32 VI ADC § 455-9.7

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32 V.I. R. & Regs. § 455-9.8

455-9.8. Computer Recordation and Monitoring of CLGD.

(a) The Closed Loop Gaming System shall include:

1. computer server hosting the collection of software utilized by remote gaming devices (CLDG) and/or by interfaces built into them, or entered manually during the gaming process;
2. software and equipment required for the collection or entry of the data;
3. software required for examination of the collected data;
4. software required to generate the views, closings and reports specified with this regulation;
5. hardware and software installed by the licensed casino operator for the connection with the service provider;
6. Remote gaming terminals (CLGD)
7. Interfaces and connectivity required to communicate to remote approved locations where CLGD are to be operated.

(b) Data collected by the Closed Loop Gaming System shall:

1. have the capability to collect, catalogue, warehouse and restore all gaming activity from a CLGD for the checking of its correctness in order to find out deviations from the actions prescribed in guidelines or in standards.
2. be used to assess the justification of cashier pay-outs and the correct operation of individual gaming devices.
3. be a true reflection of the gaming process on a gaming device and present the correct financial results of game.
4. be protected against unauthorized access. Subsequent changes, deletion, and appending shall be prevented. The exception is correction of individual errors in manual entry procedures, which shall be properly recorded.

5. be accessible to the Commission and the Division through the use of standard reports and database queries.

(c) All manually entered data shall be entered together with the corrections and identification of a person, date and time of entry. All corrections shall record old and new value.

(d) The CLGS shall ensure keeping of all the data and logs entered into the system for a minimum of 45 days. Access to the data and logs shall be realized by using CLGS applications only.

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32 V.I. R. & Regs. § 455-9.8, 32 VI ADC § 455-9.8

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32 V.I. R. & Regs. § 455-9.9

455-9.9. Casino Licensee Access to the Closed Loop Gaming System.

(a) The CLGS computer hardware, gaming software and telecommunication equipment shall be placed in an area on the casino premises with limited access and protective against unauthorized intervention.

(b) Connection cables of gaming devices, working stations and other equipment connected to the CLGS shall be laid in a way that does not allow direct access. Panels of distribution cables shall be protected from unauthorized access.

(c) Entry and stay in the system area shall be through standard key control access procedures.

(d) Access to the CLGS shall be secured and controlled with the usage of authentication passwords and authorization software that incorporates additional protection measures against unauthorized interventions and break-in attempts and shall not be disengaged or bypassed. All tables with passwords and access levels shall be stored in protected files accessible only to the authentication, authorization and administration system, and shall be in an encrypted form.

(e) The casino licensee shall maintain the list of users with access to the CLGS to include data on:

1. persons with authorized access;
2. databases, tables, journals and programs to which these persons have access;
3. access type to particular data collections and programs (view, entry, update, delete, append, execute); and
4. special user rights (administration, maintenance).

(f) Casino licensee access to the CLGS shall only be allowed through the system of individual authentication. User names shall uniquely identify the individual user.

(g) Access shall only be allowed for maintenance and remote access if the authentication system combined with group access to the CLGS uniquely identifies each individual user.

(h) Regarding user access, the CLGS shall log:

1. unsuccessful access attempts (date, time, user, entry point);
2. user log-in and log-out (date, time, user, entry point);
3. access or an attempt to access the CLGS from LAN or WAN connections (date, time, entry point);
4. user attempts for unauthorized actions (date, time, user, action).

(i) The casino licensee shall only assign user access rights on need-to-know and need-to do basis. A user shall only be allowed to access the data and programs for which such user is responsible and which are needed in the performance of the user's duties and in accordance with such user's authorization(s).

(j) The casino licensee shall perform regular backup and maintain copies of the program and data on secondary media to assure the restoration of the CLGS operation after major breakdowns or downtime.

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32 V.I. R. & Regs. § 455-9.9, 32 VI ADC § 455-9.9

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32 V.I. R. & Regs. § 455-9.10

455-9.10. Service Provider Access to the CLGS.

(a) Using a WAN fixed line or alternate communication connection approved by the Commission, the CLGS shall enable the service provider to:

1. have a direct connection to the central server;
2. distribute data to the reporting system for accounting purposes;
3. enable and facilitate the implementation of remote monitoring procedures;
4. provide any services that would be required to minimize the interruption to business processes;

(b) The service provider shall be entitled to access any of the programs that reside on the central server of the CLGS, with notification to the Commission.

(c) Deviations from the prescribed type of connectivity, the prescribed communication equipment and protocols shall be possible only with explicit permission of the Commission when justifiable reasons exist.

(d) When accessing the CLGS, the service provider shall pay attention to security and integrity aspects of the CLGS and shall protect the information against unauthorized disclosure.

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32 V.I. R. & Regs. § 455-9.10, 32 VI ADC § 455-9.10

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32 V.I. R. & Regs. § 455-9.11

455-9.11. Commission and Division Access to the CLGS.

(a) Using WAN telecommunication connection, the CLGS shall enable the Commission and the Division to:

1. have a secured link of a remote compatible terminal;
2. directly follow up a gaming process together with processes performed on each individual gaming device;
3. examine all journals of events on gaming devices, journals of cashier transactions, meter values, counting results and all logs regarding system, program and data access;
4. examine daily and monthly closings on gaming devices and examination of daily and monthly closings and cashier operations;
5. examine, select and export the selected data from the CLGS data collections (databases, tables, logs) and transfer the selected (exported) data using WAN connection to the Commission and Division computer systems, with a protocol prescribed by the Commission.

(b) The casino licensee shall not be allowed to limit access of the Commission or Division below the requirements stated in these regulations. The Commission and Division shall have 24-hour access to the CLGS via a secure link.

(c) The Commission may maintain a list of approved compatible communication equipment. The communication equipment settings may be defined by the Commission in collaboration with a person responsible for security and administration of the CLGS. Connection shall be established automatically after a request originating from the Commission.

(d) If a telecommunication link is used for connection of the CLGS with the Commission or Division, it cannot be used for any other purposes. Its phone numbers shall not be published.

(e) In case of the failure of the telecommunication connection with the Commission or Division (failure of line or equipment) the casino licensee shall be responsible for reestablishing the connection or to assure backup connection within 24 hours after the finding or after notification of the failure. If the re-connection with the Commission or Division can not be established within the specified time, and the casino licensee can not have any influence on the establishment, the Commission may postpone

the connection establishment based on the casino licensee's written request, but not later than four days after the receipt of notification.

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32 V.I. R. & Regs. § 455-9.11, 32 VI ADC § 455-9.11

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32 V.I. R. & Regs. § 456-1.1

456-1.1. Gaming Chips; Value and Non-Value; Physical Characteristics.

(a) Each gaming chip issued by a casino shall be round in shape, be 1 9/16 inches in diameter and have clearly and permanently impressed, engraved or imprinted thereon the name of the casino issuing it and the specific value of the chip except that a casino may issue gaming chips without a value impressed, engraved or imprinted thereon for the purpose of gaming at roulette. Gaming chips with a value contained thereon shall be known as “value chips” and gaming chips without a value contained thereon shall be known as “non-value chips.”

(b) Value chips may be issued by a casino licensee in denominations of \$.50, \$ 1.00, \$ 2.50, \$ 5.00, \$ 20.00, \$ 25.00, \$ 100.00, \$ 500, \$ 1,000 and \$ 5,000. It, however, shall be within the discretion of the casino licensee to determine which of these denominations will be utilized in its casino and what amount of each denomination will be necessary for the conduct of gaming operations.

(c) Each denomination of value chip shall have a different primary color from every other denomination of value chip. The primary color to be utilized by each casino licensee for each denomination of value chip shall be:

1. \$ 0.50--Mustard Yellow
2. \$ 1.00--White
3. \$ 2.50--Pink
4. \$ 5.00--Red
5. \$ 20.00--Yellow
6. \$ 25.00--Green
7. \$ 100.00--Black
8. \$ 500.00--Purple

9. \$ 1,000--Fire Orange

10. \$ 5,000--Gray

11. In conjunction with the aforementioned primary colors, each casino licensee shall utilize contrasting secondary colors for the edge spots on each denomination of value chip. Unless otherwise approved by the Commission, no casino licensee shall use a secondary color on a specific denomination of chip identical to the secondary color used by another casino licensee on that same denomination of chip.

(d) Each denomination of value chip utilized in a casino shall, unless otherwise authorized by the Commission.

1. Have its center portion, which contains the value of the chip and the name or trade name of the casino licensee issuing it, of a different shape for each denomination of chip;
2. Have the name, trade name, or other approved identification of the casino licensee issuing it and the denomination of such chip molded into the outer rim of the chip;
3. Have its circumference so designed so as to be able to determine on closed circuit black and white television the specific denomination of such chip when placed in stack of chips of other denominations; and
4. Be designed, manufactured and constructed so as to prevent, to the greatest extent possible, the counterfeiting of such chips.

(e) Each non-value chip utilized in a casino shall be issued solely for the purpose of gaming at roulette. The non-value chips at each roulette table shall:

1. Have the name or trade name of the casino licensee issuing them molded into the center of such chip;
2. Contain a design, insert or symbol differentiating those chips from the non-value chips being used at every other roulette table in the casino;
3. Have "Roulette" impressed in the rim; and
4. Be designed, manufactured and constructed so as to prevent, to the greatest extent possible, the counterfeiting of such chips.

(f) Each casino licensee shall utilize contrasting secondary colors or designs for the edge spots on non-value chips.

(g) Non-value chips issued at a roulette table shall only be used for gaming at that table and shall not be used for gaming at any other table in the casino nor shall any casino licensee or its employees allow any patron to remove non-value chips from the table from which they were issued.

(h) No person at a roulette table shall be issued or permitted to game with non-value chips that are identical in color and design to value chips to non-value chips being used by another person at the same table. When a patron purchases non-value chips, a chip of the same color shall be placed in a slot or receptacle attached to the outer rim of the roulette wheel. At that time, a marker button denoting the value of a stack of 20 chips of that color shall also be placed in the slot, receptacle or other device.

(i) Non-value chips shall only be presented for redemption at the table from which they were issued and shall not be redeemed or exchanged at any other location in the casino. When so presented, the dealer at such table shall exchange them for an equivalent amount of value chips which may then be used by the patron in gaming or redeemed as any other value chips.

(j) Each casino licensee shall have the discretion to permit, limit or prohibit the use of value chips in gaming at roulette provided, however, that it shall be the responsibility of the casino licensee and its employees to keep accurate account of the wagers being made at roulette with value chips so that the wagers made by one player are not confused with those made by another player at the table.

(k) An impressment of each roulette table on the gaming floor shall be completed at least once a week. A casino licensee shall not complete a roulette table impressment unless it provides at least one-half hour prior notice to the Commission. The casino licensee shall record the results of such impressment in the Chip Inventory Ledger and shall utilize a "Non-Value Roulette Chip Impressment" form to perform such impressments as follows:

1. A casino department supervisor shall complete the "Non-Value Roulette Chip Impressment" form to record missing and excess chips and shall deliver the form and excess chips to the main bank or fill bank;
2. Upon receipt of the "Non-Value Roulette Chip Impressment" form, a main bank cashier or fill bank cashier shall immediately prepare the chips needed to impress the table; and
3. The casino department supervisor shall then deliver, directly to the appropriate table, the chips needed to impress that table.

(l) The completed "Non-Value Roulette Chip Impressment" form shall be maintained by the Accounting Department and shall contain, at a minimum, the following:

1. Date and time of preparation;
2. Design schematic of the chip and the applicable table number;
3. Signature of the casino department supervisor who completes the "Non-Value Roulette Chip Impressment" form and the roulette table impressment; and

4. Signature of the main bank cashier or fill bank cashier preparing the impressment.

(m) Each casino licensee shall submit to the Commission and Division a monthly summary of the non-value chip inventory for each table/design by color which shall include, at a minimum, the following:

1. The balance on hand at the beginning of the month;
2. The number of non-value chips distributed to the gaming tables during the month;
3. The number of non-value chips returned to inventory during the month; and
4. The balance on hand at the end of the month.

(n) No casino licensee shall issue or cause to be utilized in its casino any value or non-value chips unless and until such chips are approved by the Commission Chairman or designee. In requesting approval of such chips, a casino licensee, prior to having any such chips manufactured, shall first submit to the Commission a detailed schematic of its proposed chips which shall show the front, back and edge of each denomination of value chip and each non-value chip and the design and wording to be contained thereon all of which shall be depicted on such schematic as they will appear both as to size and location, on the actual chip. Once the design schematics are approved by the Commission, no value or non-value chip shall be issued or utilized until and unless a sample of each denomination of value chip and each color of non-value chip is also submitted to and approved by the Commission.

(o) No casino licensee or other person licensed by the Commission shall manufacture for, sell to, distribute to or use in any casino outside of St. Croix, any value or non-value gaming chips having the same edge design as those approved for use in St. Croix casinos.

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32 V.I. R. & Regs. § 456-1.1, 32 VI ADC § 456-1.1

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32 V.I. R. & Regs. § 456-1.2

456-1.2. Gaming Plaques; Physical Characteristics.

- (a) In addition to the issuance of gaming chips, a casino licensee may issue gaming plaques in denominations of \$ 5,000, \$ 10,000, \$ 25,000, \$ 50,000 and \$ 100,000.
- (b) Unless authorized by the Commission Chairman or designee, each gaming plaque shall be square, rectangular or oval in shape and no smaller than three inches in length by two inches in width which, in the case of oval gaming plaques, shall be measured at the points of greatest length and width. Each denomination of gaming plaque utilized by a casino licensee shall be of a different shape.
- (c) Each gaming plaque shall have clearly and permanently imprinted, impressed or engraved thereon the specific value of the plaque in numerals of no less than three-eighths inch in height, and the name of the casino issuing it and a serial number.
- (d) No casino licensee shall issue or cause to be utilized in its casino any gaming plaques unless and until such plaques are approved by the Virgin Islands Casino Control Commission or its authorized designee. In requesting approval of such plaques, a casino licensee, prior to having any such plaques manufactured, shall first submit to the Commission a detailed schematic of its proposed plaques which shall show the front, back and edge of each denomination of plaque and the design and wording to be contained thereon all of which shall be depicted on such schematic as they will appear, both as to size and location, on the actual plaque. Once the design schematics are approved by the Commission, no plaque shall be issued or utilized until and unless a sample of each denomination of plaque is also submitted to and approved by the Commission or its authorized designee.
- (e) No gaming plaque shall be issued until the casino licensee has submitted to the Commission and the Commission has approved a system for accounting for gaming plaques by serial number. Such system shall include the receipt and inventory of the gaming plaques and cage procedures.

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32 V.I. R. & Regs. § 456-1.2, 32 VI ADC § 456-1.2

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32 V.I. R. & Regs. § 456-1.3

456-1.3. Primary, Secondary and Reserve Sets of Gaming Chips.

- (a) Unless otherwise authorized by the Commission or as set forth in (f) below, each casino licensee shall have a primary set of gaming chips, a separate secondary set of value chips and a reserve non-value chip which shall conform to the color and design specification contained in Section 456-1.1.
- (b) The secondary set of value chips shall have different secondary colors than the primary set, and shall be required for denominations over \$ 5.00 except that a secondary set is not required for the \$ 1,000 or \$ 5,000 chips.
- (c) Each casino licensee shall have a reserve non-value chip for each color utilized in the casino with a design insert or symbol different from those non-value chips comprising the primary set.
- (d) The casino licensee shall remove the primary set of gaming chips from active play whenever it is believed the casino is taking on counterfeit chips or whenever any other impropriety or defect in the utilization of the primary set of chips makes removal of the primary set necessary or whenever the Commission or its designee so directs. An approved secondary set of value chips and a reserve non-value chip shall be placed into active play whenever the primary set is removed.
- (e) Whenever the primary set of chips is removed from active play, the casino licensee shall notify immediately a representative of the Commission and Division of this fact and the reason for such occurrence.
- (f) A casino licensee or applicant shall not be required to have a separate secondary set of chips if, upon submission to and approval by the Commission, the primary set of chips shall have the following:
1. A serial number clearly and permanently imprinted, impressed or engraved thereon and a system for accounting for such chips by serial number; or
 2. A unique design or concept which protects the integrity of the accounting functions and the security mechanisms of the game and the chips.

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32 V.I. R. & Regs. § 456-1.3, 32 VI ADC § 456-1.3

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32 V.I. R. & Regs. § 456-1.4

456-1.4. Submission of Gaming Chips, Plaques and Match Play Coupons for Review and Approval.

A casino licensee shall submit to the Commission a sample of each denomination of gaming plaque, a sample of each value and non-value chip in its primary and secondary sets, and a sample of each match play coupon, and shall not utilize such chips, plaques or coupons for gaming purposes until approved by the chairman.

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32 V.I. R. & Regs. § 456-1.5

456-1.5. Nature and Exchange of Gaming Chips, Plaques and Match Play Coupons.

(a) All wagering on authorized games, other than slot machines, in a casino shall be conducted with gaming chips or plaques; provided, however, that match play coupons shall be permitted for use in wagering at authorized games in accordance with Sections 455-3.4 and 455-4.2 of the Accounting and Internal Control regulations. Gaming chips previously issued by a casino licensee which are not in active use by that casino licensee shall not be used for wagering at authorized table games and shall not be accepted nor exchanged for any purpose at a gaming table. Such chips shall only be redeemed at the cashiers' cage pursuant to (e) below.

(b) Gaming chips or plaques shall be issued to a person only at the request of such person and shall not be given as change in any other but a gaming transaction. Gaming chips and plaques shall only be issued to casino patrons at the gaming tables and shall only be redeemed at the cashiers' cage; provided, however, that gaming chips may be exchanged by a patron at the slot booths or with changepersons for currency, coin or slot tokens to play the slot machines.

(c) Except as provided in (h) below and as otherwise may be specifically approved by the Commission, each casino licensee shall redeem its gaming chips and plaques only from its patrons and shall not knowingly redeem its gaming chips and plaques from any non-patron source.

(d) Each gaming chip and plaque is solely evidence of a debt that the issuing casino licensee owes to the person legally in possession of the gaming chip or plaque, and shall remain the property of the issuing casino licensee, which shall have the right at any time to demand that the person in possession of the gaming chip or plaque surrender the item upon the casino licensee exercising its right of redemption in accordance with (f) below.

(e) Each casino licensee shall redeem promptly its genuine gaming chips and plaques, except when the gaming chips or plaques were obtained or being used unlawfully. A casino licensee shall redeem gaming chips or plaques by exchanging them for an equivalent amount of cash or, upon request by a patron who surrenders gaming chips or plaques in any amount over \$ 100.00, for a casino check of that casino licensee in the amount of the chips or plaques surrendered and dated the day of such redemption.

(f) Each casino licensee shall have the right to demand the redemption of its gaming chips or plaques from any person in possession of them and such person shall redeem said chips or plaques upon presentation by the casino licensee of cash in an equivalent amount.

(g) Each casino licensee shall accept, exchange, use or redeem only gaming chips or plaques that it has issued and shall not knowingly accept, exchange, use or redeem gaming chips or plaques, or objects purporting to be gaming chips or plaques, that have been issued by any other person, except that a casino licensee may redeem from its patrons gaming chips or plaques issued

by another legally operated casino licensee upon the representation of a patron that such chips or plaques had been purchased or received as payment in a gaming transaction from an employee of such licensee working on the premises.

(h) Each casino licensee shall redeem promptly its own genuine gaming chips and plaques presented to it by any other legally operated casino licensee upon the representation that such chips and plaques were received or accepted unknowingly, inadvertently or in error or were redeemed from patrons. Each casino licensee shall submit to the Commission for approval a system for the exchange, with other legally operated casino licensees, of gaming chips and plaques:

1. That are in its possession and that have been issued by any other legally operated casino licensee; and
2. That it has issued and that are presented to it for redemption by any other legally operated casino licensee.

(i) Each casino licensee shall cause to be posted and remain posted in a prominent place on the front of the cashiers' cage and any satellite cage a sign that reads as follows:

“By law, gaming chips or plaques issued by another casino may not be used, exchanged or redeemed in this casino.”

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32 V.I. R. & Regs. § 456-1.5, 32 VI ADC § 456-1.5

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32 V.I. R. & Regs. § 456-1.6

456-1.6. Receipt of Gaming Chips or Plaques from Manufacturer or
Distributor; Inventory, Security, Storage and Destruction of Chips and Plaques.

(a) When gaming chips or plaques are received from the manufacturer or distributor thereof, they shall be opened and checked by at least three people, one of whom shall be from the accounting or auditing department of the casino licensee. Any deviation between the invoice accompanying the chips and plaques and the actual chips or plaques received or any defects found in such chips or plaques shall be reported promptly to the Commission.

(b) After checking the gaming chips or plaques received, the casino licensee shall cause to be recorded in a chip inventory ledger the denomination of the chips and plaques received, the number of each denomination of chip and plaque received, the number and description of all non-value chips received, the date of such receipt and the signatures of the individuals who checked such chips and plaques.

(c) If any of the gaming chips or plaques received from such manufacturer or distributor are to be held in reserve and not utilized for active gaming either at the gaming tables or in the cashiers' cage, they shall be recorded in the chip inventory ledger as reserve chips or plaques and shall be stored in separate locked compartments in:

1. An approved casino vault;
2. The cashiers' cage; or
3. A comparable secure area, approved by the Commission, which is adjacent to and accessible exclusively from the casino.

(d) Any gaming chips received from such manufacturer or distributor that are part of the secondary set of chips shall be recorded in the chip inventory ledger as such and shall be stored separately from the value and non-value reserve chips in locked compartments in:

1. An approved casino vault;
2. The cashiers' cage; or

3. A comparable secure area, approved by the Commission Chairman or designee, which is adjacent to and accessible exclusively from the casino.

(e) Whenever any gaming chips or plaques are taken from or returned to either the reserve chip or plaque inventory or the secondary set of chips, this shall be accomplished in the presence of at least two individuals and the denominations, number and amount of chips or plaques so taken or returned shall be recorded in the chip inventory ledger together with the date and signatures of the individuals carrying out this process.

(f) At the end of each gaming day, a casino licensee shall compute and record the unredeemed liability for each denomination of chips and plaques, and shall cause to be made, at least on a monthly basis, an inventory of chips and plaques in circulation and in reserve and shall cause the result of such inventory to be recorded in the chip inventory ledger. The procedures to be utilized to compute the unredeemed liability and to inventory chips and plaques in circulation and reserve shall be submitted to the Commission Chairman or designee for approval. A physical inventory of chips and plaques in reserve shall only be required annually if the inventory procedures incorporate the sealing of the locked compartment.

(g) Prior to the destruction of gaming chips and plaques, the casino licensee shall notify the Commission Chairman in writing, of the date and the location at which the destruction will be performed, the denomination, number and amount of value chips and plaques to be destroyed, the description and number of non-value chips to be destroyed and a detailed explanation of the method of destruction. Unless otherwise authorized by the Commission, the destruction of gaming chips and plaques shall be carried out in the presence of at least two people, one of whom shall be from the accounting or auditing department of the casino licensee and one of whom shall be from the security department of the casino licensee. The denomination, number and amount of value chips and plaques or, in the case of non-value chips, the description and number so destroyed shall be recorded in the chip inventory ledger together with the signatures of the individuals carrying out such destruction, and the date on which said destruction took place. The casino licensee shall also maintain a written log of the names and license numbers of all casino personnel involved in each such destruction, as well as the names and addresses of all non-casino personnel involved.

(h) A casino licensee shall ensure that at all times there is adequate security, as approved by the Commission, for all gaming chips and plaques in its possession.

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32 V.I. R. & Regs. § 456-1.6, 32 VI ADC § 456-1.6

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32 V.I. R. & Regs. § 456-1.7

456-1.7. Cards; Physical Characteristics.

- (a) Cards used to play blackjack, baccarat and minibaccarat shall be in decks of 52 cards each with each card identical in size and shape to every other card in such deck.
- (b) Each deck shall be composed of four suits: diamonds, spades, clubs and hearts.
- (c) Each suit shall be composed of 13 cards: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, 2. The face of the ace, king, queen, jack and 10 value cards may contain an additional marking, as approved by the Commission, which will permit a dealer, prior to exposing his or her hole card at the game of blackjack, to determine the value of that hole card.
- (d) The backs of each card in the deck shall be identical and no card shall contain any marking, symbol or design that will enable a person to know the identity of any element printed on the face of the card or that will in any way differentiate the back of that card from any other card in the deck.
- (e) The backs of all cards in the deck shall be designed so as to diminish as far as possible the ability of any person to place concealed markings thereon.
- (f) The design to be placed on the backs of cards used by casino licensees shall contain the name or trade name of the casino licensee and shall be submitted to the Commission for approval prior to use of such cards in gaming activity.
- (g) Each deck of cards shall be packaged separately and shall contain a seal affixed to the opening of such package.
- (h) Nothing in this section shall prohibit a manufacturer from manufacturing decks of cards with one or more jokers contained therein; provided, however, such jokers shall not be used by the casino licensee in the play of any games.

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32 V.I. R. & Regs. § 456-1.7, 32 VI ADC § 456-1.7

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32 V.I. R. & Regs. § 456-1.8

456-1.8. Cards; Receipt, Storage, Inspections, and Removal from Use.

(a) When decks of cards are received for use in the casino from the manufacturer or distributor thereof, they shall be placed for storage in a locked cabinet in the cashiers' cage or within a primary or secondary storage area by at least two individuals, one of whom shall be from the casino department and the other from the casino security department. The cabinet or primary storage area shall be located in the cashiers' cage or in another secure place, the location and physical characteristics of which shall be approved by the Commission Chairman. Secondary storage areas shall be used for the storage of surplus cards. Cards maintained in secondary storage areas shall not be distributed to gaming pits or tables for use in gaming until the cards have been moved to a primary storage area. All secondary storage areas shall be located in secure areas, the location and physical characteristics of which shall be approved by the Commission Chairman.

(b) Immediately prior to the commencement of each gaming day and at other times as may be necessary, the assistant shift manager or casino supervisor thereof, in the presence of a casino security officer, shall remove the appropriate number of decks of cards for that gaming day from a primary storage area.

(c) If removed from the primary storage area, the assistant shift manager or casino supervisor thereof and the casino security officer who removed the decks shall distribute sufficient decks to the pit boss who shall then distribute the decks to the dealer at each table.

(d) Prior to their use at a table, all decks shall be inspected by the dealer, and the inspection verified by a floorperson. Card inspection at the gaming table shall require each pack to be used to be sorted into sequence and into suit to assure that all cards are in the deck. The dealer shall also check the back of each card to assure that it is not flawed, scratched or marked in any way.

1. If, after checking the cards, the dealer finds that a card is unsuitable for use, a casino supervisor shall bring a substitute card from the card reserve in the pit stand.

2. The unsuitable card shall be placed in a sealed envelope or container, identified by table number, date, and time and shall be signed by the dealer and floorperson assigned to that table. The casino supervisor shall maintain the envelope or container in a secure place within the pit until collection by a casino security officer.

(e) All envelopes and containers used to hold or transport cards collected by security shall be transparent.

1. The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

2. The envelopes or containers and seals shall be approved by the Commission Chairman or designee.

(f) Any cards which have been opened and placed on a gaming table shall be changed at least every 24 hours. In addition, cards opened for use on a baccarat table shall be changed at least once during the gaming day.

(g) Cards damaged during course of play shall be replaced by the dealer who shall request a casino supervisor to bring cards in substitution from the pit stand.

1. The damaged cards shall be placed in a sealed envelope, identified by table number, date and time and shall be signed by the dealer and the individual who brought the replacement card to the table.

2. The casino supervisor shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(h) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission Chairman or designee, and at such other times as may be necessary, the casino supervisor shall collect all used cards.

1. These cards shall be placed in a sealed envelope or container. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the dealer and floorperson assigned to the table.

2. The casino supervisor shall maintain the envelopes or containers in a secure place within the pit until collection by a casino security officer.

(i) The casino licensee shall remove any cards at any time during the day if there is any indication of tampering, flaws, scratches, marks or other defects that might affect the integrity or fairness of the game, or at the request of the Commission or Division.

(j) All extra decks in card reserve with broken seals shall be placed in a sealed envelope or container, with a label attached to each envelope or container which identifies the date and time and is signed by the pit boss.

(k) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission Chairman or designee, and at such other times as may be necessary, a casino security officer shall collect and sign all envelopes or containers with damaged cards, cards used during the gaming day, and all extra decks in card reserve with broken seals and shall return the envelopes or containers to the casino security department.

(l) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission Chairman or designee, and at such other times as may be necessary, an assistant shift manager or casino supervisor thereof may collect all extra decks in card reserve. If collected, all sealed decks shall either be canceled or destroyed or returned to the storage area.

(m) When the envelopes or containers of used cards and reserve cards with broken seals are returned to the casino security department, they shall be inspected for tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play.

1. For cards used in blackjack, baccarat or minibaccarat, the casino licensee shall cause to be inspected either:

i. All decks used during the day; or

ii. A sample of decks selected at random or in accordance with an approved stratification plan provided that the procedures for selecting the sample size and for assuring a proper selection of the sample are submitted to and approved by the Commission;

2. The casino licensee shall also inspect:

i. Any cards which the Commission or Division requests the casino licensee to remove for the purpose of inspection; and

ii. Any cards the casino licensee removed for indication of tampering.

3. The procedures for inspecting all decks required to be inspected under this subsection shall, at a minimum, include:

i. The sorting of cards sequentially by suit;

ii. The inspection of the backs with an ultraviolet light;

iii. The inspection of the sides of the cards for crimps, bends, cuts and shaving; and

iv. The inspection of the front and back of all plastic cards for consistent shading and coloring.

4. If, during the inspection procedures required in (m)3 above, one or more plastic cards in a deck are determined to be unsuitable for continued use, those cards shall be placed in a sealed envelope or container and a three-part Card Discrepancy Report shall be completed in accordance with (m)9 below.

5. Upon completion of the inspection procedures required in (m)3 above, each deck of plastic cards which is determined suitable for continued use shall be placed in sequential order, repackaged and returned to the primary storage area for subsequent use. If a deck has any missing cards pursuant to m(4) above, the individual who repackages the cards shall indicate the need for the appropriate replacement card(s) in a manner approved by the Commission Chairman or designee.

6. The casino licensee shall develop internal control procedures for returning the repackaged cards to the storage area.
7. The individuals performing said inspection shall complete a work order form which shall detail the procedures performed and list the tables from which the cards were removed and the results of the inspection. The individual shall sign the form upon completion of the inspection procedures.
8. The casino licensee shall submit the training procedures for those employees performing the inspection, which shall be approved by the Commission;
9. Evidence of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play discovered at this time, or at any other time, shall be immediately reported to the Commission and Division by the completion and delivery of a three-part Card Discrepancy Report.

- i. The report shall accompany the cards when delivered to the Commission.
- ii. The cards shall be retained for further inspection by the Commission.
- iii. The Commission inspector receiving the cards shall sign the original, duplicate and triplicate copy of the Card Discrepancy Report and retain the original at the Commission Booth. The duplicate copy shall be delivered to the Division office located within the casino hotel facility. The triplicate copy shall be retained by the casino licensee.

(n) The casino licensee shall submit to the Commission for approval procedures for:

1. A card inventory system which shall include, at a minimum, the recordation of the following:
 - i. The balance of cards on hand;
 - ii. The cards removed from storage;
 - iii. The cards returned to storage or received from the manufacturer;
 - iv. The date of the transaction; and
 - v. The signatures of the individuals involved;
2. A reconciliation on a daily basis of the cards distributed, the cards destroyed and canceled, the cards returned to the storage area and, if any, the cards in card reserve; and

3. A physical inventory of the cards at least once every three months.

i. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of cards on hand required in (o)1i above.

ii. Any discrepancies shall immediately be reported to the Commission.

(o) Where cards in an envelope or container are inspected and found to be without any indication of tampering marks, alterations, missing or additional cards or anything that might indicate unfair play shall within 48 hours of collection be destroyed or canceled. Once released by the Commission, the cards submitted as evidence shall immediately be destroyed or canceled.

1. Destruction of cards shall be by shredding.

2. Cancellation of cards shall be by drilling a circular hole of at least one fourth of an inch in diameter through the center of each card in the deck.

3. The destruction and cancellation of cards shall take place in a secure place, the location and physical characteristics of which shall be approved by the Commission Chairman or designee.

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32 V.I. R. & Regs. § 456-1.8, 32 VI ADC § 456-1.8

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32 V.I. R. & Regs. § 456-1.9

456-1.9. Dealing Shoes; Automated Shuffling Devices.

(a) The following words and terms when used in this section shall have the following meanings:

“Base plate” means the interior shelf of the dealing shoe on which the cards rest.

“Face plate” means the front wall of the dealing shoe against which the next card to be dealt rests and which typically contains a cutout.

(b) Cards used to game at blackjack and minibaccarat shall be dealt from a manual or automated dealing shoe which shall be secured to the gaming table when the table is open for gaming activity and secured in a locked compartment when the table is not open for gaming activity. Cards used to game at baccarat shall be dealt from a dealing shoe which shall be secured in a locked compartment when the table is not open for gaming activity.

(c) A device which automatically shuffles cards may be utilized at the game of blackjack and minibaccarat in addition to a manual or automated dealing shoe, provided that the automated card shuffling device and the procedures for shuffling and dealing the cards through the use of the device are submitted to and approved by the Commission.

(d) Each manual or automated dealing shoe shall be designed and constructed with such features as the Commission may require to maintain the integrity of the game at which such shoe is used. Such features shall include, at a minimum, the following:

1. At least the first four inches of the base plate shall be white;
2. The sides of the shoe below the base plate shall be transparent or have a transparent sealed cutout unless the dealing shoe is otherwise constructed to prevent any object from being placed into or removed from the portion of the dealing shoe below the base plate and to permit the inspection of this portion of the shoe; and
3. A stop underneath the top of the face plate shall preclude the next card to be dealt from being moved upwards for more than one-eighth inch distance; and

4. Each dealing shoe used in blackjack shall have a mark on the side of the shoe that enables the dealer, after aligning the stack of cards, to insert the cutting card in such stack so that approximately one quarter of the stack is behind the cutting card.

(e) A baccarat dealing shoe, in addition to meeting the requirements of (d)1 through 3 above, shall also adhere to the following specifications:

1. A removable lid shall be opaque from the point where it meets the face plate to a point at least four inches from the face plate;

2. The sides and back above the base plate shall be opaque; and

3. A device within the shoe shall, when engaged, prevent the cards from moving backward in the shoe.

(f) All dealing shoes and shuffling devices in the casino shall be inspected at the beginning of each gaming day by a floorperson assigned to the table prior to cards being placed in them. The purpose of this inspection shall be to assure that there has been no tampering with the shoe or shuffling device.

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32 V.I. R. & Regs. § 456-1.10

456-1.10. Approval of Gaming Equipment; Retention by Commission or Division; Evidence of Tampering.

- (a) Each casino licensee shall submit to the Commission, for its review, inspection and approval after consultation with the Division, each piece of gaming equipment, and any other related device, prior to its use, whether initially or following any modification thereto or replacement or movement thereof, in a casino. Each such item, including, without limitation, gaming tables, layouts, roulette wheels, roulette balls, drop boxes, big six wheels, chip holders, racks and containers, scales, count room equipment and counting devices, trolleys, slip dispensers, dealing shoes, dice, cards, locking devices, card reader devices, slot tokens, prize tokens, data processing equipment, slot machines and slot bases, credit voucher machines shall be subject to review, inspection and approval for, at a minimum, quality, design, integrity, fairness, honesty and suitability.
- (b) The Commission shall have the discretion to require a prototype or sample of any model of gaming equipment or of other device used in a casino to be placed in its custody and retained by it or the Division as a control for comparison purposes.
- (c) Any evidence that gaming equipment or other devices used in a casino including, without limitation, gaming tables, layouts, roulette wheels, roulette balls, drop boxes, big six wheels, gaming chips, plaques, chip holders, racks and containers, scales, counting devices, trolleys, slip dispensers, dealing shoes, locking devices, card reader devices, data processing equipment, slot tokens, prize tokens, slot machines, credit voucher machines, have been tampered with or altered in any way which would affect the integrity, fairness, honesty or suitability of the gaming equipment or other device for use in a casino shall be immediately reported to an agent of the Commission. A member of the casino licensee's casino security department shall be required to insure that the gaming equipment or other device and any evidence required to be reported pursuant to this subsection is maintained in a secure manner until the arrival of an agent of the Division. Rules concerning evidence of tampering with dice and cards may be found in Sections 456-1.7 and 456-3.4 respectively.
- (d) Each casino licensee that has confiscated any item enumerated in (c) above on the reasonable suspicion that such item has been altered or tampered with, or that has confiscated any item enumerated in Section 456-1.11 or in Article 9 of the Act on the reasonable suspicion that such item was present in the casino in violation of the Act or the rules of the Commission, shall preserve such item in the state it was in when so confiscated and shall deliver such item to the Division as soon as possible. A casino licensee's right, if any, to confiscate such items shall exist, if at all, independently of this subsection based on statute, regulation or common law as may elsewhere be provided, and no separate right to confiscate is created hereby. Notwithstanding the foregoing, each casino licensee that has confiscated any such item, whether by such right or under color thereof, nevertheless has a duty to preserve and deliver such item in accordance with this subsection.

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32 V.I. R. & Regs. § 456-1.11

456-1.11. Electronic, Electrical and Mechanical Devices Prohibited; Strategy Cards.

(a) Except as specifically permitted by the Commission, no person shall possess with the intent to use, or actually use, at any table game, either by himself or in concert with others, any calculator, computer, or other electronic, electrical or mechanical device to assist in projecting an outcome at any table game or in keeping track of or analyzing the cards having been dealt, the changing probabilities of any table game, or the playing strategies to be utilized.

(b) At the option of the casino licensee or applicant, patrons shall be permitted to use strategy cards while gambling at authorized games. "Strategy card" means a small hand-held card imprinted with information which analyzes or suggests the strategy for playing or betting to be used in any authorized game. The card may have a movable dial or slide, but the card shall not possess any electronic computing or electronic display capability. The card shall not be designed or intended to project the outcome of the game, to keep track of the cards played or to analyze or predict the probability of the occurrence of an event relating to the game. A casino licensee or applicant shall provide notice of any prohibition on the use of strategy cards in accordance with Section 456-1.13.

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32 V.I. R. & Regs. § 456-1.12

456-1.12. Minimum and Maximum Wagers.

(a) Except as otherwise specifically provided in this chapter, the minimum and maximum wagers permitted at any authorized table game in a casino shall be established by the casino licensee; provided however, that any required minimum wager of \$ 100.00 or less which has corresponding payout odds of five to one or less shall be required to have a maximum wager which is at least 10 times the amount of the minimum wager.

(b) A casino licensee may offer:

1. Different maximum wagers at one gaming table for each permissible wager in an authorized game; and
2. Different maximum wagers at different gaming tables for each permissible wager in an authorized game.

(c) A casino licensee shall provide notice of the minimum and maximum wagers in effect at each gaming table, and any changes thereto, in accordance with Section 456-1.13.

(d) Any wager accepted by a dealer which is in excess of the established maximum permitted wager at that gaming table shall be paid or lost in its entirety in accordance with the rules of the game, notwithstanding that the wager exceeded the current table maximum.

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32 V.I. R. & Regs. § 456-1.13

456-1.13. Rules of the Games; Notice.

(a) Whenever a casino licensee is required by rule to provide notice of the rules pursuant to which a particular table game will be operated, the casino licensee shall post a sign at the gaming table advising patrons of the rules in effect at that table.

(b) Except as provided in (c) below, no casino licensee shall change the rules pursuant to which a particular table game is being operated unless, at least one-half hour in advance of such change, the casino licensee:

1. Posts a sign at the gaming table advising patrons of the rule change and the time that it will go into effect;
2. Announces the rule change to patrons who are at the table; and
3. Notifies the Commission of the rule change, the gaming table where it will be implemented and the time that it will become effective, provided however, that the Commission need not be notified of increases in minimum wagers.

(c) Notwithstanding (b) above, a casino licensee may at any time lower the permissible minimum wager or change the permissible maximum wager at a table game upon posting a sign at the gaming table advising patrons of the change in the permissible minimum or maximum wager and announcing the change to patrons who are at the table.

(d) The location, size and language of each sign required by this section shall be submitted to and approved by the Commission prior to its use.

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32 V.I. R. & Regs. § 456-1.14

456-1.14. New Games; Requirements and Procedures for Application, Declaratory
Ruling, Test or Experiment, and Final Approval of New Authorized Game.

(a) Interested persons such as casino licensees, casino servicing entities, and owners, licensees, lessees or franchisees of the rights to a proposed new game, may petition the Commission for approval of the game.

(b) A petition for approval of a proposed new game must include as a petitioner at least one casino licensee who has agreed in writing to participate in a test or experiment of the game in its casino. All petitioners shall be jointly and severally liable for payment of all regulatory review costs and other related expenses incurred by the Commission and the Division of Gaming Enforcement in the review, testing and approval of the game.

(c) A proposed new game may be a variation of an authorized game, a composite of authorized games, or any other game suitable for casino use, pursuant to the definition of “authorized game” as set forth in Section 402 of the Act.

(d) A petition for a proposed new game shall be in writing, signed by the petitioners, and shall include the following information:

1. The names and addresses of petitioners;
2. Whether the game is a variation of an authorized game, a composite or authorized games, or another game which is suitable for casino use;
3. A complete and detailed description of the game for which approval is sought, including:
 - i. A summary of the game, including the objectives of the game, the method of play and the wagers offered;
 - ii. The draft of proposed rules describing the equipment used to play the game, and the proposed rules of the game, drafted in a format similar to that found in this chapter and in accordance with the Rules for Rulemaking, if approved;
 - iii. The true odds, the payout odds, and the house advantage for each wager;
 - iv. A sketch or picture of the game layout, if any; and

- v. Sketches or pictures of the equipment used to play the game;
- 4. Whether the game, its name, or any of the equipment used to play it is covered by any copyrights, trademarks or patents, either issued or pending;
- 5. An assurance that the game has been offered initially to all casino licensees;
- 6. An agreement, satisfactory in form and content to the Commission, releasing and indemnifying the Commission and the U.S. Virgin Islands from all copyright, trademark, patent or other claims of petitioners and any other persons;
- 7. A request for a declaratory ruling, that the proposed new game is a variation of an authorized game, a composite of authorized games or is suitable for casino use, as required by Section 402 of the Act;
- 8. A request for a test or experiment of the game, if approved, under sections 402 and 421(e) of the Act; and
- 9. Any other pertinent information or material requested of specific petitioners by the Commission or the Division.

(e) In making a determination whether a proposed new game is an acceptable variation of an authorized game or a composite of authorized games, or is suitable for casino use, the Commission may consider rules and method of play; true and payout odds; wagers offered; layout; equipment used to play the game; personnel requirements; game security and integrity; similarity to other authorized games or other games of chance; other variations or composites of the game previously approved as authorized games; as well as any other relevant factors. Any such determination shall be subject to a condition that the game must undergo a successful test for suitability of casino use under sections 402 and 421(e) of the Act, as provided below.

(f) If the proposed new game is preliminarily approved by the Commission in accordance with section (e) above, petitioners shall submit the following in connection with any proposed test of the game pursuant to sections 402 and 421(e) of the Act:

- 1. For any petitioner that is not a casino licensee or a casino servicing entity (CSE) licensee:
 - i. A completed application for the appropriate type of CSE license, together with the applicable non-refundable license application fee; and
 - ii. An application for a transactional waiver, pursuant to the Act and rules of the Commission, if required; and
- 2. A test submission, which shall include, at a minimum:
 - i. The names of the casinos where the test of the proposed new game will take place;

- ii. The dates and times when the test will take place, and the gaming tables or other gaming equipment that will be involved;
- iii. The proposed signage to be posted at the entrances to the casinos where the test is to be conducted;
- iv. The criteria proposed for use in determining the success of the test, and the methods proposed for documenting it, including any necessary forms; and
- v. Any other materials or information requested of specific petitioners by the Commission or the Division.

(g) A test of the new game pursuant to sections 402 and 421(e) of the Act shall take place at such times and places, and under such conditions, as the Commission may require. The rules of the game and the test may be modified at any time during the test period if the Commission deems it necessary to do so. No final approval of a new game shall be granted until:

1. The Commission has determined that the game is suitable for casino use pursuant to sections 402 and 421(e) of the Act;
2. Any necessary regulatory amendments have been adopted and have become effective.
3. All necessary CSE license applications have been filed, and all necessary transactional waivers have been issued; and
4. All regulatory review costs and other related expenses incurred by the Commission and the Division in the review, testing and approval of the game, have been paid in full.

(h) Nothing in this section shall be construed to restrict or limit the Commission in any way from proposing new games or game variations on its own initiative, at any time.

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32 V.I. R. & Regs. § 456-1.14, 32 VI ADC § 456-1.14

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456-1. Subchapter 1 - General Provisions

32 V.I. R. & Regs. § 456-1.15

456-1.15. Patron Access to the Rules of the Games; Gaming Guides.

(a) Each casino licensee shall maintain at its security podium a printed copy of the complete text of the rules of all authorized games and all other information required to be made available to the public pursuant to Section 456(f) of the Act. This information shall be made available to the public for inspection upon request.

(b) Each casino licensee shall make available to patrons upon request an abridged version of the information required to be made available by Section 456(f) of the Act. Each such version, to be known as a “gaming guide,” may be produced in a printed, video or other format approved by the Commission.

(c) No gaming guide shall be issued, displayed or distributed by a casino licensee unless and until a sample thereof has been submitted to and approved by the Commission. No casino licensee shall issue, display or distribute any gaming guide that is materially different from the approved sample thereof.

(d) Prior to issuing, distributing or displaying a gaming guide that is materially different from the approved sample thereof, each casino licensee shall submit and obtain Commission approval for a sample of the complete guide which contains the material changes.

(e) Each casino licensee may display an approved gaming guide at any location in its establishment. Each such display does not constitute advertising, nor does such display constitute the contract with or the use or employment of a barker for purposes of Section 456(l) of the Act.

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32 V.I. R. & Regs. § 456-1.15, 32 VI ADC § 456-1.15

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456-2. Subchapter 2 - Blackjack

32 V.I. R. & Regs. § 456-2.1

456-2.1. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Bart Carter shuffle” shall mean the shuffling procedure in which approximately one deck of cards is shuffled after being dealt, segregated into separate stacks and each stack is inserted into premarked locations within the remaining decks contained in the dealing shoe.

“Blackjack” shall mean an ace and any card having a point value of 10 dealt as the initial two cards to a player or a dealer except that this shall not include an ace and a ten point value card dealt to a player who has split pairs.

“Card reader device” shall mean a devise which permits the dealer to read his or her hole card in order to determine if the dealer has a blackjack in accordance with Section 456-2.7.

“Dealer” shall mean the person responsible for dealing the cards at a Blackjack table.

“Determinant card” shall mean the first card drawn for each round of play to determine from which side of the two compartment dealing shoe the cards for that hand shall be dealt.

“Double down” shall mean an additional wager, identical to or less than the players original wager, on the first two cards dealt to the player or the first two cards of any split pair.

“Double shoe” shall mean a dealing shoe that has two adjacent compartments in which cards are stacked separately and which permits cards to be dealt from only one compartment at any given time.

“Hard Total” shall mean the total point count of a hand which contains no aces or which contains aces that are each counted as 1 in value.

“Insurance wager” shall mean a bet placed by a player when the exposed card dealt to the dealer is an ace. The insurance wager wins if the dealer's hole card is a king, queen, jack, or ten. An insurance wager loses if the dealer's whole card is an ace or a two through nine.

“Soft Total” shall mean the total point count of a hand containing an ace when the ace is counted as 11 in value.

“Splitting pairs” shall mean a wager in which the first two cards a player receives are identical in value. The player must make a wager on the second hand in an amount equal to the player's original wager.

“Surrender” shall mean an option whereby the player surrenders the players hand by forfeiting one half of the players original wager if the dealer does not have a blackjack.

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32 V.I. R. & Regs. § 456-2.1, 32 VI ADC § 456-2.1

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456-2. Subchapter 2 - Blackjack

32 V.I. R. & Regs. § 456-2.2

456-2.2. Blackjack Table; Physical Characteristics; Inspection.

- (a) Blackjack shall be played at a table having on one side places for the players and on the opposite side a place for the dealer.
- (b) The cloth covering the blackjack table shall have imprinted thereon the name or trade name of the casino licensee and shall have specific areas designated for the placement of wagers. Such betting areas shall not exceed seven in number.
- (c) The following inscriptions shall appear on the cloth covering the blackjack table:
1. Blackjack pays 3 to 2.
 2. Dealer must draw to 16 and stand on all 17's; and
 3. Insurance pays 2 to 1.
- (d) Notwithstanding the requirements of (c) above, if a casino licensee offers blackjack rule variations in accordance with the requirements of Section 456-2.8(e)3, the cloth covering the blackjack table shall be approved by the Commission and have imprinted on it, at a minimum, the following inscriptions:
1. Blackjack pays 1 to 1;
 2. Dealer must draw to 16 and stand on all 17's; and
 3. Dealer's hole card dealt face up.
- (e) If a casino licensee offers a variation of blackjack approved by the Commission, the cloth covering the blackjack table shall be approved by the Commission.
- (f) In order to collect the cards at the conclusion of a round of play as required by Section 456-2.7 and at such other times as provided in the rules of the Commission, each blackjack table shall have a discard rack securely attached to the top of the dealer's side of the table immediately in front of or to the right of the dealer. The height of each discard rack shall equal the

height of the cards, stacked one on top of the other, contained in the total number of decks that are to be used in the dealing shoe at that table; provided, however, that a taller discard rack may be used if such rack has a distinct and clearly visible mark on its side to show the exact height for a stack of cards equal to the total number of cards contained in the number of decks to be used in the dealing shoe at that table. Whenever a double shoe is used at a blackjack table, the same number of decks shall be used in each side of the double shoe, and the height and marking requirements as set forth above for that table's discard rack shall be determined from the number of decks used in one side of the shoe.

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32 V.I. R. & Regs. § 456-2.2, 32 VI ADC § 456-2.2

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32 V.I. R. & Regs. § 456-2.3

456-2.3. Cards; Number of Decks; Value of Cards.

(a) Blackjack shall be played with at least one deck of cards with backs of the same color and design and one additional yellow or green cutting card.

(b) The value of the cards contained in each deck shall be as follows:

1. Any card from 2 to 10 shall have its face value;
2. Any Jack, Queen or King shall have a value of ten;
3. An ace shall have a value of eleven, unless that value would give a player or the dealer a score in excess of 21, in which case, it shall have a value of one.

(c) If a double shoe is utilized, blackjack shall be played with at least two decks of cards that shall be dealt from separate sides of the dealing shoe. The cards dealt from each side of the shoe shall have backs of the same color and design as all other cards being dealt from that side of the shoe. The backs of the cards being dealt from one side of the shoe, however, shall be of a different color than the backs being dealt from the other side. In addition to the cards used, a separate yellow or green cutting card shall be used in each side of the shoe.

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32 V.I. R. & Regs. § 456-2.4

456-2.4. Submission of Rules of Game.

(a) The Casino licensee or applicant shall submit rules of the game for blackjack which shall include, but are not limited to, the following:

1. The options that will be offered by the casino licensee or applicant, including, but not limited to, the following options:

i. Doubling Down;

ii. Insurance Wager;

iii. Splitting Pairs;

iv. Surrender;

v. Any variation of blackjack not covered by this rule that the casino licensee would like to offer, and rules by which the variation of blackjack would be conducted; and

vi. Any other option of the casino licensee or applicant intends utilize.

2. Whether the casino licensee will utilize an automatic shuffling device that has been approved by the Commission;

3. The procedures for shuffle and cut of the cards pursuant to Section 456-2.7(b);

4. Whether the casino licensee will utilize a card reader device that has been approved by the Commission;

5. Whether the casino licensee will allow patrons to touch the cards;

6. The clearly visible hand signals that a player must utilize to indicate the player wants to receive an additional card or wants to stand;

7. The number and location of blackjack tables that will be in the casino;
8. The minimum and maximum wagers permitted;
9. The number of decks of cards that will be utilized during a round of play;
10. Additional rules of the game the casino licensee desires to impose that are in compliance with this subchapter; and
11. Any other information being necessary by the Commission or Division to insure compliance with the Act and this subchapter and to insure the integrity of the game.

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32 V.I. R. & Regs. § 456-2.5

456-2.5. Wagers.

(a) Prior to the first card being dealt for each round of play, each player at the game of blackjack shall make a wager against the dealer which shall win if:

1. The score of the player is 21 or less and the score of the dealer is in excess of 21;
2. The score of the player exceeds that of the dealer without either exceeding 21;
3. The player has achieved a score of 21 in two cards and the dealer has achieved a score of 21 in more than two cards.

(b) Except as otherwise provided in paragraph (a)3 of this section, a wager made in accordance with this subsection shall be void when the score of the player is the same as the dealer, provided, however, that a player's wager shall be lost when the dealer has a blackjack and the player has a simple 21 which is not a blackjack.

(c) Except as otherwise provided in these regulations, no wager shall be made, increased or withdrawn after the first card of the respective round has been dealt.

(d) All wagers at blackjack shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate areas of the blackjack layout, except that verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and casino supervisor and that such cash is expeditiously converted into gaming chips or plaques in accordance with Section 455-4.2 of the Accounting and Internal Control regulations.

(e) After each round of play is complete, the dealer shall collect all losing wagers and pay off all winning wagers. All winning wagers made in accordance with (a) above shall be paid at odds of 1 to 1, with the exception of standard blackjack, which shall be paid at odds of 3 to 2.

(f) Once the first card of any hand has been removed from the shoe by the dealer, no player shall handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager except as explicitly permitted by these regulations.

(g) Once any wager on the insurance line, a wager to double down or a wager to split pairs has been made and confirmed by the dealer, no player shall handle, remove or alter such wagers until a decision has been rendered and implemented with respect to that wager except as explicitly permitted by these regulations.

(h) No dealer or other casino employee or casino key employee shall permit any player to engage in conduct violative of (f) or (g) above.

(i) If a double shoe is utilized, the term “first card” as used in (a), (c) and (f) above shall mean “determinant card.”

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32 V.I. R. & Regs. § 456-2.5, 32 VI ADC § 456-2.5

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32 V.I. R. & Regs. § 456-2.6

456-2.6. Opening of Table for Gaming.

(a) After receiving the one or more decks of cards at the table, the dealer shall sort and inspect the cards and the floorperson assigned to the table shall verify the inspection in accordance with Section 1.8.

(b) After the cards are inspected, the cards shall be spread out face upwards on the table for visual inspection by the first player or players to arrive at the table. The cards shall be spread out in horizontal fan shaped columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first player or players is afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table, mixed thoroughly by a “washing” or a “chemmy shuffle” of the cards and stacked.

(d) If a double shoe is utilized, all the decks that comprise one side of the dealing shoe shall be spread for inspection on the table separate from the decks that comprise the other side of the dealing shoe. After the player or players is afforded an opportunity to visually inspect the cards, the cards that comprise one side of the dealing shoe and the cards that comprise the other side of the dealing shoe shall separately be turned face downward on the table, mixed thoroughly by a “washing” or a “chemmy shuffle” of the cards and stacked.

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32 V.I. R. & Regs. § 456-2.6, 32 VI ADC § 456-2.6

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32 V.I. R. & Regs. § 456-2.7

456-2.7. Shuffle and Cut of the cards.

(a) Immediately prior to commencement of play, after any round of play as may be determined by the casino licensee and after each shoe of cards is dealt, the dealer shall shuffle the cards so that they are randomly intermixed.

(b) A casino licensee shall submit to the Virgin Islands Casino Control Commission for approval proposed shuffle, cut card placement, number of cut cards (to include shuffle techniques without the use of any cut cards), location of where the shuffle takes place, who is responsible for shuffling, shuffling equipment (dealing shoes or other dealing devices) and burn card procedures.

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32 V.I. R. & Regs. § 456-2.7, 32 VI ADC § 456-2.7

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32 V.I. R. & Regs. § 456-2.8

456-2.8. Procedure for Dealing Cards.

(a) All cards used to game at blackjack shall be dealt from a dealing shoe specifically designed for such purpose and located on the table to the left of the dealer.

(b) Each dealer shall remove cards from the shoe with his left hand, turn them face upwards, and then place them on the appropriate area of the layout with his right hand, except that the dealer has the option to deal hit cards to the first two positions with his/her left hand.

(c) After each full set of cards is placed in the shoe, the dealer shall remove the first card therefrom face downwards and place it in the discard rack which shall be located on the table immediately in front of or to the right of the dealer. Each new dealer who comes to the table shall also burn one card as described herein before the new dealer deals any cards to the players. The burn card shall be disclosed if requested by the player. This procedure shall not be applicable to the "Bart Carter Shuffle".

(d) If a double shoe is utilized, the following procedures shall be used in lieu of those set forth in (c) above.

1. Prior to commencement of each round of play, the dealer shall draw a card from either side of the double shoe. The suit of that card shall determine from which side of the shoe that round of play will be dealt. The casino licensee shall designate that the suits of hearts and diamonds shall correspond to the color of the backs of the cards being dealt from one side of the shoe, and that the suits of spades and clubs shall correspond to the color of the backs of the cards being dealt from the other side of the shoe.

2. A determinant card corresponding to the side of the shoe from which it was drawn shall become the player's first card. A determinant card that does not correspond to the side of the shoe from which it was dealt shall be burned by placing it in a segregated area of the dealing shoe.

(e) At the commencement of each round of play, or immediately after the determinant card has been drawn and either burned or used as the player's first card, the dealer shall, starting on his left and continuing around the table, deal the cards according to the following alternatives:

1. One card face upwards to each box on the layout in which a wager is contained, one card face upwards to himself and a second card face upwards to each box in which a wager is contained.

i. After two cards have been dealt to each player and the appropriate number to the dealer, the dealer shall, beginning from his left, announce the point total of each player. As each player's point total is announced, such player shall indicate whether he wishes to surrender, double down, split pairs, stand or draw as provided for by this chapter.

ii. As each player indicates his decisions(s), the dealer shall deal face upwards whatever additional cards are necessary to effectuate such decision consistent with these regulations and shall announce the new point total of such player after each additional card is dealt.

iii. After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall deal a second card face upward to himself provided, however, that such card shall not be removed from the dealing shoe until the dealer has first announced "Dealer's Card" which shall be stated by the dealer in a tone of voice calculated to be heard by each person at the table. In lieu of the requirements of this paragraph, the procedures set forth in (e)2 or (e)3 below may be implemented.

iv. At the conclusion of a round of play, all cards still remaining on the layout shall be picked up by the dealer in order and in such a way that they can be readily arranged to indicate each player's hand in case of question or dispute. The dealer shall pick up the cards beginning with those of the player to his far right and moving counter-clockwise around the table. After all the players' cards have been collected the dealer shall pick up his cards against the bottom of the players' cards and place them in the discard rack or in a segregated area of the double shoe.

2. In lieu of the procedures set forth in (e)1iv above, a casino licensee may permit a blackjack dealer to deal his or her hole card face downward after a second card and before additional cards are dealt to the players provided that said dealer not look at the face of his or her hole card until after all other cards requested by the players pursuant to those regulations are dealt to them; provided, however, if a casino licensee elects to utilize a card reader device and the dealer's first card is an ace, king, queen, jack or 10 of any suit, the dealer shall determine whether the hole card will give the dealer a blackjack prior to dealing any additional cards to the players at the table, in accordance with procedures approved by the Commission. The dealer shall insert the hole card into the card reader device by moving the card face down on the layout without exposing it to anyone, including the dealer, at the table. Notwithstanding any other provisions of this subchapter to the contrary, if the dealer has a blackjack, no additional cards shall be dealt and each player's wager shall be settled in accordance with Sections 456-2.5 and 456-2.9.

3. In lieu of the procedure set forth in (e)1iv above, a casino licensee may permit a blackjack dealer to deal his or her hole card face upward after a second card and before additional cards are dealt to the players, provided that the casino licensee complies with the notice requirements set forth in Section 456-1.13. Notwithstanding any other provisions of this subchapter, the following rules shall apply whenever cards used to game at blackjack are dealt in accordance with this subsection:

i. Winning wagers shall be determined in accordance with Section 456-2.5(a) and (b), provided, however, that a player's wager shall be lost if the score of the player is the same as the dealer, except that a player's wager shall win if both the player and dealer have blackjack;

ii. Winning wagers shall be paid in accordance with Section 456-2.5(e), except that standard blackjack shall be paid at odds of 1 to 1;

iii. Surrender and insurance wagers shall not be available;

iv. A player may double down only on a point count of 9, 10 or 11; and

v. Any player who elects to split cards of identical value may not split pairs again if the second card so dealt is identical in value to a card of the split pair.

(f) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed after which the dealer shall:

1. Collect the cards as provided in (e)1v above;

2. Prepare to shuffle the cards, as follows:

i. Whenever a single dealing shoe is used, the dealer shall remove the cards remaining in the shoe and place them in the discard rack to ensure that no cards are missing; or

ii. Whenever a double shoe is used, the dealer shall remove the cards remaining in the side of the shoe from which the cutting card was drawn and the cards, if any, that were put in a separate segregated area for the discards from that side of the double shoe, after which the dealer shall place those cards face down in the discard rack in order to ensure that no cards are missing; and then

3. Shuffle the cards. If a double shoe is utilized, the shuffle of the cards shall be limited to the side of the shoe from which the cutting card was drawn.

(g) If the "Bart Carter Shuffle" is utilized and the cards in the discard rack exceed approximately one deck in number, the dealer shall continue dealing the cards until that round of play is completed after which he shall remove the cards from the discard rack and shuffle those cards so that they are randomly intermixed. After the cards taken from the discard rack are shuffled, they shall be split into three separate stacks and each stack shall be inserted into premarked locations within the remaining decks contained in the dealing shoe.

(h) No player or spectator shall handle, remove or alter any cards used to game at blackjack except as explicitly permitted by these regulations and no dealer or other casino employee or casino key employee shall permit a player or spectator to engage in such activity.

(i) Each player at the table shall be responsible for correctly computing the point count of his hand and no player shall rely on the point counts required to be announced by the dealer under this section without himself checking the accuracy of such announcement.

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32 V.I. R. & Regs. § 456-2.8, 32 VI ADC § 456-2.8

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32 V.I. R. & Regs. § 456-2.9

456-2.9. Payment of Blackjack.

(a) If the first face up card dealt to the dealer is 2, 3, 4, 5, 6, 7, 8, or 9 and a player has blackjack, the dealer shall announce and pay the blackjack at odds of 3 to 2 and shall remove the player's cards before any player receives a third card.

(b) If the first face up card dealt to the dealer is an Ace, King, Queen, Jack or Ten and a player has blackjack, the dealer shall announce the blackjack but shall make no payment nor remove any cards until all other cards are dealt to the players and the dealer receives his second card. If, in such circumstances, the dealer's second card does not give him blackjack, the player having blackjack shall be paid at odds of 3 to 2. If, however, the dealer's second card gives him blackjack, the wager of the player having blackjack shall be void and constitute a stand off.

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32 V.I. R. & Regs. § 456-2.9, 32 VI ADC § 456-2.9

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32 V.I. R. & Regs. § 456-2.10

456-2.10. Irregularities.

- (a) A card found turned face upwards in the shoe shall not be used in the game and shall be placed in the discard rack or in a segregated area of the double shoe.
- (b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.
- (c) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, such card shall be dealt to the players or dealer as though it were the next card from the shoe. Any player refusing to accept such card shall not have any additional cards dealt to him during such round. If the card is refused by the player and the dealer cannot use the card, the card shall be burned.
- (d) If the dealer has seventeen and accidentally draws a card for himself, such card shall be burned.
- (e) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player, and then deal the appropriate number of cards to himself.
- (f) If there are insufficient cards remaining in the shoe to complete a round of play, all of the cards in the discard rack or in a segregated area of the double shoe shall be shuffled and cut according to the procedures outlined in Section 456-2.7, the first card shall be drawn face downwards and burned, and the dealer shall complete the round of play.
- (g) If no cards are dealt to the player's hand, the hand is dead and the player shall be included in the next deal. If only one card is dealt to the player's hand, at the player's option, the dealer shall deal the second card to the player after all other players have received a second card.
- (h) Any round of play drawn from the inappropriate side of a double shoe shall be treated as if it were drawn from the appropriate side of the shoe and concluded.
- (i) If after receiving the first two cards and the dealer fails to deal an additional card(s) to a player who has requested such a card, then, at the player's option, the dealer shall either deal the additional card(s) after all other players have received their additional cards but prior to the dealer revealing his or her hole card, or call the player's hand dead and return the player's original wager.

(j) If the dealer accidentally inserts his or her hole card into a card reader device and the value of his or her first card is not an ace, king, queen, jack or 10, all hands shall be called dead, the cards collected and each player's wager returned.

(k) If a card reader device malfunctions the dealer may only continue dealing the game of blackjack at that table using the dealing procedures applicable when a card reader device is not in use.

(l) If the dealer inadvertently picks up his or her original face up card and places it in the discard rack prior to the completion of the second or third hand of multiple action blackjack, the dealer shall immediately notify a casino supervisor assigned to that table. The casino supervisor shall remove the appropriate cards from the discard rack and reconstruct the last hand of play so as to determine the dealer's original face up card. The original face up card shall be placed in the appropriate area on the layout, and the remaining cards shall be returned to the discard rack. Play shall resume in accordance with the rules of this chapter.

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32 V.I. R. & Regs. § 456-2.10, 32 VI ADC § 456-2.10

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32 V.I. R. & Regs. § 456-2.11

456-2.11. Continuous Shuffling Shoe or Device.

A casino licensee may utilize a dealing shoe or other device designed to automatically reshuffle the cards provided that such shoe or device and the procedures for dealing and shuffling the cards through use of this device are approved by the Commission or its authorized designee. In approving such a dealing shoe or other device, the Commission may exempt it from the provisions of Sections 456-1.9(d)4, 456-2.8(c) or 456-2.8(e)1v.

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32 V.I. R. & Regs. § 456-2.11, 32 VI ADC § 456-2.11

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Subchapter 456. Conduct of Gaming

456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.1

456-3.1. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Come Out Point” shall mean a total of 4, 5, 6, 8, 9 or 10 thrown by the shooter on the come out roll.

“Come Out Roll” shall mean the first roll of the dice at the opening of the game and the first roll of the dice after a decision with respect to a Pass Bet and Don't Pass Bet has been effected.

“Come Point” shall mean a total of 4, 5, 6, 8, 9 or 10 thrown by the shooter on the next roll following placement of a Come Bet or Don't Come Bet.

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32 V.I. R. & Regs. § 456-3.1, 32 VI ADC § 456-3.1

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456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.2

456-3.2. Craps Table; Physical Characteristics.

Craps shall be played on a table oblong in shape with rounded corners and high walled sides. The cloth of the table shall have the name or trade name of the casino licensee imprinted thereon and shall be marked as depicted in the following diagram except that the payout odds contained on the following diagram shall be modified to reflect the actual payout odds utilized by the casino licensee in accordance with the payout odds provisions in the rules on craps.

[Note: Diagram may be obtained at the Commission's offices.]

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32 V.I. R. & Regs. § 456-3.2, 32 VI ADC § 456-3.2

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456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.3

456-3.3. Dice; Physical Characteristics.

(a) Each die used in gaming shall:

1. Be formed in the shape of a perfect cube and of a size no smaller than 0.750 of an inch on each side nor any larger than 0.775 of an inch on each side;
2. Be transparent and made exclusively of cellulose except for the spots, name or trade name of the casino licensee and serial numbers or letters contained thereon;
3. Have the surface of each of its sides perfectly flat and the spots contained in each side perfectly flush with the area surrounding them;
4. Have all edges and corners perfectly square and forming perfect 90 degree angles;
5. Have the texture and finish of each side exactly identical to the texture and finish of all other sides;
6. Have its weight equally distributed throughout the cube and no side of the cube heavier or lighter than any other side of the cube;
7. Have its six sides bearing what circular spots from one to six respectively with the diameter of each spot equal to the diameter of every other spot on the die;
8. Have spots arranged so that the side containing one spot is directly opposite the side containing six spots, the side containing two spots is directly opposite the side containing five spots and the side containing three spots is directly opposite the side containing four spots; each spot shall be placed on the die by drilling into the surface of the cube and filling the drilled out portion with a compound which is equal in weight to the weight of the cellulose drilled out and which forms a permanent bond with the cellulose cube, and shall extend into the cube exactly the same distance as every other spot extends into the cube to an accuracy tolerance of .0004 of an inch;
9. Have the name or trade name of the casino licensee in which the die is being used imprinted or impressed thereon.

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32 V.I. R. & Regs. § 456-3.3, 32 VI ADC § 456-3.3

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Subchapter 456. Conduct of Gaming

456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.4

456-3.4. Dice; Receipt; Storage; Inspections and Removal from Use.

(a) When dice for use in the casino are received from the manufacturer or distributor thereof, they shall, immediately following receipt, be inspected by a member of the security department and a casino supervisor to assure that the seals on each box are intact, unbroken and free from tampering. Boxes that do not satisfy these criteria shall be inspected at this time to assure that the dice conform to Commission standards and are completely in a condition to assure fair play. Boxes satisfying these criteria, together with boxes having unbroken, intact and untampered seals shall then be placed for storage in a locked cabinet in the cashiers' cage or within a primary or secondary storage area. Dice which are to be distributed to gaming pits or tables for use in gaming shall be distributed from a locked cabinet in the cashiers' cage or from another secure primary storage area, the location and physical characteristics of which shall be approved by the Commission. Secondary storage areas shall be used for the storage of surplus dice. Dice maintained in secondary storage areas shall not be distributed to gaming pits or tables for use in gaming until the dice have been moved to a primary storage area. All secondary storage areas shall be located in secure areas, the location and physical characteristics of which shall be approved by the Commission.

(b) All primary and secondary storage areas, other than the cashiers' cage, shall have two separate locks. The casino security department shall maintain one key and the casino department or cashiers' cage shall maintain the other key; provided, however, that no person employed by the casino department below the assistant shift manager in the organization hierarchy shall have access to the casino department key. Dice stored in a cabinet within the cashiers' cage shall be secured by a lock, the key to which shall be maintained by an assistant shift manager or casino supervisor thereof.

(c) Immediately prior to the commencement of each gaming day and at such other times as may be necessary, the assistant shift manager or casino supervisor thereof, in the presence of a casino security officer, shall remove the appropriate number of dice for that gaming day from a primary storage area.

(d) All envelopes and containers used to hold or transport preinspected dice to the casino floor and those collected by security at the end of each shift or gaming day shall be transparent.

1. The envelopes or containers and the method used to seal them shall be designed or constructed so that any tampering shall be evident.

2. The envelopes or containers and seals shall be approved by the Commission.

(e) All dice shall be inspected and distributed to the gaming tables in accordance with one of the following applicable alternatives:

1. Alternative No. 1: Distribution to and inspection at craps tables:

- i. The assistant shift manager or casino supervisor thereof and the casino security officer who removed the dice from the primary storage area shall distribute sufficient dice directly to the craps supervisor in each craps pit or place them in a locked compartment in the pit stand, keys to which shall be in the possession of the pit boss or a casino supervisor thereof;
- ii. At the time of receipt, a boxperson at each craps table, in order to ensure that the dice are in a condition to assure fair play and otherwise conform to the Act and the rules and regulations of the Commission, shall, in the presence of the dealer, inspect the dice given to him or her with a micrometer or any other approved instrument which performs the same function, a balancing caliper, a steel set square and a magnet, which instruments shall be kept in a compartment at each craps table or pit stand and shall be at all times readily available for use by the Commission or the Division upon request of either;
- iii. Following this inspection, the box person shall in the presence of the dealer place the dice in a cup on the table for use in gaming, and while the dice are at the table, they shall never be left unattended.
- iv. The pit boss shall place extra dice for dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, keys to which shall be in the possession of the pit boss or a casino supervisor thereof. No dice taken from the reserve shall be used for actual gaming until and unless inspected in accordance with (e)1ii above.

2. Alternative No. 2: Distribution to and inspection at the pit stand:

- i. The assistant shift manager or casino supervisor thereof and the casino security officer who removed the dice from the primary storage area shall distribute the dice directly to the casino supervisor identified in (e)2ii below who will perform the inspection in each pit.
- ii. The inspection of the dice at the pit stand shall be performed by a craps supervisor, in the presence of another craps supervisor, neither of whom shall be a pit boss or a casino supervisor thereof.
- iii. To ensure that the dice are in a condition to assure fair play and otherwise conform to the Act and the rules and regulations of the Commission, the dice shall be inspected with a micrometer or any other approved instrument which performs the same function, a balancing caliper, a steel set square and a magnet, which instruments shall be kept at the pit stand and shall be at all times readily available for use by the Commission or the Division upon request of either. The inspection shall be performed on a flat surface which allows the dice inspection to be observed through closed circuit television cameras and by any persons in the immediate vicinity of the pit stand.
- iv. After completion of the inspection, the craps supervisor who inspected the dice shall, in the presence of the other casino supervisor who observed the inspection, distribute such dice to the boxperson at each craps table. The boxperson shall, in the presence of the dealer, place the dice in a cup on the table for use in gaming and while the dice are at the table they shall never be left unattended;

v. The pit boss shall place extra sets of dice for dice reserve in the pit stand, as follows:

(1) Dice in the pit stand shall be placed in a locked compartment, keys to which shall be in the possession of the pit boss or a casino supervisor thereof.

(2) All dice taken from the reserve shall be reinspected by a casino supervisor in the presence of another casino supervisor in accordance with the inspection procedures set forth in (e)2ii and iii above, prior to their use for actual gaming; provided, however, that if previously inspected reserve dice are maintained in a locked compartment under dual key control as approved by the Commission, the reserve dice may be used for gaming without being reinspected.

3. Alternative No. 3: Inspection in primary storage area and distribution to tables:

i. Inspection of dice in an approved primary storage area shall be performed by a craps supervisor, in the presence of an assistant shift manager or casino supervisor thereof, and a casino security officer.

ii. The dice shall be inspected with a micrometer or any other approved instrument which performs the same function, a balancing caliper, a steel set square and a magnet to ensure that the dice are in a condition to assure fair play and otherwise conform to the Act and the rules of the Commission. These instruments shall be maintained in the storage area and shall be at all times readily available for use by the Commission or the Division upon request of either.

iii. After each set of at least five dice are inspected, they shall be placed in a sealed envelope or container; provided, however, that reserve dice may be placed in individual sealed envelopes or containers. A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection shall be attached to each envelope or container.

iv. At the beginning of each gaming day and at such other times as may be necessary, an assistant shift manager or casino supervisor thereof and a casino security officer shall distribute the sealed envelopes or containers of dice shall be distributed to a pit boss in each craps pit or placed in a locked compartment in the pit stand by the pit boss. When the sealed dice are distributed to the craps table, a boxperson, at each craps table, after assuring the seals are intact and free from tampering, shall open the sealed envelope or container, in the presence of the dealer, and place the dice in a cup on the table for use in gaming. While dice are on the table, they shall never be left unattended.

v. When the envelope or container or the seal is damaged, broken or shows indication of tampering, the dice shall not be used for gaming activity unless the dice are reinspected in accordance with the procedures in (e)1 or (e)2 above.

vi. The pit boss shall place extra sets of dice for dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, keys to which shall be in the possession of the pit boss or casino supervisor thereof.

vii. A micrometer or any other approved instrument which performs the same function, a balancing caliper, a steel set square and a magnet shall also be maintained in a locked compartment in each pit stand, and each such instrument shall be at all times readily available for use by the Commission or the Division upon request of either.

viii. Any primary storage area in which dice are inspected in accordance with this alternative, shall be equipped with closed circuit television camera coverage capable of observing the entire inspection procedure.

(f) The casino licensee shall remove any dice at any time of the gaming day if there is any indication of tampering, flaws or other defects that might affect the integrity or fairness of the game, or at the request of the Commission or Division.

(g) At the end of each gaming day or at such other times as may be necessary, the casino supervisor identified in (g)1 below shall visually inspect each die for evidence of tampering. Such evidence discovered at this time or at any other time shall be immediately reported to the Commission and the Division by completion and delivery of an approved three-part Dice Discrepancy Report.

1. The inspection required by this subsection shall be performed by a craps supervisor other than the one who originally inspected the dice.

2. Any dice showing evidence of tampering shall be placed in a sealed envelope or container.

i. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the boxperson and casino supervisor;

ii. A casino supervisor or casino security officer responsible for delivering the dice to Commission shall also sign the label.

iii. The Commission Inspector receiving the dice shall sign the original, duplicate and triplicate copy of the Dice Discrepancy Report and retain the original at the Commission Booth. The duplicate copy shall be delivered to the Division office located within the casino hotel facility and the triplicate copy shall be returned to the pit and maintained in a secure place within the pit until collection by a casino security officer.

3. All other dice shall be put into envelopes or containers at this time.

i. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the appropriate persons identified in (g)2i above.

ii. The envelope or container shall be appropriately sealed and maintained in a secure place within the pit until collection by a casino security officer.

(h) All extra dice in dice reserve that are to be destroyed or canceled shall be placed in a sealed envelope or container, with a label attached to each envelope or container which identifies the date and time and is signed by the pit boss.

(i) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission, and at such other times as may be necessary, a casino security officer shall collect and sign all envelopes or containers of used dice and any dice in dice reserve that are to be destroyed or canceled and shall transport them to the casino security department for cancellation or destruction. The casino security officer shall also collect all triplicate copies of Dice Discrepancy Reports, if any. No dice that have been placed in a cup for use in gaming shall remain on a table for more than 24 hours.

(j) At the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the casino licensee and approved by the Commission, and at such other times as may be necessary, an assistant shift manager or casino supervisor thereof may collect all extra dice in dice reserve.

1. If collected, dice shall be returned to the primary storage area; provided, however, that any dice which have not been inspected and sealed pursuant to the requirements in (e)3 (Alternative No. 3) above shall, prior to use for actual gaming, be inspected in accordance with the requirements in (e)1 or (e)2 above.

2. If not collected, all dice in dice reserve must be reinspected in accordance with one of the alternatives listed in (e) above, prior to their use for gaming, except for those dice maintained in a locked compartment pursuant to (e)2v or (e)3vi above.

(k) The casino licensee shall submit to the Commission for approval procedures for:

1. A dice inventory system which shall include, at a minimum, the recordation of the following:

i. The balance of dice on hand;

ii. The dice removed from storage;

iii. The dice returned to storage or received from the manufacturer;

iv. The date of the transaction; and

v. The signatures of the individuals involved.

2. A reconciliation on a daily basis of the dice distributed, the dice destroyed and canceled, the dice returned to the primary storage area and, if any, the dice in dice reserve; and

3. A physical inventory of the dice at least once every three months.
 - i. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of dice on hand required in (k)1i above.
 - ii. Any discrepancies shall immediately be reported to the Commission and Division.
- (l) All destruction and cancellation of dice, other than those retained for Commission or Division inspections, shall be completed within 48 hours of collection.
 1. Cancellation shall occur by drilling a circular hole of at least one fourth inch in diameter through the center of each dice.
 2. Destruction shall occur by shredding.
 3. The destruction and cancellation of dice shall take place in a secure place, the location and physical characteristics of which shall be approved by the Commission.

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32 V.I. R. & Regs. § 456-3.4, 32 VI ADC § 456-3.4

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Subchapter 456. Conduct of Gaming

456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.5

456-3.5. Permissible Wagers.

(a) The following shall constitute the definitions of permissible wagers at the game of craps:

1. "Pass Bet" shall mean a wager placed on the Pass Line of the layout immediately prior to the come out roll. The Pass Bet shall win if, on the come out roll:

- i. A total of 7 or 11 is thrown; or
- ii. A total of 4, 5, 6, 8, 9 or 10 is thrown and that total is again thrown before a 7 appears.
- iii. The Pass Bet shall lose if, on the come out roll:

(1) A total of 2, 3, or 12 is thrown; or

(2) A total of 4, 5, 6, 8, 9 or 10 is thrown and a 7 subsequently appears before that total is again thrown.

2. "Don't Pass Bet" shall mean a wager placed on the Don't Pass Line of the layout immediately prior to the come out roll. The Don't Pass Bet shall win if, on the come out roll:

- i. A total of 2 or 3 is thrown; or
- ii. A total of 4, 5, 6, 8, 9 or 10 is thrown and a 7 subsequently appears before that total is again thrown.
- iii. The Don't Pass Bet shall lose if, on the come out roll:

(1) A total of 7 or 11 is thrown; or

(2) A total of 4, 5, 6, 8, 9 or 10 is thrown and that total is again thrown before a 7 appears.

iv. The Don't Pass Bet shall be void if, on the come out roll, a total of 12 is thrown.

3. "Come Bet" shall mean a wager placed on the Come Line of the layout at any time after the come out roll. The Come Bet shall win if, on the roll immediately following placement of such bet:

i. A total of 7 or 11 is thrown; or

ii. A total of 4, 5, 6, 8, 9 or 10 is thrown and that total is again thrown before a 7 appears.

iii. The Come Bet shall lose if, on the roll immediately following placement of such bet:

(1) A total of 2, 3, or 12 is thrown; or

(2) A total of 4, 5, 6, 8, 9 or 10 is thrown and a 7 subsequently appears before that total is again thrown.

4. "Don't Come Bet" shall mean a wager placed on the "Don't Come" area of the layout at any time after the come out roll. The Don't Come Bet shall win if, on the roll immediately following placement of such bet:

i. A total of 2 or 3 is thrown; or

ii. A total of 4, 5, 6, 8, 9 or 10 is thrown and a 7 subsequently appears before that total is again thrown;

iii. The Don't Come Bet shall lose if, on the roll immediately following placement of such bet:

(1) A total of 7 or 11 is thrown; or

(2) A total of 4, 5, 6, 8, 9 or 10 is thrown and that total is again thrown before a 7 appears.

iv. The Don't Come Bet shall be void if, on the roll immediately following placement of such bet, a total of 12 is thrown.

5. "Place Bet to Win" shall mean a wager that may be made at any time on any of the numbers 4, 5, 6, 8, 9 or 10 which shall win if the number on which the wager was placed is thrown before a 7 and shall lose if a 7 is thrown before such number. All place bets shall be inactive on any come out roll unless called "on" by the player and confirmed by the dealer through placement of an "on" marker button on top of such player's wager.

6. A “Place Bet to Lose” shall mean a wager that may be made at any time against any of the numbers 4, 5, 6, 8, 9 or 10 which shall win if a 7 is thrown before the particular number against which the wager is placed and shall lose if the particular number against which the wager is placed is thrown before a 7 appears.
7. “Four the Hardway” shall mean a wager, that may be made at any time, which shall win if a total of 4 is thrown the hardway (i.e., with 2 appearing on each die) before 4 is thrown in any other way and before a 7 is thrown.
8. “Six the Hardway” shall mean a wager, that may be made at any time, which shall win if a total of 6 is thrown the hardway (i.e., with 3 appearing on each die) before 6 is thrown, in any other way and before a 7 is thrown.
9. “Eight the Hardway” shall mean a wager, that may be made at any time, which shall win if a total of 8 is thrown the hardway (i.e., with 4 appearing on each die) before 8 is thrown in any other way and before 7 is thrown.
10. “Ten the Hardway” shall mean a wager, that may be made at any time, which shall win if a total of 10 is thrown the hardway (i.e., with 5 appearing on each die) before 10 is thrown in any other way and before a 7 is thrown.
11. “Field Bet” shall mean a one roll wager that may be made at any time which shall win if any one of the totals 2, 3, 4, 9, 10, 11 or 12 is thrown on the roll immediately following placement of such bet and shall lose if a total of 5, 6, 7 or 8 is thrown on such roll.
12. “Any Seven” shall mean a one roll wager that may be made at any time which shall win if a total of 7 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
13. “Any Craps” shall mean a one roll wager that may be made at any time which shall win if a total of 2, 3 or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
14. “Craps Two” shall mean a one roll wager that may be made at any time which shall win if a total of 2 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
15. “Craps Three” shall mean a one roll wager that may be made at any time which shall win if a total of 3 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
16. “Craps Twelve” shall mean a one roll wager that may be made at any time which shall win if a total of 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.
17. “11 in One Roll” shall mean a one roll wager that may be made at any time which shall win if a total of 11 is thrown on the next roll and shall lose if any other total is thrown.

18. “Craps-Eleven or C and E” shall mean a one roll wager that may be made at any time which shall win, as provided at 19:47-1.4(d), if either a craps (2, 3 or 12) or 11 is rolled immediately following placement of such bet and shall lose if any other total is thrown.

19. “Horn Bet” shall mean a one roll wager that may be made at any time which shall win if any one of the totals 2, 3, 11 or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown.

20. “Horn High Bet” shall mean a wager that may be made at any time which shall win if any one of the totals 2, 3, 11 or 12 is thrown on the roll immediately following placement of such bet and shall lose if any other total is thrown. A Horn High Bet shall be placed in units of five with four units wagered as a Horn Bet and an additional unit wager on one of the totals 2, 3, 11 or 12. A casino licensee that does not have a designated area on its layouts for the acceptance of a Horn High Bet shall break down the wager into two separate wagers on the “Horn” and one of the totals, 2, 3, 11 or 12.

(b) Only the wagers listed in (a) above shall be permissible at the game of craps.

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32 V.I. R. & Regs. § 456-3.5, 32 VI ADC § 456-3.5

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456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.6

456-3.6. Making and Removal of Wagers.

(a) Wagers should be made before the dice are thrown but they may be made between the time the dice leave the shooter's hand and the time the dice come to rest provided that they are confirmed orally by the dealer and a boxperson.

(b) All wagers at craps shall be made by placing gaming chips, match play coupons (only for Pass or Don't Pass wagers) or plaques on the appropriate areas of the craps layout, except that verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and that such cash is expeditiously converted into gaming chips or plaques in accordance with the regulations governing the acceptance and conversion of such instruments.

(c) A wager made on any bet may be removed or reduced at any time prior to a roll that decides the outcome of such wager except that a Pass Bet and a Come Bet shall not be removed or reduced after a come out point or come point is established with respect to such bet.

(d) A Don't Come Bet and a Don't Pass Bet may be removed or reduced at any time but may not be replaced or increased after such removal or reduction.

(e) All buy and place to win bets, come odds, and hardways shall be inactive on any come out roll unless called "On" by the player and confirmed by the dealer through placement of an "On" marker button on the top of each player's wager. All other wagers shall be considered "On".

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32 V.I. R. & Regs. § 456-3.6, 32 VI ADC § 456-3.6

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32 V.I. R. & Regs. § 456-3.7

456-3.7. Payout Odds.

(a) All odds stated on any layout or in any brochure or other publication distributed by a casino licensee shall be stated through use of the word “to” and no odds shall be stated through use of the word “for”.

(b) No casino licensee or any employee or agent thereof shall pay off winning wagers at the game of craps at less than the odds listed below. A casino licensee may pay off winning wagers at higher odds than those listed below provided that such odds are uniform within the casino.

Wager	Payout Odds
Pass Bet	1 to 1
Don't Pass Bet	1 to 1
Come Bet	1 to 1
Don't Come Bet	1 to 1
Place Bet 4 to Win	9 to 5
Place Bet 5 to Win	7 to 5
Place Bet 6 to Win	7 to 6
Place Bet 8 to Win	7 to 6
Place Bet 9 to Win	7 to 5
Place Bet 10 to Win	9 to 5
Place Bet 4 to Lose	5 to 11
Place Bet 5 to Lose	5 to 8
Place Bet 6 to Lose	4 to 5
Place Bet 8 to Lose	4 to 5
Place Bet 9 to Lose	5 to 8
Place Bet 10 to Lose	5 to 11

Four the Hardway	7 to 1
Six the Hardway	9 to 1
Eight the Hardway	9 to 1
Ten the Hardway	7 to 1
Field Bet	1 to 1 on 3, 4, 9, 10, 11
2 to 1 on 2	
2 to 1 on 12	
Any Seven	4 to 1
Any Craps	7 to 1
Craps 2	30 to 1
Craps 3	15 to 1
Craps 12	30 to 1
11 in one roll	15 to 1

(c) A Horn Bet and Horn High Bet shall be paid as if they were four separate wagers on 2, 3, 11 and 12.

(d) A Craps-Eleven or C and E bet shall be paid as if one half of the wagered amount had been placed on “Any Craps” and one half on “Eleven,” and shall be paid as if two separate wagers were made for the one roll.

(e) No casino licensee or his employees shall accept any wager that because of the amount thereof cannot be paid at the odds permitted by (b), (c) or (d) above.

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32 V.I. R. & Regs. § 456-3.7, 32 VI ADC § 456-3.7

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456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.8

456-3.8. True Odds on Place Bets (Buy and Lay Bets); Vigorish Prohibited.

(a) Buy Bets: In addition to the payout odds set forth in Section 456-3.7 for place bets to win on 4, 5, 6, 8, 9 and 10, a casino licensee may offer a player the option of receiving true odds on these bets in return for the player paying to the casino licensee, at the time of making the bet, a percentage of the amount wagered which in no event shall exceed five percent of such wager. Under such circumstances, a casino licensee shall conform to the odds listed below in paying off winning wagers on these bets:

Bet	Odds
4 to Win	2 to 1
5 to Win	3 to 2
6 to Win	6 to 5
8 to Win	6 to 5
9 to Win	3 to 2
10 to Win	2 to 1

(b) Lay Bets: In addition to or in lieu of the payout odds set forth in 456-3.7 for place bets to lose on 4, 5, 6, 8, 9 and 10, a casino licensee may offer a player true odds on these bets in return for the player paying to the casino licensee, at the time of making the bet, a percentage of the amount the player could win on such bet which in no event shall exceed 5 percent of such wager. Under such circumstances, a casino licensee shall conform to the odds listed below in paying off winning wagers on these bets:

Bet	Odds
4 to Lose	1 to 2
5 to Lose	2 to 3
6 to Lose	5 to 6
8 to Lose	5 to 6
9 to Lose	2 to 3
10 to Lose	1 to 2

(c) Except as provided for in subsections (a) and (b) of this section, no casino licensee shall charge any percentage, fee or vigorish to a player in making any wager in the game of craps.

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32 V.I. R. & Regs. § 456-3.8, 32 VI ADC § 456-3.8

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Subchapter 456. Conduct of Gaming

456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.9

456-3.9. Supplemental Wagers Made After the Come Out Roll in Support of Pass, Don't Pass, Come and Don't Come Bets (Taking and Laying Odds).

(a) Whenever a player makes a Pass Bet and a total of 4, 5, 6, 8, 9 or 10 is thrown on the come out roll, the player shall have the right to make a supplemental wager in support of the Pass Bet which may be limited by the casino licensee to an amount that is equal to the amount of the original Pass Bet. If, in such circumstances, the Pass Bet wins, the original Pass Bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 2 to 1 if the come out point was 4 or 10, 3 to 2 if the come out point was 5 or 9, and 6 to 5 if the come out point was 6 or 8.

(b) Whenever a player makes a Don't Pass Bet and a total of 4, 5, 6, 8, 9 or 10 is thrown on the come out roll, the player shall have the right to make a supplemental wager in support of the Don't Pass Bet which may be limited by the casino licensee to an amount so calculated as to provide winnings not in excess of the amount originally wagered on the Don't Pass Bet. If, in such circumstances, the Don't Pass Bet wins, the original Don't Pass Bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 1 to 2 if the come out point was 4 or 10, 2 to 3 if the come out point was 5 or 9, and 5 to 6 if the come out point was 6 or 8.

(c) Whenever a player makes a Come Bet and a total of 4, 5, 6, 8, 9 or 10 is thrown on the roll immediately following placement of such bet, the player shall have the right to make a supplemental wager in support of the Come Bet which may be limited by the casino licensee to an amount that is equal to the amount of the original Come Bet. If, in such circumstances, the Come Bet wins, the original Come Bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 2 to 1 if the come point was 4 or 10, 3 to 2 if the come point was 5 or 9, and 6 to 5 if the come point was 6 or 8.

(d) Whenever a player makes a Don't Come Bet and a total of 4, 5, 6, 8, 9 or 10 is thrown on the roll immediately following placement of such bet, the player shall have the right to make a supplemental wager in support of the Don't Come Bet which may be limited by the casino licensee to an amount so calculated as to provide winnings not in excess of the amount originally wagered on the Don't Come Bet. If, in such circumstances, the Don't Come Bet wins, the original Don't Come Bet shall be paid at odds of 1 to 1 and the supplemental wager shall be paid at odds of 1 to 2 if the come point was 4 or 10, 2 to 3 if the come point was 5 or 9, and 5 to 6 if the come point was 6 or 8.

(e) A casino licensee may allow a supplemental wager in support of a Pass or Come Bet in an amount up to 10 times the amount of the original Pass or Come Bet. A casino licensee may allow a supplemental wager in support of a Don't Pass or Don't Come Bet in an amount so calculated as to provide a winning player with winnings not in excess of up to 10 times the amount originally wagered on the Don't Pass or Don't Come Bet. The original Pass, Don't Pass, Come or Don't Come Bet and any supplemental wager allowed pursuant to this subsection shall be paid at the same odds as the original and supplemental wagers are paid under (a) through (d) above.

(f) Notwithstanding (e) above, a casino licensee may accept a supplemental wager that exceeds an amount that is otherwise authorized by this section or posted as the maximum wager permitted pursuant to Sections 456-7.2 and 456-7.3 provided that the excess amount of the supplemental wager is necessary to facilitate the payouts permitted by this section.

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32 V.I. R. & Regs. § 456-3.9, 32 VI ADC § 456-3.9

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Subchapter 456. Conduct of Gaming

456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.10

456-3.10. Dice; Retention; Selection.

(a) A set of at least five dice conforming to the specifications contained in Section 456-3.4 shall be present at the craps table during gaming at craps. Control of the dice shall be the responsibility of the Stickperson at the table who shall retain all dice, except those in active play, in a dice cup at the table.

(b) At the commencement of play, the stickperson shall offer the set of dice to the player immediately to the left of the boxperson at the table. If such player rejects the dice, the stickperson shall offer the dice to each of the other players in turn clockwise around the table until one of the players accepts the dice.

(c) The first player to accept the dice when offered shall become the shooter who shall select and retain two of the dice offered. The remaining dice of the set shall be returned to the dice cup which shall be placed immediately in front of the stickperson.

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32 V.I. R. & Regs. § 456-3.10, 32 VI ADC § 456-3.10

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456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.11

456-3.11. Throw of the Dice.

Upon selection of the dice, the shooter shall make a Pass Bet or Don't Pass Bet after which he shall throw the two selected dice so that they leave his hand simultaneously and in a manner calculated to cause them to strike the end of the table farthest from him.

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32 V.I. R. & Regs. § 456-3.11, 32 VI ADC § 456-3.11

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456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.12

456-3.12. Invalid Roll of the Dice.

(a) A roll of the dice shall be invalid whenever either or both of the dice go off the table or whenever one die comes to rest on top of the other.

(b) A boxperson or stickperson, as designated by the casino licensee, shall have the authority to invalidate a roll of the dice by calling “No Roll” for any of the following reasons:

1. The dice do not leave the shooter's hand simultaneously;
2. Either or both of the dice fail to strike an end of the table;
3. Either or both of the dice come to rest on the chips constituting the craps bank of chips located in front of the boxperson;
4. Either or both of the dice come to rest in the dice cup in front of the Stickperson or on one of the rails surrounding the table;
5. The use of a cheating, crooked or fixed device or technique in the roll of the dice; and
6. For any other reason the Boxperson or Stickperson, as the case may be, considers the throw to be improper.

(c) The call of “No Roll” by the Boxperson or Stickperson under either paragraphs 1, 2 or 6 of subsection (b) of this section shall, whenever possible, be made before both dice come to rest.

(d) A throw of the dice which results in the dice coming into contact with any match play coupons or chips on the table, other than the craps bank of chips located in front of the Boxperson, shall not be a cause for a call of “No Roll”.

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32 V.I. R. & Regs. § 456-3.12, 32 VI ADC § 456-3.12

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456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.13

456-3.13. Point Throw; Settlement of Wagers.

(a) When the dice come to rest from a valid throw, the Stickperson shall at once call out the sum of the numbers on the high or uppermost sides of the two dice. Only one face on each dice shall be considered skyward.

1. In the event either or both of the dice do not land flat on the table (for example, one edge of the die is resting cocked on a stack of chips), the side directly opposite the side that is resting on the chips or other object shall be considered uppermost and skyward. If more than one side of a die is resting on a stack of chips or other object, the roll shall be void and the dice shall be re-thrown.

2. In the event of a dispute as to which face is uppermost, the Boxperson shall have discretion to determine which face is uppermost or to order the throw be void and the dice be re-thrown.

(b) After calling the throw, the Stickperson shall collect the dice and bring them to the center of the table between himself and the Boxperson. All wagers decided by that throw shall then be settled, following which the Stickperson shall pass the dice to the Shooter for the next throw. When collecting the dice and passing them to the Shooter, the Stickperson shall use a stick designed for that purpose.

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32 V.I. R. & Regs. § 456-3.13, 32 VI ADC § 456-3.13

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456-3. Subchapter 3 - Craps

32 V.I. R. & Regs. § 456-3.14

456-3.14. Continuation of Shooter as Such; Selection of New Shooter.

(a) It shall be the option of the shooter, after any roll, either to pass the dice or remain the shooter except that:

1. The shooter shall pass the dice upon throwing a loser 7; and
2. The boxperson may order the shooter to pass the dice if the shooter unreasonably delays the game, repeatedly makes invalid rolls or violates either the Virgin Islands Casino Control Act or the regulations of the Commission.

(b) If a shooter, after making the Come Out Point elects not to place a Pass or Don't Pass Bet, and other wagers remain on the table with respect to Come and/or Don't Come numbers, the stickperson shall offer the dice to the player immediately to the left of the previous shooter, as provided for in (c) below. If there are no other players at the table, or if no other players at the table elect to make a Pass or Don't Pass Bet in order to shoot the dice and continue the game, the previous shooter shall be allowed to shoot the dice without a Pass or Don't Pass Bet only for the purpose of effecting a decision on the remaining Come and/or Don't Come Wagers. The On/Off marker shall be placed on the Don't Pass Line in the Off position in front of the shooter in order to indicate that the shooter is rolling the dice only to effectuate a decision for those wagers remaining on the layout. Once the remaining Come and/or Don't Come Wagers have been decided, or a player wishes to place a Pass or Don't Pass Bet the game shall proceed in accordance with Section 456-3.11.

(c) Whenever a voluntary or compulsory relinquishment of the dice occurs by the shooter, the stickperson shall offer the complete set of 5 or more dice to the player immediately to the left of the previous shooter and, if he does not accept, to each of the other players in turn clockwise around the table.

(d) The first player to accept the dice when offered shall become the new shooter who shall select and retain two of the dice offered. The remaining dice of the set shall be returned to the dice cup which shall be placed immediately in front of the Stickperson.

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32 V.I. R. & Regs. § 456-3.14, 32 VI ADC § 456-3.14

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Subchapter 456. Conduct of Gaming

456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.1

456-4.1. Baccarat and Minibaccarat Tables; Physical Characteristics.

(a) Baccarat shall be played on a table having numbered places 10 to 14. The cloth covering the table shall have imprinted thereon the name or trade name of the casino licensee and shall be marked in a manner similar to that depicted in the following diagram.

[Note: Diagram may be obtained at the Commission's offices]

(b) Minibaccarat shall be played at a table having on one side places for the participants, and on the opposite side a place for the dealer.

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.2

456-4.2. Cards: Number of Decks; Value; Point Count of Hand.

(a) Baccarat shall be played with at least six (6) decks of cards and two additional solid yellow or green cutting cards.

(b) The “Value” of the cards in each deck shall be as follows:

1. Any card from 2 to 9 shall have its face value;
2. Any Ten, Jack, Queen or King shall have a value of zero;
3. Any ace shall have a value of one.

(c) The “Point Count” of a hand shall be a single digit number from 0 to 9 inclusive and shall be determined by totaling the value of the cards in the hand. If the total of the cards in a hand is a two-digit number, the left digit of such number shall be discarded having no value and the right digit shall constitute the Point Count of the hand. Examples of this rule are as follows:

1. A hand composed of an ace, a 2 and a 4 has a Point Count of 7;
2. A hand composed of an ace, a 2 and a 9 has a total of 12 but only a Point Count of 2 since the digit 1 in the number 12 is discarded.

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32 V.I. R. & Regs. § 456-4.2, 32 VI ADC § 456-4.2

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.3

456-4.3. Wagers.

(a) The following wagers shall be permitted to be made by a participant at the game of Baccarat:

1. A wager on the "Banker's Hand" which shall:

- i. Win if the "Banker's Hand" has a Point Count higher than that of the "Player's Hand";
- ii. Lose if the "Banker's Hand" has a Point Count lower than that of the "Player's Hand";
- iii. Be void if the Point Count of the "Banker's Hand" and the "Player's Hand" are equal.

2. A wager on the "Player's Hand" which shall:

- i. Win if the "Player's Hand" has a Point Count higher than that of the "Banker's Hand";
- ii. Lose if the "Player's Hand" has a Point Count lower than that of the "Banker's Hand";
- iii. Be void if the Point Counts of the "Banker's Hand" and the "Player's Hand" are equal.

3. A "Tie Bet" which shall win if the Point Counts of the "Banker's Hand" and the "Player's Hand" are equal and shall lose if such Point Counts are not equal.

(b) Unless otherwise approved by the Commission, no casino licensee, his employees or agents shall accept any wager at the game of Baccarat other than those specified in subsection (a) of this section.

(c) All wagers at Baccarat shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate areas of the Baccarat layout, except that verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and casino supervisor at the table and such cash is expeditiously converted into gaming chips or plaques in accordance with Section 455-4.2 of the Accounting and Internal Control regulations.

(d) No wager at Baccarat shall be made, increased or withdrawn after the dealer calling the game has announced “No More Bets.”

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.4

456-4.4. Payout Odds; Vigorish.

(a) A winning wager made on the "Player's Hand" shall be paid off by a casino licensee at odds of 1 to 1.

(b) A winning tie bet shall be paid off by a casino licensee at odds of at least 8 to 1.

(c) A winning wager made on the "Banker's Hand" shall be paid off by a casino licensee at odds of 1 to 1, except that the casino licensee shall extract a commission known as "vigorish" from the winning player in an amount equal to, in the casino licensee's discretion, either four or five percent of the amount won; provided, however, that when collecting the vigorish, the casino licensee may round off the amount of a five percent vigorish to 25 cents or the next highest multiple of 25 cents, and the amount of a four percent vigorish to 20 cents or the next highest multiple of 20 cents. A casino licensee may collect the vigorish from a player at the time the winning payout is made or may defer it to a later time; provided, however, that all outstanding vigorish shall be collected prior to reshuffling the cards in a shoe. The amount of any vigorish not collected at the time of the winning payouts shall be evidenced by the placing of a coin or a marker button containing the amount of the vigorish owed in a rectangular space in front of the dealer on the layout imprinted with the number of the player owing such vigorish.

(d) Each casino licensee shall provide notice of any increase in the percentage of vigorish being charged at each baccarat table, in accordance with Section 1.13. The percentage of vigorish charged at a baccarat table shall apply to all players at that table.

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32 V.I. R. & Regs. § 456-4.4, 32 VI ADC § 456-4.4

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Subchapter 456. Conduct of Gaming

456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.5

456-4.5. Opening of Table for Gaming.

(a) After receiving the six or more decks of cards at the table, the dealer calling the game shall sort and inspect the cards in accordance with Section 1.8.

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face upwards on the table for visual inspection by the first participant or participants to arrive at the table. The cards shall be spread out in columns by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first participant or participants is afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked.

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32 V.I. R. & Regs. § 456-4.5, 32 VI ADC § 456-4.5

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.6

456-4.6. Shuffle and Cut of the Cards.

(a) Immediately prior to the commencement of play and after each shoe of cards is completed, the dealers shall shuffle the cards so that they are randomly intermixed.

(b) After the cards have been shuffled, the dealer shall lace approximately one deck of cards so that they are evenly dispersed into the remaining stack. After lacing the cards, the dealer calling the game shall, if the casino licensee elects this option, shuffle some or all of the cards again. If elected, the option must be implemented at all tables within a pit. A casino licensee shall not initiate or terminate the use of this reshuffling option unless the casino licensee provides its surveillance department and the Commission with at least 30 minutes prior written notice. After lacing the cards and, where applicable, reshuffling them, the dealer calling the game shall offer the stack of cards, with backs facing away from the dealer, to the participants to be cut. The dealer shall begin with the participant seated in the highest number position at the table or, in the case of reshuffle, the last curator and working clockwise around the table, shall offer the stack to each participant until a participant accepts the cut. If no participant accepts the cut, the dealer shall cut the cards.

(c) The cards shall be cut by placing the cutting card in the stack at least 10 cards in from either end.

(d) Once the cutting card has been inserted into the stack, the dealer shall take all cards in front of the cutting card and place them to the back of the stack. The dealer shall then insert one cutting card in a position at least 14 cards in from the back of the stack and the second cutting card at the end of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play. Prior to commencement of play, the dealer shall remove the first card from the shoe and place it, and an additional amount of cards equal to the amount on the first card drawn, in the discard bucket after all cards have been shown to the players. Face cards and tens count as tens. Aces count as one.

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32 V.I. R. & Regs. § 456-4.6, 32 VI ADC § 456-4.6

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.7

456-4.7. Dealing Shoe; Selection of Player to Deal Cards.

(a) All cards used to game at Baccarat shall be of backs of the same color and design and shall be dealt from a dealing shoe specifically designed for such purpose.

(b) At the commencement of play, the dealer calling the game shall offer the shoe to the participant in seat number one at the table. If such participant rejects the shoe or if there is no one in seat number one, the dealer shall offer the shoe to each of the other participants in turn counterclockwise around the table until one of the participants accepts it.

(c) The participant to accept the shoe (hereinafter called the “curator” shall be responsible for dealing the cards in accordance with these regulations and the instructions of the dealer calling the game.

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.8

456-4.8. Hands of Player and Banker; Procedure for Dealing Initial Two Cards to Each Hand.

(a) There shall be two hands dealt in the game of Baccarat, one of which shall be denominated the "Player's Hand" and the other denominated the "Banker's Hand".

(b) At the commencement of each round of play, the dealer calling the game shall announce "No More Bets" after which he shall instruct the curator to commence dealing the cards by announcing "Cards".

(c) The curator shall deal an initial four cards from the shoe. The first and third card dealt shall constitute the first and second cards of the "Player's Hand". The second and fourth card dealt shall constitute the first and second cards of the "Banker's Hand". After the cards are dealt to each hand, the dealer calling the game shall place them face upwards in front of himself.

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32 V.I. R. & Regs. § 456-4.8, 32 VI ADC § 456-4.8

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.9

456-4.9. Procedure for Dealing of Additional Cards.

(a) After the initial four cards have been dealt, the dealer calling the game shall announce the Point Count of the “Player's Hand”. After the dealer calling the game takes and positions the cards of the “Banker's Hand” in front of him, the dealer calling the game shall announce the Point Count of the “Banker's Hand”.

(b) Following the announcement of the Point Counts of each hand, the dealer calling the game shall instruct the curator whether to deal a third card to each hand which instructions shall be in conformity with the requirements of section 9 of this subchapter.

(c) Any third card required to be dealt by the dealer's instructions shall first be dealt face upwards to the “Player's Hand” and then to the “Banker's Hand” by the curator.

(d) In no event shall more than one additional card be dealt to either hand.

(e) Whenever the cutting card appears during play, the cutting card will be removed and placed to the side and the hand will be completed. Upon completion of that hand, the dealer calling the game shall announce “last hand”. At the completion of one more hand, no more cards will be dealt until the reshuffle occurs.

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32 V.I. R. & Regs. § 456-4.9, 32 VI ADC § 456-4.9

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.10

456-4.10. Rules for Determining Whether Third Card Shall Be Dealt.

(a) If the Point Count of either the “Player's Hand” or the “Banker's Hand” after the initial two cards are dealt to each is an 8 or 9 (which shall be called a “natural”) no more cards shall be dealt to either hand.

(b) If the Point Count of the “Banker's Hand” on the first two cards is 0 to 7 inclusive, the “Player's Hand” shall draw (i.e. take a third card) or stay (i.e. not take a third card) in accordance with the requirements of Table 1 of this subsection.

TABLE 1

Player Having	Third Card Determination
0 to 5	Draws
6 to 9	Stays

(c) The “Banker's Hand” shall draw (i.e. take a third card) or stay (i.e. not take a third card) in accordance with the requirements of Table 2 of this subsection.

TABLE 2

Third Card Drawn by Player's Hand											
If No Third											
Card											
Drawn:	0	1	2	3	4	5	6	7	8	9	
0 (Point Count of Banker's Hand)											
1	BANKER'S HAND DRAWS										
2											
3	D	D	D	D	D	D	D	D	D	S	D
4	D	S	S	D	D	D	D	D	D	S	S

5		D	S	S	S	S	D	D	D	D	S	S
6		S	S	S	S	S	S	S	D	D	S	S
7												
8		BANKER'S HAND STAYS										
9												

(d) The first vertical column in Table 2 labeled “Point Count of Banker's Hand” shall refer to the Point Count of the “Banker's Hand” after the first two cards have been dealt to it.

(e) The first horizontal column at the top of Table 2 labeled “Third Card Drawn by Player's Hand” shall refer to the value of the third card drawn by the “Player's Hand” as distinguished from the Point Count of the “Player's Hand”.

(f) The letter “D” used in Table 2 shall mean that the Banker's Hand must draw a third card and the letter “S” used in Table 2 shall mean that the “Banker's Hand” must stay (i.e. not draw a third card).

(g) The method of using Table 2 shall be to find the Point Count of the “Banker's Hand” in the first vertical column and trace that horizontally across the table until it intersects the third card drawn by the “Player's Hand”. The box at which such intersection takes place will show whether the “Banker's Hand” shall draw a third card or stay. For example, if the Point Count of the “Banker's Hand” after two cards is 5 and the value of the third card drawn by the “Player's Hand” is 4, the table shows that the Banker's Hand shall draw a third card.

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32 V.I. R. & Regs. § 456-4.10, 32 VI ADC § 456-4.10

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.11

456-4.11. Announcement of Result of Round; Payment and Collection of Wagers.

(a) After each hand has received all the cards to which it is entitled pursuant to Sections 456-4.8, 456-4.9 and 456-4.10, the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If the two hands have equal Point Counts, the dealer shall announce "Tie Hand."

(b) After the result of the round is announced, the dealer or dealers responsible for the wagers on the table shall first collect each losing wager. Thereafter, the dealer or dealers shall, in accordance with one of the following procedures, pay each winning wager and collect or mark any vigorish or commission owed pursuant to Section 456-4.4.

1. Starting at the highest numbered player position at which a winning wager is located and proceeding in descending order to each next highest numbered player position, the dealer shall first pay each winning wager and then, returning to the highest numbered player position at which a winning wager was located and proceeding in like order, mark or collect the vigorish owed by each player.

2. Starting at the highest numbered player position at which a winning wager is located and proceeding in descending order to each next highest numbered player position, the dealer shall first mark or collect the vigorish owed by each player and then, returning to the highest numbered player position at which a winning wager is located and proceeding in like order, pay each winning wager.

3. Starting at the highest number player position at which a winning wager is located, the dealer shall pay that player's winning wager and immediately thereafter mark or collect the vigorish owed by that player and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until each winning wager is paid and the vigorish owed by each player is either marked or collected.

4. Starting at the highest numbered player position at which a winning wager is located, the dealer shall mark or collect the vigorish owed by that player and immediately thereafter pay that player's winning wager and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until the vigorish owed by each player is either marked or collected and each winning wager is paid.

Current through September 11, 2015.

32 V.I. R. & Regs. § 456-4.11, 32 VI ADC § 456-4.11

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456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.12

456-4.12. Continuation of Curator as Such; Selection of New Curator.

(a) It shall be the option of the curator, after any round of play, either to pass the shoe or remain as curator except that:

1. The curator shall pass the shoe whenever the banker's hand loses; and
2. The dealer or floorperson assigned to the table may order the curator to pass the shoe if the curator unreasonably delays the game, repeatedly makes invalid deals or violates either the Act or the regulations of the Commission.

(b) Whenever a voluntary or compulsory relinquishment of the shoe occurs, the dealer shall offer the shoe to the participant immediately to the right of the previous curator and, if he does not accept it or there is no participant in that position, the dealer shall offer the shoe to each of the other participants in turn counterclockwise around the table. The first to accept the shoe when offered shall become the new curator.

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32 V.I. R. & Regs. § 456-4.12, 32 VI ADC § 456-4.12

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Subchapter 456. Conduct of Gaming

456-4. Subchapter 4 - Baccarat

32 V.I. R. & Regs. § 456-4.13

456-4.13. Irregularities.

(a) A third card dealt to the “Player’s Hand” when no third card is authorized by these regulations shall become the third card of the “Banker’s Hand” if the “Banker’s Hand” is obliged to draw by Table 2 of section 9 of this subchapter. If, in such circumstances, the “Banker’s Hand” is required to stay, the card dealt in error shall become the first card of the next hand unless it has been disclosed. In such case, the disclosed card and an additional number of cards equal to the amount on this card shall be drawn face upwards from the shoe and placed in the discard bucket.

(b) A card drawn in excess from the shoe if not disclosed shall be used as the first card of the next hand of play. If the card has been disclosed, a burn card procedure as described in (a) above, shall be implemented.

(c) All cards found face upwards in the shoe shall not be used in the game and shall be placed in the discard bucket, along with an additional amount of cards, drawn face upwards, which agrees with the number on the cards found face upwards in the shoe.

(d) If there are insufficient cards remaining in the shoe to complete a round of play, that round shall be void and a new round shall commence after the entire set of cards are reshuffled and placed in the shoe.

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32 V.I. R. & Regs. § 456-4.13, 32 VI ADC § 456-4.13

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.1

456-5.1. Minibaccarat Table; Physical Characteristics

1. The cloth covering the minibaccarat table shall have imprinted thereon the name or trade name of the casino licensee.
2. The minibaccarat layout shall have specific areas designated for the placement of wagers on the “Banker's Hand,” “Player's Hand” and “Tie Hand.” Each table may have a maximum of nine areas for the players at the table with each area being numbered.
3. The following inscriptions shall appear on the cloth covering of the minibaccarat table:
 - i. Tie bets pay 8 to 1;
 - ii. Numbered areas that correspond to the seat numbers for the purpose of marking vigorish unless the casino licensee only charges vigorish in accordance with the provisions of Section 456-5.4(d), in which case the numbered areas are not required; and
 - iii. An area designated for the placement of cards for the “Player's” and “Banker's” hands.
4. If marker buttons are used for the purpose of marking vigorish, these marker buttons shall be placed in the table inventory float container or in a separate rack designed for the purpose of storing marker buttons and such rack shall be placed in front of the table inventory float container during gaming activity.
5. Each minibaccarat table shall have a drop box and a tip box attached to it on the same side of the gaming table as, but on opposite sides of, the dealer in a location approved by the Commission.
6. The dimensions of a minibaccarat table, at its longest and widest points, shall comply with the following specifications:
 - i. A minibaccarat table with six or seven betting areas shall be at least 79 inches long and 44 inches wide; or
 - ii. A minibaccarat table with eight or nine betting areas shall be at least 90 3/4 inches long and 68 inches wide.

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32 V.I. R. & Regs. § 456-5.1, 32 VI ADC § 456-5.1

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.2

456-5.2. Cards: Number of Decks; Value; Point Count of Hand.

(a) Minibaccarat shall be played with at least six decks of cards and two additional solid yellow or green cutting cards.

(b) The “Value” of the cards in each deck shall be as follows:

1. Any card from 2 to 9 shall have its face value;
2. Any Ten, Jack, Queen or King shall have a value of zero; and
3. Any Ace shall have a value of one.

(c) The “Point Count” of a hand shall be a single digit number from 0 to 9 inclusive and shall be determined by totaling the value of the cards in the hand. If the total of the cards in a hand is a two-digit number, the left digit of such number shall be discarded having no value and the right digit shall constitute the Point Count of the hand. Examples of this rule are as follows:

1. A hand composed of an Ace, a 2 and a 4 has a Point Count of 7; and
2. A hand composed of an Ace, a 2 and a 9 has a total of 12 but only a Point Count of 2 since the digit 1 in the number 12 is discarded.

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.3

456-5.3. Wagers.

(a) The following wagers shall be permitted to be made by a participant at the game of minibaccarat:

1. A wager on the "Banker's Hand" which shall:

- i. Win if the "Banker's Hand" has a Point Count higher than that of the "Player's Hand";
- ii. Lose if the "Banker's Hand" has a Point Count lower than that of the "Player's Hand"; and
- iii. Either be void or, if the casino licensee charges vigorish in accordance with the provisions of Section 456-6.3(d), be charged a vigorish equal to 25 percent of the wager, if the Point Count of the "Banker's Hand" and the "Player's Hand" are equal.

2. A wager on the "Player's Hand" which shall:

- i. Win if the "Player's Hand" has a Point Count higher than that of the "Banker's Hand";
- ii. Lose if the "Player's Hand" has a Point Count lower than that of the "Banker's Hand"; and
- iii. Be void if the Point Count of the "Banker's Hand" and the "Player's Hand" are equal.

3. A "Tie Bet" which shall win if the Point Counts of the "Banker's Hand" and the "Player's Hand" are equal and shall lose if such Point Counts are not equal.

(b) Unless otherwise approved by the Commission, no casino licensee, his employees or agents shall accept any wager at the game of minibaccarat other than those specified in (a) above.

(c) All wagers at minibaccarat shall be made by placing gaming chips or plaques and, if applicable, a match play coupon on the appropriate areas of the minibaccarat layout except that verbal wagers accompanied by cash may be accepted provided they

are confirmed by the dealer and casino supervisor at the table, and such cash is expeditiously converted into gaming chips or plaques in accordance with 455-4.2 of the Accounting and Internal Controls Rules and Regulations.

(d) No wager at minibaccarat shall be made, increased or withdrawn after the dealer has announced "No More Bets".

(e) Once the first card of any hand has been removed from the shoe by the dealer, no participant shall handle, remove or alter any wagers that have been made until a decision has been rendered and implemented with respect to that wager.

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32 V.I. R. & Regs. § 456-5.3, 32 VI ADC § 456-5.3

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.4

456-5.4. Payout Odds; Vigorish.

- (a) A winning wager made on the “Player’s Hand” shall be paid off by a casino licensee at odds of 1 to 1.
- (b) A winning tie bet shall be paid off by a casino licensee at odds of at least 8 to 1.
- (c) A winning wager made on the “Banker’s Hand” shall be paid off by a casino licensee at odds of 1 to 1. Except as otherwise provided in (d) below, the casino licensee shall extract a commission known as “vigorish” from the winning player in an amount equal to, in the casino licensee’s discretion, either four or five percent of the amount won; provided, however, that when collecting the vigorish, the casino licensee may round off the vigorish to five cents or the next highest multiple of five cents. A casino licensee may collect the vigorish from a player at the time the winning payout is made or may defer it to a later time; provided, however, that all outstanding vigorish shall be collected prior to reshuffling the cards in a shoe. The amount of any vigorish not collected at the time of the winning payouts shall be evidenced by the placing of a coin or marker button containing the amount of the vigorish owed in a rectangular space in front of the dealer on the layout imprinted with the number of the player owing such vigorish.
- (d) A casino licensee may, in its discretion, charge every player at a minibaccarat table a vigorish equal to 25 percent of the player’s wager on the “Banker’s Hand” if the Point Counts of the “Banker’s Hand” and the “Player’s Hand” are equal. The vigorish authorized by this subsection shall be collected at the end of the round of play and prior to any cards being dealt for the next round of play. If a casino licensee elects to charge the vigorish authorized by this subsection, the vigorish otherwise required by (c) above shall not be collected.
- (e) Each casino licensee shall provide notice of any change in the type of vigorish being charged or increase in the percentage of vigorish being charged at each minibaccarat table, in accordance with Section 456-1.13. The type and percentage of vigorish charged at a minibaccarat table shall apply to all players at that table.

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32 V.I. R. & Regs. § 456-5.4, 32 VI ADC § 456-5.4

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.5

456-5.5. Opening of Table for Gaming.

(a) After receiving the six or more decks of cards at the table, the dealer calling the game shall sort and inspect the cards and the floorperson assigned to the table shall verify the inspection, in accordance with Section 456-1.8.

(b) Following the inspection of the cards by the dealer and the verification by the floorperson assigned to the table, the cards shall be spread out face upwards on the table for visual inspection by the first participant or participants to arrive at the table. The cards shall be spread out in horizontal rows by deck according to suit and in sequence. The cards in each suit shall be laid out in sequence within the suit.

(c) After the first participant or participants are afforded an opportunity to visually inspect the cards, the cards shall be turned face downward on the table, mixed thoroughly by a “washing” or “chemmy shuffle” of the cards and stacked.

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32 V.I. R. & Regs. § 456-5.5, 32 VI ADC § 456-5.5

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.6

456-5.6. Shuffle and Cut of the Cards.

(a) Immediately prior to the commencement of play and after each shoe of cards is completed, the dealer shall shuffle the cards so that they are randomly intermixed.

(b) After the cards have been shuffled, the dealer shall lace approximately one deck of cards so that they are evenly dispersed into the remaining stack. After lacing the cards, the dealer calling the game shall, if the casino licensee elects this option, shuffle some or all of the cards again. If elected, the option must be implemented at all tables within a pit. A casino licensee shall not initiate or terminate the use of this reshuffling option unless the casino licensee provides its surveillance department and the Commission with at least 30 minutes prior written notice. After lacing the cards and, where applicable, reshuffling them, the dealer calling the game shall offer the stack of cards, with backs facing away from the dealer, to the participants to be cut. The dealer shall begin with the participant seated in the highest number position at the table and, working clockwise around the table, shall offer the stack to each participant until a participant accepts the cut. If no participant accepts the cut, the dealer shall cut the cards.

(c) The cards shall be cut by placing the cutting card in the stack at least 10 cards in from either end.

(d) Once the cutting card has been inserted into the stack, the dealer shall take all cards in front of the cutting card and place them to the back of the stack. The dealer shall then insert one cutting card in a position at least 14 cards in from the back of the stack, and the second cutting card at the end of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play. Prior to commencement of play, the dealer shall remove the first card from the shoe and place it, and an additional amount of cards equal to the amount on the first card drawn, in the discard rack after all cards have been shown to the participants. Face cards and tens count as tens. Aces count as one.

Current through September 11, 2015.

32 V.I. R. & Regs. § 456-5.6, 32 VI ADC § 456-5.6

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.7

456-5.7. Dealing Shoe.

(a) All cards used to game at minibaccarat shall be of backs of the same color and design and shall be dealt from a dealing shoe specifically designed for such purpose and located on the table to the left of dealer.

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.8

456-5.8. Hands of Player and Banker; Procedure for Dealing Initial Two Cards to Each Hand.

(a) There shall be two hands dealt in the game of minibaccarat one of which shall be denominated the "Player's Hand" and the other denominated the "Banker's Hand".

(b) At the commencement of each round of play, the dealer calling the game shall announce "No More Bets".

(c) The dealer shall deal an initial four cards from the shoe. The first and third cards dealt shall constitute the first and second cards of the "Player's Hand." The second and fourth cards dealt shall constitute the first and second cards of the "Banker's Hand." The casino licensee may deal the initial four cards in accordance with one of the following options:

1. Each dealer shall remove cards from the shoe with his or her left hand, turn them face up and then place them on the appropriate area of the layout with his or her right hand. The first and third cards dealt shall be placed on the area designated for the "Player's Hand" and the second and fourth cards dealt shall be placed on the area designated for the "Banker's Hand;" or

2. The first and third cards dealt shall be placed face down in the area designated for the "Player's Hand" and the second and fourth cards dealt shall be placed face down underneath the right corner of the dealing shoe until the "Player's Hand" is called as provided for in Section 456-6.8(a), at which time the second and fourth cards shall be turned face up and placed on the area designated for the "Banker's Hand."

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32 V.I. R. & Regs. § 456-5.8, 32 VI ADC § 456-5.8

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.9

456-5.9. Procedure for Dealing of Additional Cards.

- (a) After the dealer positions the cards in accordance with either Section 456-6.7(c)1 or 2, the dealer shall announce the point count of the “Player's Hand” and then the “Banker's Hand.”
- (b) Following the announcement of the Point Counts of each hand, the dealer shall determine whether to deal a third card to each hand which instructions shall be in conformity with the requirements of Section 456-6.9.
- (c) Any third card required to be dealt shall first be dealt face upwards to the “Player's Hand” and then to the “Banker's Hand” by the dealer.
- (d) In no event shall more than one additional card be dealt to either hand.
- (e) Whenever the cutting card appears during play, the cutting card will be removed and placed to the side and the hand will be completed. Upon completion of that hand, the dealer calling the game shall announce “last hand”. At the completion of one more hand, no more cards will be dealt until the reshuffle occurs.

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32 V.I. R. & Regs. § 456-5.9, 32 VI ADC § 456-5.9

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.10

456-5.10. Rules for Determining Whether Third Card Shall be Dealt.

(a) If the Point Count of either the "Player's Hand" or the "Banker's Hand" after the initial two cards are dealt to each is an 8 or 9 (which shall be called a "natural") no more cards shall be dealt to either hand.

(b) If the Point Count of the "Banker's Hand" on the first two cards is 0 to 7 inclusive, the "Player's Hand" shall draw (that is, take a third card) or stay (that is, not take a third card) in accordance with the requirements of Table 1 below.

TABLE 1

Player Having	Third Card Determination
0 to 5	Draws
6 to 9	Stays

(c) The "Banker's Hand" shall draw (that is, take a third card) or stay (that is, not take a third card) in accordance with the requirements of Table 2 below.

TABLE 2

Point Count of Banker's Hand	THIRD CARD DRAWN BY PLAYER'S HAND	0	1	2	3	4	5	6	7	8	9
	if no third card drawn										
0	D	D	D	D	D	D	D	D	D	D	D
1	D	D	D	D	D	D	D	D	D	D	D
2	D	D	D	D	D	D	D	D	D	D	D
3	D	D	D	D	D	D	D	D	D	S	D
4	D	S	S	D	D	D	D	D	D	S	S
5	D	S	S	S	S	D	D	D	D	S	S
6	S	S	S	S	S	S	S	D	D	S	S
7	S	S	S	S	S	S	S	S	S	S	S
8	S	S	S	S	S	S	S	S	S	S	S
9	S	S	S	S	S	S	S	S	S	S	S

(d) The first vertical column in Table 2 labeled “Point Count of Banker's Hand” shall refer to the Point Count of the “Banker's Hand” after the first two cards have been dealt to it.

(e) The first horizontal column at the top of Table 2 labeled “Third Card Drawn by Player's Hand” shall refer to the value of the third card drawn by the “Player's Hand” as distinguished from the Point Count of the “Player's Hand”.

(f) The letter “D” used in Table 2 shall mean that the “Banker's Hand” must draw a third card and the letter “S” used in Table 2 shall mean that the “Banker's Hand” must stay (that is, not draw a third card).

(g) The method of using Table 2 shall be to find the Point Count of the “Banker's Hand” in the first vertical column and trace that horizontally across the table until it intersects the third card drawn by the “Player's Hand”. The box at which such intersection takes place will show whether the “Banker's Hand” shall draw a third card or stay. For example, if the Point Count of the “Banker's Hand” after two cards is 5 and the value of the third card drawn by the “Player's Hand” is 4, the table shows that the “Banker's Hand” shall draw a third card.

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.11

456-5.11. Announcement of Result of Round; Payment and Collection of Wagers.

(a) After each hand has received all the cards to which it is entitled pursuant to Sections 456-5.8, 456-5.9 and 456-5.10, the dealer shall announce the final Point Count of each hand indicating which hand has won the round. If two hands have equal Point Counts, the dealer shall announce "Tie Hand".

(b) After the result of the round is announced, the dealer responsible for the wagers on the table shall first collect each losing wager. Thereafter, the dealer shall, in accordance with one of the following procedures, pay each winning wager and collect or mark any vigorish or commission owed pursuant to Section 456-5.4.

1. Starting at the highest numbered player position at which a winning wager is located and proceeding in descending order to each next highest numbered player position, the dealer shall first pay each winning wager and then, returning to the highest numbered player position at which a winning wager was located and proceeding in like order, mark or collect the vigorish owed by each player.

2. Starting at the highest numbered player position at which a winning wager is located and proceeding in descending order to each next highest numbered player position, the dealer shall first mark or collect the vigorish owed by each player and then, returning to the highest numbered player position at which a winning wager is located and proceeding in like order, pay each winning wager.

3. Starting at the highest numbered player position at which a winning wager is located, the dealer shall pay that player's winning wager and immediately thereafter mark or collect the vigorish owed by that player and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until each winning wager is paid and the vigorish owed by each player is either marked or collected.

4. Starting at the highest numbered player position at which a winning wager is located, the dealer shall mark or collect the vigorish owed by that player and immediately thereafter pay that player's winning wager and then, proceeding in descending order to the next highest numbered player position at which a winning wager is located, repeat this procedure until the vigorish owed by each player is either marked or collected and each winning wager is paid.

(c) A casino licensee may, in its discretion, elect to use any of the procedures authorized in (b) above at any minibaccarat table in its establishment; provided, however that:

1. The same procedure shall be used for all minibaccarat tables located within the same gaming pit;

2. Any minibaccarat table located in a gaming pit that also contains a baccarat table shall use the same procedure that is to be used at the baccarat table pursuant to Section 456-4.11(c); and

3. The Commission and the casino licensee's surveillance department shall be notified, in writing, at least 30 minutes prior to the implementation of or a change in the particular procedure to be used at a table or gaming pit.

(d) At the conclusion of a round of play, all cards on the layout shall be picked up by the dealer and placed in the discard rack, in order and in such a way that they can be readily arranged to indicate the "Player's Hand" and the "Banker's Hand" in case of question or dispute.

(e) No participant or spectator shall handle, remove or alter any cards used to game at minibaccarat and no dealer or other casino employee or casino key employee shall permit a participant or spectator to engage in such activity.

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.12

456-5.12. Irregularities.

(a) A third card dealt to the “Player's Hand”, when no third card is authorized by these regulations, shall become the third card of the “Banker's Hand” if the “Banker's Hand” is obliged to draw by Table 2 of Section 456-5.10. If, in such circumstances, the “Banker's Hand” is required to stay, the card dealt in error shall become the first card of the next hand unless it has been disclosed. In such case, the disclosed card and an additional number of cards equal to the amount on this card shall be drawn face upwards from the shoe and placed in the discard rack.

(b) A card drawn in error from the shoe, if not disclosed, shall be used as the first card of the next hand of play. If the card has been disclosed, a burn card procedure as described in (a) above, shall be implemented.

(c) All cards found face upwards in the shoe shall not be used in the game and shall be placed in the discard rack, along with an additional amount of cards drawn face upwards, which agrees with the number on the cards found face upwards in the shoe.

(d) If there are insufficient cards remaining in the shoe to complete a round of play, that round shall be void and a new round shall commence after the entire set of cards are reshuffled and placed in the shoe.

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456-5. Subchapter 5 - Minibaccarat

32 V.I. R. & Regs. § 456-5.13

456-5.13. Continuous Shuffling Shoe or Device.

In lieu of the dealing and shuffling requirements set forth in Sections 456-5.6 and 456-5.7, a casino licensee may utilize a dealing shoe or other device designed to automatically reshuffle the cards provided that such shoe or device and the procedures for dealing and shuffling the cards through use of this device are approved by the Commission or its authorized designee.

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456-6. Subchapter 6 - Roulette

32 V.I. R. & Regs. § 456-6.1

456-6.1. Roulette Table; Physical Characteristics; Double
Zero Roulette Wheel Used As a Single Zero Roulette Wheel.

(a) Roulette shall be played on a table having a roulette wheel of not less than 30 inches in diameter at one end of the table and a roulette layout imprinted on the opposite end of the table.

(b) Each roulette wheel shall be of a single zero variety or a double zero variety as described and depicted below:

1. Each single zero roulette wheel shall have 37 equally spaced compartments around the wheel where the roulette ball shall come to rest. The roulette wheel shall also have a ring of 37 equally spaced areas to correspond to the position of the compartments with one marked zero and colored green and the others marked 1 to 36 and colored alternately red and black which numbers shall be arranged around the wheel as depicted in the following diagram unless otherwise approved by the Commission. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color as approved by the Commission.

2. Each double zero roulette wheel shall have 38 equally spaced compartments around the wheel where the roulette ball shall come to rest. The roulette wheel shall also have a ring of 38 equally spaced areas to correspond to the position of the compartments with one marked zero and colored green, one marked double-zero (00) and colored green, and the others marked 1 to 36 and colored alternately red and black which numbers shall be arranged around the wheel as depicted in the following diagram unless otherwise approved by the Commission. The color of each compartment shall either be a corresponding color to those depicted on the ring or a neutral color as approved by the Commission.

(c) A double zero roulette wheel may be used as a single zero roulette wheel, provided that:

1. If a double zero table layout is used, the "00" wager area on the layout is obscured with a cover or other approved device which clearly indicates that such a wager is not available; and

2. Appropriate signage is posted at the roulette table to notify players that:

i. A double zero roulette wheel is being used as a single zero roulette wheel, and that double zero (00) is not an available wager;

ii. If the roulette ball comes to rest in a compartment marked double zero (00), the spin will be declared void and the wheel will be respun; and

iii. Wagers on red, black, odd, even, 1 to 18 and 19 to 36 shall be lost if the roulette ball comes to rest in a compartment marked zero (0).

(d) Unless otherwise approved by the Commission, the layout of each roulette table shall have the name of the casino imprinted thereon and appear as depicted in the following diagrams according to whether the roulette wheel at such table is a single-zero or double-zero wheel:

[Note: Diagram may be obtained at the Commission's office.]

(e) Notwithstanding (d) above, if a casino licensee offers an optional wager authorized by Section 456-6.5, the layout for that roulette table shall also include, in a manner approved by the Commission, designated areas for the placement of such wagers.

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32 V.I. R. & Regs. § 456-6.1, 32 VI ADC § 456-6.1

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456-6. Subchapter 6 - Roulette

32 V.I. R. & Regs. § 456-6.2

456-6.2. Roulette Balls.

Balls used in gaming at roulette shall be made completely of a non-metallic substance and not be less than 12/16 of an inch nor more than 14/16 of an inch in diameter unless otherwise approved by the Commission.

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32 V.I. R. & Regs. § 456-6.2, 32 VI ADC § 456-6.2

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456-6. Subchapter 6 - Roulette

32 V.I. R. & Regs. § 456-6.3

456-6.3. Inspection Procedures; Security Procedures.

(a) Prior to opening a roulette table for gaming activity, a casino supervisor or member of the casino security department shall:

1. Inspect the roulette table and roulette wheel for any magnet or contrivance that would affect the fair operation of such wheel;
2. Inspect the roulette wheel to assure that it is level and rotating freely and evenly;
3. Inspect the roulette wheel to assure that all parts are secure and free from movement;
4. Inspect the roulette ball by passing it over a magnet or compass to assure its non-magnetic quality; and
5. Conform that the layout and signage comply with Section 456-6.1(c), if a double zero roulette wheel is being used as a single zero roulette wheel.

(b) If a casino licensee uses a roulette wheel which has external movable parts, any adjustments to the movable parts shall be made by a casino supervisor or a member of the casino maintenance department, in the presence of a security department member. Adjustments to the movable parts of a roulette wheel that is located on the casino floor, shall only be made:

1. When the casino is not open to the public; or
2. If the roulette wheel is moved to a secure location outside the casino as approved by the Commission.

(c) All adjustments shall be completed prior to the required inspections in (a) above.

(d) The casino licensee may replace any of the movable parts at any time, provided, however, if any one or more of the movable parts are external then an inspection must be completed by the Division prior to reopening the roulette wheel and table for gaming activity.

(e) A log shall be maintained which shall include, at a minimum, the date, the roulette table number, whether an adjustment or replacement was completed and the signature of the person making the adjustment or replacement.

(f) When a roulette table is not open for gaming activity, the roulette wheel shall be secured by placing a cover over the entire wheel and securely locking such cover to the roulette table.

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32 V.I. R. & Regs. § 456-6.3, 32 VI ADC § 456-6.3

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456-6. Subchapter 6 - Roulette

32 V.I. R. & Regs. § 456-6.4

456-6.4. Submission of Rules of Game

(a) The casino licensee or applicant shall submit rules of the game for roulette which shall include, but are not limited to, the following:

1. Whether or not each roulette wheel will be a single zero wheel or double zero wheel;
2. The number of roulette wheels that will be in casino;
3. The location of the roulette wheels in the casino;
4. The minimum and maximum wagers that will be allowed;
5. Whether the casino licensee or applicant will utilize any optional wagers in addition to the permissible wagers set forth in Section 456-6.5;
6. The procedures that will be utilized by the casino licensee or applicant to raise the house limit for individual patron;
7. The manner in which the casino licensee or applicant will handle any irregularities not covered in Section 456-6.8;
8. Any additional rules of the game the casino licensee or applicant desires to impose that are in compliance with this subchapter; and
9. Any other information deemed necessary by the Commission or Division to insure compliance with the Act and this subchapter and to insure the integrity of the game.

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32 V.I. R. & Regs. § 456-6.4, 32 VI ADC § 456-6.4

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456-6. Subchapter 6 - Roulette

32 V.I. R. & Regs. § 456-6.5

456-6.5. Placement of Wagers; Permissible Wagers.

(a) All wagers at roulette shall be made by placing gaming chips or plaques on the appropriate areas of the roulette layout, except that verbal wagers accompanied by cash may be accepted provided that they are confirmed by the dealer and that the cash is expeditiously converted into gaming chips or plaques in accordance with the regulations governing the acceptance and conversion of such instruments.

(b) No person at a roulette table shall be issued or permitted to game with non-value chips that are identical in color and design to value chips or to non-value chips being used by another person at that same table.

(c) Each player shall be responsible for the correct positioning of his or her wager on the roulette layout regardless of whether he or she is assisted by the dealer. Each player must ensure that any instructions he or she gives to the dealer regarding the placement of a wager are correctly carried out.

(d) Each wager shall be settled strictly in accordance with its position on the layout when the ball falls to rest in a compartment of the wheel.

(e) The permissible wagers in the game of roulette shall be:

1. "Straight" is a wager that the roulette ball will come to rest in the compartment of the roulette wheel that corresponds to a single number selected by the player. The player shall select a number by placing a wager within the box on the roulette layout that contains the selected number.

i. A casino licensee may, in its discretion, offer to every player at a roulette table the option to make five simultaneous straight wagers by selecting five adjacent numbers on the roulette wheel.

(1) Any casino licensee offering this "five adjacent number" option shall use an approved roulette table layout that includes a replica of the roulette wheel on the layout.

(2) A player shall make a "five adjacent number" wager by placing five gaming chips or plaques, or a multiple thereof, on the number indicated on the roulette wheel replica that is the center number of the five adjacent numbers being selected. A player making a "five adjacent number" wager shall be deemed to have made a separate "straight" wager of equal value on each of the five numbers selected.

2. “Split” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to either of two numbers selected by the player. The player shall select the numbers by placing a wager on the line between the two boxes on the roulette layout that contain the two selected numbers, except that a split wager on “0” and “00” may also be placed on the line between the “2nd 12” box and the “3rd 12” box.

3. “Three numbers” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of three numbers in a single row on the roulette layout selected by the player. The player shall select a row of numbers by placing a wager on the outside line of the box on the roulette layout that contains the first number in the selected row.

i. “Three numbers” shall also include a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of the three numbers contained in one of the following groups of numbers: “0”, “1” and “2”; “0”; “2” and “00”; or “0”, “2” and “3”.

ii. The player shall select one of the “three numbers” wagers identified in (e)3i above by placing a wager on the common corner of the three boxes containing the selected numbers.

4. “Four numbers” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of four numbers in contiguous boxes on the roulette layout selected by the player. The player shall select the four numbers by placing a wager on the common corner of the four boxes containing the selected numbers.

5. “First five numbers” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of the numbers “0”, “00”, “1”, “2” or “3”. The player shall bet on the “first five numbers” by placing a wager on the common corner of the boxes on the roulette layout that contain the label “1st 12” and the numbers “0” and “1”.

6. “Six numbers” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of six numbers contained in two contiguous rows of numbers on the roulette layout selected by the player. The player shall select the two rows of numbers by placing a wager on the outside common corner of the boxes on the roulette layout that contain the first number in each of the rows being selected.

7. “Column” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of 12 numbers contained in a single column on the roulette layout selected by the player. The player shall select a column of 12 numbers by placing a wager in the box on the roulette layout that is at the bottom of the column being selected.

8. “Dozen” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of 12 consecutive numbers from “1” through “12”, “13” through “24”, or “25” through “36” selected by the player. The player shall select the 12 numbers by placing a wager in the box on the roulette layout labeled “1st 12” (“1” through “12”), “2nd 12” (“13” through “24”), or “3rd 12” (“25” through “36”).

9. “Red” is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to a number with a red background on the roulette wheel. The player shall bet on “red” by placing a wager within the red box on the roulette layout used for such wagers.

10. “Black” is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to a number with a black background on the roulette wheel. The player shall bet on “black” by placing a wager within the black box on the roulette layout used for such wagers.

11. “Odd” is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to an odd number. The player shall bet on “odd” by placing a wager within the box on the roulette layout that is labeled “Odd”.

12. “Even” is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to an even number. The player shall bet on “even” by placing a wager within the box on the roulette layout that is labeled “Even”.

13. “1 to 18” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of 18 consecutive numbers from “1” through “18”. The player shall bet on “1 to 18” by placing a wager within the box on the roulette layout that is labeled “1 to 18”.

14. “19 to 36” is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of 18 consecutive numbers from “19” through “36”. The player shall bet on “19 to 36” by placing a wager within the box on the roulette layout that is labeled “19 to 36”.

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32 V.I. R. & Regs. § 456-6.5, 32 VI ADC § 456-6.5

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456-6. Subchapter 6 - Roulette

32 V.I. R. & Regs. § 456-6.6

456-6.6. Payout Odds.

(a) No casino licensee, its employees or agents shall pay off winning wagers at the game of roulette at less than the odds listed below:

Bets	Payout Odds
Straight	35 to 1
Split	17 to 1
Three Numbers	11 to 1
Four Numbers	8 to 1
First Five Numbers	6 to 1
Six Numbers	5 to 1
Seven Numbers	4 to 1
Column	2 to 1
Dozen	2 to 1
Red	1 to 1
Black	1 to 1
Odd	1 to 1
Even	1 to 1
1 to 18	1 to 1
19 to 36	1 to 1

(b) When roulette is played on a double zero wheel and the roulette ball comes to rest in a compartment marked zero (0) or double zero (00), wagers on red, black, odd, even, 1 to 18, and 19 to 36 shall not be lost but each player having such a wager shall surrender half the amount on such bet and remove the remaining half. Each casino licensee offering double zero roulette shall provide notice of this rule pursuant to Section 456-1.13.

(c) When roulette is played on a single zero wheel and the roulette ball comes to rest in a compartment marked zero (0), wagers on red, black, odd, even, 1 to 18, and 19 to 36 shall be lost.

(d) When roulette is played on a double zero wheel being used as a single zero roulette wheel, as provided in Section 456-6.1(c):

1. Notice shall be provided, in accordance with Section 456-1.13;

2. The dealer shall announce “no spin,” declare the spin void and respin the wheel if the roulette ball comes to rest in a compartment marked double zero (00); and

3. Wagers on red, black, odd, even, 1 to 18 and 19 to 36 shall be lost if the roulette ball comes to rest in a compartment marked zero (0).

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32 V.I. R. & Regs. § 456-6.6, 32 VI ADC § 456-6.6

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456-6. Subchapter 6 - Roulette

32 V.I. R. & Regs. § 456-6.7

456-6.7. Rotation of Wheel and Ball.

- (a) The roulette ball shall be spun by the dealer in a direction opposite to the rotation of the wheel and shall complete at least four revolutions around the track of the wheel to constitute a valid spin.
- (b) While the ball is still rotating in the track around the wheel, the dealer shall call “No More Bets”.
- (c) Upon the ball coming to rest in a compartment, the dealer shall announce the number of such compartment and shall place a point marker to be known as a “crown” or “dolly” on that number on the roulette layout.
- (d) If a casino licensee offers the “five adjacent numbers” wagering option authorized by Section 456-4.1, the dealer shall then move one-fifth of each winning “five adjacent numbers” wager from the roulette wheel replica on the layout to the box on the main roulette layout that contains the single number corresponding to the compartment in which the roulette ball came to rest.
- (e) After placing the crown on the layout and, if applicable, complying with the provisions of (d) above, the dealer shall first collect all losing wagers and then payoff all winning wagers.

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32 V.I. R. & Regs. § 456-6.7, 32 VI ADC § 456-6.7

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456-6. Subchapter 6 - Roulette

32 V.I. R. & Regs. § 456-6.8

456-6.8. Irregularities.

(a) If the ball is spun in the same direction as the wheel, the dealer shall announce “No Spin” and shall attempt to remove the roulette ball from the wheel prior to its coming to rest in one of the compartments.

(b) If the roulette ball does not complete four revolutions around the track of the wheel, the dealer shall announce “No Spin” and shall attempt to remove the ball from the wheel prior to its coming to rest in one of the compartments.

(c) If a foreign object enters the wheel prior to the ball coming to rest, the dealer shall announce “No Spin” and shall attempt to remove the ball from the wheel prior to its coming to rest in one of the compartments.

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456-7. Subchapter 7 - Big Six Wheels

32 V.I. R. & Regs. § 456-7.1

456-7.1. Big Six Wheel; Physical Characteristics.

(a) Gaming at Big Six shall be conducted at a wheel circular in shape and no less than five feet in diameter. The rim of the wheel shall be divided into 54 equally spaced sections with 23 sections containing a \$ 1.00 bill, 15 sections containing a \$ 2.00 bill, eight sections containing a \$ 5.00 bill, four sections containing a \$ 10.00 bill, two sections containing a \$ 20.00 bill, one section containing a picture of a flag and one section containing a picture of a joker each of which sections shall be covered with glass. The sections shall be arranged around the rim of the wheel as depicted in the following diagram.

(b) Each Big Six Wheel Table shall have the name or trade name of the casino licensee imprinted on the cloth covering it and shall have a drop box and a tip box attached to it at the locations depicted in the following diagram.

(c) The cloth covering each Big Six table shall be marked with insignias of the \$ 1.00 bill, a \$ 2.00 bill, a \$ 5.00 bill, a \$ 10.00 bill, a \$ 20.00 bill, a joker and a flag which shall be used by patrons in placing bets at this game.

[Note: Diagram may be obtained at the Commission's office.]

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32 V.I. R. & Regs. § 456-7.1, 32 VI ADC § 456-7.1

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456-7. Subchapter 7 - Big Six Wheels

32 V.I. R. & Regs. § 456-7.2

456-7.2. Payout Odds.

(a) No casino licensee, his employees or agents shall pay off winning wagers made at Big Six at less than the odds listed below.

Bet On	Payout Odds
\$ 1 Insignia	1 to 1
\$ 2 Insignia	2 to 1
\$ 5 Insignia	5 to 1
\$ 10 Insignia	10 to 1
\$ 20 Insignia	20 to 1
Joker	45 to 1
Flag	45 to 1

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456-7. Subchapter 7 - Big Six Wheels

32 V.I. R. & Regs. § 456-7.3

456-7.3. Wagers and Rotation of the Wheel.

- (a) Prior to the spin of the wheel, the dealer shall call "No More Bets".
- (b) The Big Six Wheel shall be spun by the dealer in either direction and shall complete at least three revolutions to constitute a valid spin.
- (c) If the clapper comes to rest between two numbers upon completion of the spin of the Big Six Wheel, the casino licensee has the option to do one of the following:
1. Declare the winning number to be that number previously passed; or
 2. Declare the spin void and re-spin the wheel.
- (d) Upon a casino licensee choosing one of the options as outlined in (d) above, it shall conspicuously post a sign at each table stating which option is in effect.
- (e) Upon completion of the spin, the dealer shall first collect all losing wagers and then pay off all winning wagers.

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Subchapter 456. Conduct of Gaming

456-8. Subchapter 8 - Slot Machines

32 V.I. R. & Regs. § 456-8.1

456-8.1. Possession of Slot Machines.

(a) Except as otherwise provided in this section and the Virgin Islands Code, no person shall possess within this Territory any slot machine or similar device which may be used for gambling activity.

(b) The following persons and any employee or agent acting on their behalf may, subject to any terms and conditions imposed by the Commission, possess slot machines in the U.S. Virgin Islands for the purposes provided herein provided that the machines are kept only in such locations as may be specifically approved in writing by the Commission and that any machines located outside of a licensed casino room not be used for gambling activity:

1. An applicant for or holder of:

i. A casino license, for the purpose of maintaining for use or actually using such machines in the operation of a licensed casino;

ii. A gaming school license, for the purpose of teaching slot machine design, operation, repair or servicing; or

iii. A gaming related casino servicing entity license, for the purpose of manufacturing, distributing, repairing or servicing slot machines;

2. An out-of-Territory manufacturer or distributor of slot machines for the purpose of exhibition or demonstration;

3. A common carrier, for the purpose of transporting such slot machines in accordance with Section 456-8.2;

4. An employee or agent of the Commission or Division, for the purpose of fulfilling official duties or responsibilities; or

5. Any other person the Commission may approve after finding that possession of slot machines by such person in the U.S. Virgin Islands is necessary and appropriate to fulfill the goals and objectives of the Act.

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32 V.I. R. & Regs. § 456-8.1, 32 VI ADC § 456-8.1

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456-8. Subchapter 8 - Slot Machines

32 V.I. R. & Regs. § 456-8.2

456-8.2. Transportation of Slot Machines into, Within and Out-of-Territory.

(a) Prior to the transport or movement of any slot machine into, from one authorized location to another authorized location within, or out of, the U.S. Virgin Islands, the manufacturer, distributor, seller, or other person causing such slot machine to be transported or moved shall first notify the Commission and Division in writing giving the following information:

1. The full name and address of the person shipping or moving said machine;
2. The full name and address of the person who owns the machine, including the name of any new owner in the event ownership is being changed in conjunction with the shipment or movement;
3. The method of shipment or movement and the name of the carrier or carriers;
4. The full name and address of the person to whom the machine is being sent and the destination of said machine if different from such address;
5. The quantity of machines being shipped or moved and the serial number of each machine;
6. The expected date and time of delivery to or removal from any authorized location in this Territory;
7. The port of entry, or exit, if any, of the machine if the origin or destination of the machine is outside the continental United States; and
8. The reason for transporting the machine.

(b) The movement of any slot machine into or out of a casino room shall be approved pursuant to Section 455-7.7(b) of the Accounting and Internal Control regulations and a record thereof shall be maintained in accordance with Section 455-7.7(c) of the Accounting and Internal Control regulations.

(c) The person shipping or moving any slot machine shall provide to the common carrier, or to the operator of the transporting conveyance in the event the mode of transport is not a common carrier, an invoice, at least one copy of which shall be kept with the slot machine at all times during the shipping process, containing the following information:

- i. The serial number of the machine being transported;
- ii. The full name and address of the person from whom the machine was obtained;
- iii. The full name and address of the person to whom the machine is being sent; and
- iv. The dates of shipment.

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32 V.I. R. & Regs. § 456-8.2, 32 VI ADC § 456-8.2

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456-8. Subchapter 8 - Slot Machines

32 V.I. R. & Regs. § 456-8.3

456-8.3. Territorial Seals.

(a) Each slot machine located within the U.S. Virgin Islands shall have a seal affixed to it by the Commission which shall be located on either side of the slot machine cabinet.

(b) Each slot machine permitted to be used for gaming shall have a “gaming seal” affixed thereto and each machine to be used for non-gaming purposes shall have a “non-gaming” seal affixed thereto.

(c) Slot machines being transported into the U.S. Virgin Islands shall have appropriate seal affixed to them as soon as practical upon their entry into the Territory. Slot machines being transported out of the U.S. Virgin Islands may have seals removed prior to their exit from the Territory if removal is for the purpose of said transportation.

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32 V.I. R. & Regs. § 456-8.3, 32 VI ADC § 456-8.3

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456-8. Subchapter 8 - Slot Machines

32 V.I. R. & Regs. § 456-8.4

456-8.4. Slot Machines and Bill Changers; Identification; Signs; Meters; Other Devices.

(a) Unless otherwise authorized by the Commission, each slot machine in a casino shall have the following identifying features:

1. A manufacturer's serial number permanently imprinted, impressed, affixed or engraved on the front panel of the frame housing the reel mechanism or, in the case of a completely electronic machine, on the logic board or boards;
2. An asset number, at least two inches in height, permanently imprinted, impressed, engraved or affixed on the outside cabinet of the machine by the casino licensee;
3. A sign conspicuously located on the front of the machine that automatically illuminates and a bell that automatically rings when a player has won a jackpot not paid automatically and totally by the machine and which advises the player to see an attendant to receive full payment;
4. A mechanical, electrical or electronic device that automatically precludes a player from operating the slot machine after a jackpot requiring a manual payout has been hit and which requires the machine to be reset by an attendant in such circumstances;
5. A display on the front of the slot machine that includes the information required by Section 455-7.6(a)4 of the Accounting and Internal Control regulations;
6. A light on the pedestal above the slot machine that automatically illuminates when the door to the machine or any device connected thereto which may affect the operation of the slot machine is opened;
7. A location number, at least two inches in height affixed to the outside of the machine and visible to the casino licensee's closed circuit camera coverage system; and
8. A manufacturer's serial number affixed to the outside of the slot machine cabinet in a location as approved by the Commission.

(b) Unless otherwise authorized by the Commission, each bill changer shall have the following identifying features:

1. An asset number that is permanently imprinted, affixed or impressed on the outside cabinet of the bill changer or the slot machine to which it is attached. The asset number must be conspicuous and easily visible to persons involved in removing or replacing the slot cash storage box in the bill changer, and it must correspond to the asset number affixed to the slot machine in accordance with (a) above. The size and location of the asset number must be approved in advance by the Commission;
2. A display on the front of the bill changer that clearly indicates the denomination of the currency or coupon inserted therein;
3. A display on the front of the bill changer that clearly indicates the amount of coins or slot tokens dispensed by the slot machine all-purpose hopper after currency or a coupon has been inserted and accepted; and
4. A display on the front of the bill changer that indicates a malfunction or which informs the patron that the bill changer is out of service.

(c) Unless otherwise authorized by the Commission, each slot machine in a casino shall be equipped with the following:

1. A mechanical, electrical or electronic device, to be known as an “in-meter,” that continuously and automatically counts the number of coins or slot tokens placed by patrons into the machine for the purpose of activating play;
2. A mechanical, electrical or electronic device, to be known as a “drop-meter,” that continuously and automatically counts the number of coins or slot tokens that are dropped into the machine’s slot drop bucket or slot drop box;
3. For each hopper in a slot machine, a separate mechanical, electrical or electronic device, to be known as a “jackpot meter,” that continuously and automatically counts, for that hopper only, the number of coins, prize tokens or slot tokens that are automatically paid by the machine from the corresponding hopper and that displays the aggregate number so counted; provided, however, that:
 - i. In lieu of the jackpot meter for a payout-only hopper displaying the number of coins, slot tokens or prize tokens paid out from that hopper, each casino licensee that uses a slot machine which is capable of converting the number of coins, slot tokens or prize tokens paid out from a payout-only hopper into its machine denomination equivalent, may, in accordance with its internal controls approved by the Commission, set the jackpot meter connected to each payout-only hopper in that slot machine to continuously and automatically count and display the aggregate number of coins, slot tokens or prize tokens paid out from that hopper by its machine denomination equivalent (for example, the jackpot meter on a 25 slot machine may record the payout of one \$ 3.00 prize token as the payout of “12” quarters); and
 - ii. Each slot machine with multiple hoppers may have a single jackpot meter to count and display the aggregate number of coins, slot tokens or prize tokens paid out from that machine's hoppers provided that:

- (1) Each hopper is connected to that meter;

(2) The jackpot meter counts and displays, in accordance with (c)3i above, the aggregate number of coins, slot tokens or prize tokens paid out from a payout-only hopper by its machine denomination equivalent; and

(3) Each payout-only hopper has a separate payout-only jackpot meter;

4. A mechanical, electrical or electronic device, to be known as a “manual jackpot meter,” that continuously and automatically records the number of coins or slot tokens to be paid manually;

5. A mechanical, electrical or electronic device, to be known as a “win meter,” visible from the front of the machine, that, upon a player hitting a winning combination, advises the player of the number of coins, prize tokens or slot tokens for that round that have been paid to the player by the machine from the corresponding hopper; provided, however, that multiple win meters, as provided in (c)5i or ii below after approval of the casino licensee's internal controls therefor, shall be used on each multiple hopper slot machine whenever one or more winning combinations that are hit on the same round of play at the machine entitle the winning player to automatically receive coins, slot tokens or prize tokens from both hoppers and each hopper contains a different denomination of coins, slot tokens or prize tokens, as follows:

i. A separate win meter for each hopper that, for the round in which a winning combination is hit, advises the winning player of the actual number of coins, slot tokens or prize tokens won from that hopper only; or

ii. A win meter to which each hopper is connected that advises the winning player of the aggregate number of coins, slot tokens or prize tokens won on that round from both hoppers after first converting the aggregate number of any coins, slot tokens or prize tokens won on that round from a payout-only hopper into its machine denomination equivalent, and a separate payout-only win meter connected to each payout-only hopper (for example, a win meter on a 25 slot machine may, pursuant to this paragraph, record the payout, on the same round of play, of one \$ 3.00 prize token and two quarters as the payout of “14” quarters, provided there is a separate payout-only win meter advising the patron that one prize token was paid out); and

6. An on/off switch located in an accessible place in the interior of the slot machine which will control the current utilized in the operation of the slot machine.

(d) Unless otherwise authorized by the Commission, each slot machine that has an attached bill changer shall also be equipped with the mechanical, electrical or electronic devices that are required by Section 455-7.6(e) of Accounting and Internal Control regulations.

(e) In addition to the above requirements, each slot machine in a casino shall have such devices, equipment, features and capabilities as may be required by the Commission for that particular model of slot machine after the prototype model is tested and examined by the Division.

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32 V.I. R. & Regs. § 456-8.4, 32 VI ADC § 456-8.4

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456-8. Subchapter 8 - Slot Machines

32 V.I. R. & Regs. § 456-8.5

456-8.5. Slot Machine Areas; Density; Arrangement; Floor Plans; Slot Stools.

(a) Slot machines used in the conduct of gaming shall be located and arranged in such a manner so as to:

1. Promote optimum security for the casino operation;
2. Avoid deception or frequent distraction to players at gaming tables;
3. Maximize the comfort of patrons;
4. Create and maintain a gracious playing environment in the casino; and
5. Encourage and preserve competition in casino operations by assuring that a variety of gaming opportunities is offered to the public.

(b) Each casino licensee shall be permitted to install and operate one slot machine for every 10 square feet of its casino floor space which may be allocated to slot area, as determined in accordance with (d) below.

(c) Each casino licensee shall comply with the following design requirements in arranging the layout of its casino floor

1. Whenever one row of slot machines in a casino is lined up back to back with another row of machines, the two rows shall be separated by a metal grating or other type of barrier, as approved by the Commission, that will prohibit a person from placing his or her hand between the rows of machines;

2. Slot stools shall only be of the spindle-type and must be securely fastened to the floor or the slot base.

(d) The total amount of casino floor space that a casino licensee may utilize for slot machines, the walkways between them, and other structures or areas which are reasonably related to the use of slot machines ("Slot Area") such as slot booths, change booths, change machines, slot carousels, walls, columns or other architectural structures, and any other structures or areas which are reasonably related to, and contained within casino floor space which is dedicated to, the use of slot machines, shall not exceed 80 percent of the total amount of casino floor space.

(e) The total amount of casino floor space dedicated to the slot area shall be measured by identifying the perimeter of each such area on the casino floor plan.

(f) Any casino floor space which is not used for slot area pursuant to (e) above shall be dedicated to authorized games other than slot machines and related support and circulation space.

(g) Each casino licensee or applicant shall submit to the Commission a detailed floor plan, drawn to scale, depicting its proposed arrangement of slot machines, slot stools and table games. Such plan shall indicate all relevant floor space square footage; density information; and aisle dimensions, including the dimensions of aisles between rows of slot machines facing each other, of distances in front of slot machines not directly facing another slot machine, and of distances between slot stools and other obstructions or slot machines. Each casino licensee shall maintain on file with the Commission a current floor plan certified as to its accuracy.

(h) Each casino licensee or applicant seeking approval for a proposed arrangement of slot machines shall submit to the Commission a detailed floor plan, drawn to scale, depicting its proposed arrangement of slot machines, slot stools and table games and shaded to include all areas covered by (f) above. Such plans or attachments thereto shall indicate the amount of casino floor space by slot zone, or other subdivision of the total area included in the calculation required by (f) above, as approved by the Commission, and the total of such areas. Each casino licensee shall maintain on file with the Commission a current shaded floor plan certified as to its accuracy.

(i) Any floor plan submission that satisfies the requirements of this section shall be deemed approved by the Commission unless the casino licensee is notified in writing to the contrary within three days of filing.

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32 V.I. R. & Regs. § 456-8.5, 32 VI ADC § 456-8.5

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32 V.I. R. & Regs. § 456-8.6

456-8.6. Testing and Approval of Slot Machines.

(a) No slot machine shall be used to conduct gaming unless it is identical in all mechanical, electrical, electronic and other aspects to a model thereof which has been specifically tested by the State of New Jersey Division of Gaming Enforcement ("NJDE") or any other facility approved by the Commission and licensed for use by the Commission.

(b) Any manufacturer or distributor proposing to offer slot machines for use in a St. Croix casino shall apply to the Commission, on forms supplied by it, for a license for each model of machine to be so offered. As part of such application, a model of each machine proposed for use shall be transported, at the expense of the manufacturer or distributor submitting it, to the NJDE or any other facility approved by the Commission at a location designated by it for testing, examination and analysis. To be submitted with each model of machine are three copies each of prints, schematics, block diagram, circuit analysis and a complete explanation of the method of operation, odds determination and all or any pertinent information with respect to such machine.

(c) The testing, examination and analysis of the models of machines submitted to the NJDE or any other facility approved by the Commission under (b) above, may include entire dismantling of the machine and some tests that may result in damage or destruction to one or more systems or components of the machine. Once submitted, each model shall not be returned to the manufacturer or distributor thereof unless otherwise determined by the Commission.

(d) Costs of any testing, examination and analysis of a slot machine model, including the time and material required and any special testing devices needed, shall be borne by the manufacturer or distributor thereof or the casino licensee or applicant seeking to operate the slot machine.

(e) Upon completion of its testing, examination and analysis of a slot machine, the NJDE or any other facility approved by the Commission shall submit a report of its findings, conclusions and recommendations to the Commission which shall include any recommendations for modifications to the machine and any additional equipment or devices recommended be required on the machine.

(f) Prior to a decision on whether to license a particular model of machine, the Commission may require up to 60 days trial period to test the machine in a licensed casino. During the trial period minor changes in the operation or design of the machine may be made with prior recommendation of the NJDE or any other facility approved by the Commission. During the trial period, the manufacturer or distributor of the machine shall not be entitled to receive revenue of any kind whatsoever. During the testing period, appropriate Territorial seals must be affixed to the machines being tested.

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32 V.I. R. & Regs. § 456-8.6, 32 VI ADC § 456-8.6

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32 V.I. R. & Regs. § 456-8.7

456-8.7. Operation of Slot Machine in Conformance with Approved Model.

(a) The responsibility for final assembly and initial operation of a slot machine in the manner approved by the Commission rests with the manufacturer and distributor. Changes in the manner of final assembly or initial operation of a slot machine will be deemed unsuitable unless prior to the institution of the change the manufacturer or distributor or operator shall have obtained approval from the Commission. Any request for changes to be made in slot machines shall be submitted to the Commission for prior approval. Where appropriate, accompanying the request for a change must be a print, schematic, block diagram or machine analysis which contains details of the proposed change.

(b) Each slot machine shall, at all times, operate and play in accordance with the representations made to the Commission, Division, NJDGE or any other facility approved by the Commission and the public.

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32 V.I. R. & Regs. § 456-8.7, 32 VI ADC § 456-8.7

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32 V.I. R. & Regs. § 456-8.8

456-8.8. Disciplinary Procedures.

(a) Any changes or modifications found in a slot machine that have not been approved by the Commission in advance, or any circuitry of any kind or manner which changes or alters the manner of operation from that which was approved by the Commission or has been represented to the public, or any other circuitry changing or altering the manner and mode of operation that was not discovered by the Division, NJDGE or any other facility approved by the Commission at the time of licensing the machine or any other violation of these regulations shall constitute cause for sealing or seizing any or all of the slot machines manufactured, distributed or utilized by a licensee and further shall constitute cause for limiting, conditioning, restricting, suspending or revoking the license of the licensee or fining said licensee.

(b) Prior to seizure of all machines of a manufacturer, distributor or operator pursuant to (a) above, a reasonable effort may be made to determine if the change has occurred in all or in part of the machines and may provide the opportunity for an investigative hearing. In any case in which seizure may be effected prior to the opportunity for a hearing, an investigative hearing must be conducted as soon as practical subsequent to the seizure.

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32 V.I. R. & Regs. § 456-8.8, 32 VI ADC § 456-8.8

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32 V.I. R. & Regs. § 456-8.9

456-8.9. Records and Reports.

(a) Each casino licensee shall maintain a complete record of all customer complaints registered and repairs made with regard to each slot machine in the possession of the licensee. A copy of such records shall be made available to authorized employees and agents of the Commission or Division upon request.

(b) Each casino licensee shall report in writing to the Commission and Division whenever a reel mechanism or logic board on any slot machine is replaced with another reel mechanism or logic board which shall include the serial number on the replacement mechanism or board.

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32 V.I. R. & Regs. § 456-8.9, 32 VI ADC § 456-8.9

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32 V.I. R. & Regs. § 456-8.10

456-8.10. Issuance and Use of Slot Tokens for Gaming;
Prize Tokens; Slot Token and Prize Token Specifications.

(a) Each casino licensee may, with Commission approval, issue the following types of metal disks having two faces and an edge:

1. A “slot token” that is:

- i. Designed for gaming use in the hoppers of the casino licensee's slot machines;
- ii. Capable, upon insertion into the coin acceptor of a designated slot machine operated by the casino licensee that issued the slot token, of activating the play of that slot machine;
- iii. Issuable, in an exchange with a patron upon request, only from a slot booth, the cashiers' cage, a change machine or bill changer, or by a changeperson; provided, however, that each casino licensee may issue slot tokens as complimentary services or items in accordance with a distribution program authorized pursuant to Section 455-3.4 of the Accounting and Internal Control regulations;
- iv. Exchangeable, by a patron at the casino where the slot token was issued, in the manner provided by Sections 455-7.2 and 455-7.3 of the Accounting and Internal Control regulations; and
- v. Redeemable, by the issuing casino licensee promptly upon request of the patron surrendering one or more slot tokens, only at a coin redemption booth, a slot booth or the cashiers' cage for an equivalent amount of cash or for a casino check of that casino licensee in the amount of the slot tokens surrendered and dated the day of the redemption; and

2. A “prize token” that is:

- i. Designed to be awarded and issued only as a payout from a payout-only hopper of a designated slot machine that is operated by the casino licensee using the token or, if of size and dimensions which prevent its payout from a payout-only hopper, then paid as a manual jackpot;

ii. Incapable of activating slot machine play at any slot machine which is capable of accepting coin or slot tokens of a denomination that is greater than the denomination of the prize token;

iii. Redeemable, by the issuing casino licensee promptly upon request of the patron surrendering one or more prize tokens, only at a coin redemption booth, a slot booth or the cashiers' cage for an equivalent amount of cash or for a casino check of that casino licensee in the amount of the prize tokens surrendered and dated the day of the redemption;

iv. Exchangeable, by a patron at the casino where the prize token was issued, in the manner provided by Sections 455-7.2 and 455-7.3 of the Accounting and Internal Control regulations;

v. Unavailable as a payout on a winning progressive jackpot combination;

vi. Unavailable as a multi-casino jackpot; and

vii. Unavailable as a complimentary service or item.

(b) Each slot token and each prize token shall be designed so that it:

1. Clearly identifies the name or trade name and location of the issuing casino;

2. Clearly states its face value;

3. Contains on at least one face, in the case of a slot token only, a statement, approved by the Commission as to form and content, that notifies a patron that the slot token will be accepted to activate play only in slot machines operated by the casino licensee that issued it;

4. Contains the statement "Not Legal Tender";

5. Is not deceptively similar to any current or past coin of the United States or a foreign country;

6. Is of a size or shape or has other characteristics which physically prevents its use in lawful vending machines or other machines designed to be operated by coins of the United States, except slot machines;

7. Is not manufactured from:

i. A three-layered material consisting of a pure copper core clad on both sides with a copper-nickel alloy;

ii. A copper based alloy, unless the total zinc, nickel, aluminum, magnesium and other alloying metal exceeds 25 percent of the token's weight; or

iii. A ferromagnetic material;

8. Shall not have a diameter which is between:

0.680 inch and 0.860 inch

0.890 inch and 0.980 inch

1.018 inches and 1.068 inches

1.180 inches and 1.230 inches

1.475 inches and 1.525 inches

9. Shall not weigh less than two grams and shall not be less than 0.060 inch thick;

10. Is manufactured from a metal or combination of metals approved by the Commission;

11. Incorporates such anti-counterfeiting features and other security measures as the Commission may require; and

12. Contains on each face, in the case of a prize token only, a statement, approved by the Commission as to form and content, that notifies a patron that the prize token does not activate play; and

13. The requirements of (b)(1), (2) and (12) above shall not apply to serially numbered prize tokens, provided the casino licensee has submitted to the Commission and the Commission has approved a system for accounting for serially numbered prize tokens by serial number. Such system shall include the receipt and inventory of the serially numbered prize tokens and cage procedures.

(c) In addition to the above requirements, the following denominations of slot tokens must also meet the following specifications, with manufacturing tolerances approved by the Commission:

Denomination	Diameter
\$ 1.00	1.469 inches
\$ 2.00	1.340 inches

\$ 5.00	1.750 inches
\$ 10.00	1.700 inches
\$ 25.00	1.875 inches or 1.950 inches
\$ 100.00	1.600 inches
\$ 500.00	1.550 inches

(d) Each prize token with a face value that is less than the denomination of any slot token that is approved for use by any casino licensee shall be designed, through differences between it and such slot token in their metal content, diameter, thickness or by any other means approved by the Commission, to prevent its use for activating play at any slot machine that is capable of accepting any slot token of greater denomination than the prize token.

(e) Each casino licensee, in accordance with its internal controls approved by the Commission, may encase its prize tokens in clear plastic provided that:

1. The plastic does not hamper the payout of prize tokens from a payout-only hopper;
2. A patron with reasonable ease can remove the prize token from the plastic; and
3. The casino licensee:
 - i. Redeems each prize token under the same terms and conditions whether or not the prize token, when presented for redemption, is encased in plastic as originally issued by the casino licensee; and
 - ii. Reasonably notifies its patrons that prize tokens that are encased in plastic when originally issued to the patron may be redeemed without removing the plastic.

(f) No slot token or prize token shall be issued by a casino licensee or utilized in a casino unless and until:

1. The design specifications of the proposed slot token or prize token are, prior to the manufacture of the slot token or prize token, submitted to and approved by the Commission, which submission shall include a detailed schematic depicting the actual size of the token's diameter and thickness and, as appropriate, location of the following:
 - i. Each face;
 - ii. The edge; and
 - iii. Any words, logos, designs, graphics or security measures contained on the slot token or prize token; and

2. A sample slot token or prize token, manufactured in accordance with its approved design specifications, is submitted to and approved by the Commission.

(g) No casino licensee shall issue, use or allow a patron to use in its casino any slot token or prize token that it knows, or reasonably should know, is materially different from the sample of that slot token or prize token approved by the Commission.

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32 V.I. R. & Regs. § 456-8.10, 32 VI ADC § 456-8.10

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32 V.I. R. & Regs. § 456-8.11

456-8.11. Wagering at Slot Machines; Use of Slot Tokens and Prize Tokens.

(a) All wagering at slot machines in a casino shall be conducted with coins or slot tokens; provided, however, that currency may be accepted through bill changers.

(b) Prize tokens shall not be used to activate play at slot machines.

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32 V.I. R. & Regs. § 456-8.11, 32 VI ADC § 456-8.11

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32 V.I. R. & Regs. § 456-8.12

456-8.12. Redemption of Slot Tokens and Prize Tokens From Non-Patrons;
Duty of Patrons to Surrender Slot Tokens and Prize Tokens Upon Demand.

(a) Except as provided in (e) below and as may be specifically approved by the Commission, each casino licensee shall redeem its slot tokens and prize tokens only from its patrons and shall not knowingly redeem its slot tokens and prize tokens from any non-patron source.

(b) Each slot token and prize token is solely evidence of a debt that the issuing casino licensee owes to the person legally in possession of the slot token or prize token, and shall remain the property of the issuing casino licensee, which shall have the right at any time to demand that the person in possession of the slot token or prize token surrender the item upon the casino licensee exercising its right of redemption in accordance with (c) below.

(c) Each casino licensee, upon demand, shall have the right to redeem its slot tokens and prize tokens from any person in possession of them, who shall surrender the slot tokens and prize tokens upon the casino licensee presenting the person with an equivalent amount of cash.

(d) Each casino licensee shall accept, exchange, use or redeem only slot tokens or prize tokens that it has issued and shall not knowingly accept, exchange, use or redeem slot tokens or prize tokens, or objects purporting to be slot tokens or prize tokens, that have been issued by any other person, except that each casino licensee may redeem from its patrons slot tokens or prize tokens issued by any other legally operated casino licensee upon a patron's representation that he or she received such tokens from the payout chutes of slot machines on the casino licensee's premises, or that the patron purchased or received such tokens as payment in a gaming transaction from an employee of the casino licensee during the normal course of the employee's duties on the premises while at work.

(e) Each casino licensee shall redeem promptly its own genuine slot tokens and prize tokens presented to it by any other legally operated casino licensee upon the representation that such slot tokens and prize tokens were received or accepted unknowingly, inadvertently or in error, were unavoidably received in slot machines through patron play, or mistakenly were redeemed from patrons. Each casino licensee shall submit to the Commission for approval a system for the exchange, with other legally operated casino licensees, of slot tokens and prize tokens:

1. That are in its possession and that have been issued by any other legally operated casino licensee; and
2. That it has issued and that are presented to it for redemption by any other legally operated casino licensee.

(f) Each casino licensee shall cause to be posted and remain posted in a prominent place on all slot booths and all coin redemption booths a sign that reads as follows:

“It is a violation of Federal law to use tokens issued by this casino outside these premises or to use tokens issued by another casino here.”

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32 V.I. R. & Regs. § 456-8.12, 32 VI ADC § 456-8.12

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32 V.I. R. & Regs. § 456-8.13

456-8.13. Slot Tokens and Prize Tokens; Receipt, Inventory, Security, Storage and Destruction.

(a) Each casino licensee shall inspect all slot tokens or prize tokens, or any combination thereof, upon receipt from the manufacturer or distributor to ensure, at a minimum, that:

1. The quantity and denomination of slot tokens or prize tokens that are actually received from the manufacturer or distributor agrees with the amount of such tokens listed on the shipping documents; and
2. There are no physical defects in the slot tokens or prize tokens that were so received.

(b) The inspection required by (a) above shall be conducted by at least three people (the “inspection team”). Each inspection team shall consist of at least one representative from the following categories:

1. The accounting or auditing department of the casino licensee;
2. The casino security department of the casino licensee; and
3. With prior Commission approval, a casino employee from any of the casino licensee's other departments.

(c) Each casino licensee shall report to the Commission and the Division promptly after an inspection required by (a) above discloses any discrepancy in the shipment including, but not limited to, the following:

1. The shipment contains defective slot tokens or prize tokens; or
2. The quantity and denomination of the slot tokens or prize tokens actually received does not agree with the amount listed on the shipping documents.

(d) Each casino licensee shall submit to the Commission for approval procedures to record and process the receipt, inventory, storage and destruction of slot tokens and prize tokens.

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32 V.I. R. & Regs. § 456-8.13, 32 VI ADC § 456-8.13

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.1

456-16.1. Definitions

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

“Ball” means a ball used in the game of bingo similar to a ping pong ball with a minimum of 1 ¼ inches in diameter. The balls should be numbered 1 through 75.

“Bingo card” or “card” means a hard bingo card, disposable bingo card or any other bingo card approved by the Commission.

“Bingo equipment” means all paraphernalia used to conduct the game including random number selection equipment, designator receptacles, number display boards, and bingo cards. This definition does not include audio or video equipment which plays no part in the conduct of the game other than communicating the progress of the game or items used to mark numbers on the cards.

“Bingo receptacle” means a container which is either hand operated or mechanically operated such as a cage, holder or blower and which holds the bingo balls used in bingo games.

“Call” means the announcement of the number on the ball drawn from the bingo receptacle.

“Card” or “face” means a card containing five rows of five squares with 24 pre-printed numbers and a free center space, and the letters B, I, N, G, O printed in order over the five columns.

“Carnival Style Bingo” means a special bingo occasion in which the players are continuously entering and leaving the bingo occasion and paying for their bingo cards at various times throughout the occasion.

“Designator” means an item used in the number selection process, such as a ping pong ball, upon which bingo letters and numbers are imprinted.

“Disposable bingo cards” means a bingo card with a serial number that is used one time and thrown away.

“Disposable paper card” means a non-reusable, paper bingo card. Such card must be manufactured with pre-printed numbers and may be assembled in multiple card sheet, single sheet, pad or packet form.

“Distributor” means a person who obtains bingo equipment from a manufacturer and sells or otherwise furnishes the equipment to a game operator or another distributor.

“Free space number”/ “perm number” / “center number”/“card or face number” means the number generally printed in the center space of a bingo card that identifies the unique pattern of numbers printed on that card.

“Hard bingo card” means a bingo card that is designed for repeated use.

“Last number called” means the last number drawn from the bingo receptacle, shown to at least two persons

“Master board” means a board that has holes numbered from 1 to 75 and is used in playing bingo. As the bingo balls are drawn from the receptacle, they are placed on or in the board with the number of the ball matching the number on the board.

“Prizes” means cash or merchandise awarded to game winners.

“Random selection” or “randomly selected” means a process of selecting number designators during a bingo game in which each designator in the remaining population has an equal chance or probability of being selected.

“Selection device” means a device that may be operated manually or automatically and is used to randomly select bingo numbers.

“Serial number” means a unique number printed by the manufacturer on each card in a set.

“Series number” means the number of unique card faces contained in a set. A 9000 series, for example, has 9000 unique faces.

“Set” means the cards contained within each series number.

“Verification book” means a book compiled by the manufacturer of bingo cards that lists the unique pattern of numbers on each card by perm number and is used to verify the authenticity of a winning card.

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32 V.I. R. & Regs. § 456-16.1, 32 VI ADC § 456-16.1

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.2

456-16.2. Bingo Cards

- (a) All bingo cards made available for play by the licensee, regardless of whether at a regular bingo occasion or limited period bingo, must contain numbers preprinted by the licensed manufacturer of the bingo card.
- (b) Each card in use by a licensee at any bingo occasion, must have a different distribution of playing numbers on the card. No two bingo cards in play at the same time may have the same distribution of numbers.
- (c) No licensee may reserve, or allow to be reserved, any bingo card or cards for use by a particular individual, except braille cards or other cards for use by legally blind or disabled players.
- (d) Legally blind players may use their personal braille cards when a licensee does not provide such cards. The licensee has the right to inspect, and to reject any personal braille card. A legally blind or disabled person may use a braille card or hard card in place of a purchased paper bingo card.
- (e) The sale of all regular and special bingo cards at regular and limited period bingo occasions must be receipted by the licensee. Receipts must be sequentially numbered, and prepared in duplicate. One copy of the receipt shall be given to the player at the time of purchase, and the other copy shall be retained by the licensee with its records for each bingo occasion.
- (f) The receipt shall contain, at a minimum, the following information:
1. The quantity of each type of bingo card or packet purchased;
 2. The extended total price of the bingo cards or packets purchased.
- (g) Instant bingo is an acceptable form of bingo; provided it is conducted in the following manner:
1. A predetermined series of numbers is drawn prior to the start of the bingo occasion and displayed in an appropriate manner that will be visible to all players throughout the bingo occasion;
 2. Individually packaged instant bingo cards may be sold throughout the bingo occasion;

3. The serial number(s) of the packaged instant bingo cards being sold must be announced;
4. Prizes to be awarded for the game must be posted at the location where regular bingo cards are sold. The particular arrangement of numbers, letters, or other designators required to be covered in order to win must be clearly described and announced to all players before the numbers are chosen;
5. If there are no winners in the predetermined series of numbers by the end of the bingo occasion, additional numbers must be called until there is a winner, however, the winning prize does not have to be the full amount of the instant bingo jackpot but could be a consolation prize of lesser value.

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32 V.I. R. & Regs. § 456-16.2, 32 VI ADC § 456-16.2

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.3

456-16.3. Internal Controls

- (a) The licensee shall establish and adhere to its internal controls for the conduct of the bingo occasion.
- (b) The internal controls shall contain at a minimum the following:
1. Contingency plan for power outages, equipment failure and other emergencies.
 2. Effective date of bingo guide.
 3. Refund policy.
 4. Inventory control records
 5. Purchase register records.
 6. Records of Prizes.
 7. Sales records.
 8. Disbursement reports.
- (c) The casino internal controls shall not be in conflict with the Act, these regulations or the Commission's written policies.
- (d) The licensee shall designate an employee who will observe, purchase, track and account for the disposable bingo paper.
- (e) The internal controls must include procedures to track the purchase, storage, distribution and removal from inventory of disposable bingo paper packets, single sheets and instant bingo sheets.

(f) The internal controls must include a receipting system for the sale of the disposable bingo paper which the licensee must submit to the Commission.

(g) Any Casino Gaming Related Industry licensee selling bingo equipment to the casino must submit the following to the Commission on a quarterly basis the following:

1. Name and address of licensee.
2. Name and address of manufacturer.
3. Date and amount.
4. Series of the bingo paper.
5. Serial number of the series.
6. Description of the disposable bingo paper sold including, but not limited to, color of single or top sheet of packet, cut of the paper, quantity and marketing name.
7. Number of paper packets or single sheets contained in the packaging carton.

(h) The surveillance system in the bingo area must possess the capability to monitor and record the game board and the activities of the employees responsible for drawing, calling and entering the balls drawn on number selected.

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32 V.I. R. & Regs. § 456-16.3, 32 VI ADC § 456-16.3

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.4

456-16.4. Bingo Game Guide

(a) The licensee shall establish and adhere to its bingo game guide for the conduct of the bingo occasion. The bingo game guide shall contain at a minimum the following information:

1. All of the games to be played.
2. The order that the games will be played.
3. The combinations needed to win.
4. The prize structure.
5. The admission fee, if any, and the number of admission cards that will be given for the admission price, if any.
6. The price of each type of bingo card that is offered for sale.
7. The effective date.
8. Refund Policy

(b) If the bingo game guide indicates variable prize payouts based upon attendance, then the guide shall clearly state which games are affected, when these circumstances shall apply, and the amount of the reduced prize or prizes.

(c) The full amount of the stated and announced prizes shall be awarded, unless the bingo game guide indicates that prizes may be reduced based upon attendance.

(d) The licensee shall post the bingo game guide or print the bingo game guide in sufficient number for distribution to all interested persons.

(e) Any change in the bingo game guide shall be announced at least one week in advance and published as provided by these rules before the effective date.

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32 V.I. R. & Regs. § 456-16.4, 32 VI ADC § 456-16.4

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.5

456-16.5. Conduct and Operation of the Game

- (a) A licensee may charge an admission fee for entry to the bingo occasion and upon payment of that fee, the player shall be furnished with regular bingo cards.
- (b) Bingo cards must be sold and paid for prior to the start of a specified game or specified number of games when they are progressive. Cards may not be sold for a game in progress after the first letter and number of that game is called.
- (c) Any bingo card that is being selected, purchased or exchanged during a game shall not be used while that game is in progress.
- (d) No player may play more bingo cards than the number actually purchased and paid for.
- (e) Bingo cards shall not be exchanged or transferred between players.
- (f) The particular arrangement of numbers required to be covered in order to win a bingo game must be clearly described and announced to the players immediately before each game has begun unless the description of the game is the same as the preceding game.
- (g) If the letters and numbers are selected by the use of balls, immediately following the drawing of each ball in a bingo game, the caller shall manually display the letter and number of the ball to the players in that room. If an electrically operated blower machine is used in a bingo game, the licensee shall ensure that the letter and number displayed is physically seen by the majority of players at all times.
- (h) If more than one room is used for the conduct of bingo, the receptacle or electronic selection device must be located in the room where the greatest number of players are present.
- (i) The letter and number selected must be called out prior to the selection of the next letter and number. Once a letter and number has been selected, the object or ball may not be returned to the receptacle until after the conclusion of the game.
- (j) After the letter and number are called, the corresponding letter and number must be lit on the licensee's flashboard for player viewing if the licensee is utilizing a flashboard. The use of a flashboard is optional and the number and letter lit is not necessarily

official. Bingo caller errors in announcing the letter and/or number are correctable. A casino licensee rule to the contrary is not permissible.

(k) A winner is determined when a specified pattern of called letters and numbers appears on a bingo card. A casino licensee requiring that a player must have obtained “bingo” on the last number called is permissible provided that this rule is clearly posted for all players to see and the rule is announced at the beginning of each bingo occasion just before the first game begins. Prizes are to be apportioned between all players having a verified “bingo” at the time a winner is determined and the prize is called.

(l) A casino licensee rule requiring that the caller must call the letter and number if the ball or object is removed from the receptacle is not permissible. If nothing has been called or only the letter preceding the number has been called and “bingo” is claimed, the caller must continue to call the number in its entirety and the number called does count towards the determination of winners.

(m) Only the following methods of selecting the letters and numbers are acceptable:

1. An electrically operated blower machine containing balls which provides a trap or other mechanical means for automatically catching not more than one ball at a time while the blower is in operation;
2. A mechanically or manually operated cage which provides a trap or other mechanical means for automatically catching not more than one ball at a time while the cage is in operation; or
3. A computer or other electronic selection process which allows random selection on the condition that in every game, each designator shall be subject to selection.

(n) A licensee who desires to utilize a computer selection process shall obtain prior approval from the Casino Control Commission prior to implementing such process. A written request shall be made to the Casino Control Commission which shall include, but not be limited to, a full description of the hardware and software to be utilized, including manufacturer, supplier, and all available product specifications. An on-site demonstration of the process may be required when deemed necessary by the Casino Control Commission or the Division of Gaming Enforcement in order to verify the randomness of the selection process.

(o) The surveillance system in the bingo area of the licensee must possess the capability to monitor and record the game board and the activities of the employees responsible for drawing, calling and entering the balls drawn or numbers selected.

(p) Bingo games shall only be conducted twice a week between the hours of 1:00 p.m. and 4:00 p.m.. The Commission may establish additional rules regulating the conduct of specific types of bingo games.

(q) The utilization of equipment and the methods of play shall be such that each player is afforded an equal opportunity to win.

(r) Before the start of each bingo game, the name of the game, type or color of bingo card, winning combinations and the amount of each prize shall be clearly announced to the players. For prizes that are divided into multiple prizes, the winning arrangements and the amount of each prize shall be clearly announced to the players immediately before each multiple game.

(s) All balls that are used during the game shall be present in the bingo receptacle before each game begins and shall be verified by two bingo players before the bingo occasion. The names of the persons who verify the balls shall be recorded and become part of the game records.

(t) If the balls are changed during the bingo occasion, then the balls shall be verified again by two players whose names shall be recorded.

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32 V.I. R. & Regs. § 456-16.5, 32 VI ADC § 456-16.5

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.6.1

456-16.6.1. Calling

- (a) Balls shall be drawn from a bingo receptacle shown, clearly announced, and placed in the master board.
- (b) The caller shall be located so that two or more players can observe the drawing of the ball from the bingo receptacle.
- (c) The caller shall show the balls drawn for all games to the players so that two or more players can see the number on the ball before the number is called. A video monitor may be used to show the balls.
- (d) Only one person shall handle the ball.
- (e) There shall be no more than one ball in play or shown at one time.
- (f) Once removed, balls shall not be returned to the bingo receptacle until the conclusion of the game.
- (g) Employees of the casino licensee shall not physically push a ball back into the machine.
- (h) A hand or other object shall not be placed over the opening of the bingo receptacle while the game is in progress.
- (i) If more than one room or area is used for any bingo occasion, then all of the following provisions apply:
 - 1. If a lighted board is used in one of the rooms, then a lighted board or an equivalent method approved by the Commission shall be visible or present in each of the rooms.
 - 2. All called numbers shall be clearly visible to the players in all of the rooms or areas.
 - 3. A casino employee shall be present at all times in each room or area while a game is in progress.

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32 V.I. R. & Regs. § 456-16.6.1, 32 VI ADC § 456-16.6.1

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.7

456-16.7. Verification

(a) A verification slip shall be issued by the licensee in consecutive number order when hard cards are sold or an admission is charged, except as otherwise provided herein.

(b) The verification slip shall include the following information:

1. Date slip was issued.
2. Number of hard bingo cards purchased.
3. Unique number that is preprinted on the verification slip in continuous, consecutive order. Hard numbering or hard imprinting of the number is prohibited.
4. All information recorded shall be legible.
5. Verification slip shall be clearly displayed by each player.
6. The licensee shall account for each verification slip number. Any break in the consecutive numbering system shall be documented in writing and retained with the bingo game records.
7. Any voiding or changing of verification slips shall be done in accordance with the Commission's regulations.
8. Compliance with the provisions of this rule is not required for conducting carnival style bingo.

(c) A bingo game is one by the player or players who have the winning combination and numbers required to win the game.

(d) The last number that is called shall appear on the player's bingo card that is being verified.

(e) The actual numbered balls in the masterboard shall be the only official scorer. A lighted board, if used, is not the official scorer.

(f) There shall be a sufficient number of employees to provide complete coverage of the bingo playing area for the purpose of identifying player bingos.

(g) It shall be the responsibility of the player to make the bingo known to the casino's employee or caller by saying the word "bingo" before the next number is completely called.

(h) A player who is unable to say the word "bingo" due to physical limitations shall be permitted to use an alternative method of making bingo known.

(i) Once the casino employee hears the word "bingo" the employee shall immediately notify the caller and the game shall stop for verification of the bingo card. Any number that is called in error after this time shall not be considered the last number called. Any ball that is removed from the bingo receptacle in error shall remain available for continued play, if necessary, and shall be returned to the bingo receptacle only if the game is concluded.

(j) If a player is playing more bingo cards than the number of bingo cards Stated on the verification slip or playing a disposable bingo card series number not sold by the licensee, then any bingo called by the player shall not be honored and a prize shall not be paid.

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32 V.I. R. & Regs. § 456-16.7, 32 VI ADC § 456-16.7

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.8

456-16.8. Minimum Age

Persons under 21 years of age shall not be permitted to participate in bingo as players and shall not be permitted to operate or assist in the conduct of bingo.

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32 V.I. R. & Regs. § 456-16.8, 32 VI ADC § 456-16.8

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.9

456-16.9. Assistance for Persons with Disabilities

(a) The licensee shall allow assistance for persons with disabilities. For purposes of this regulation, "disabilities" means a physical or mental disability that prevents or restricts a person from normal bingo play.

(b) Such assistance may be, but is not limited to:

1. Assistance in the selection of bingo cards.

2. Reserving or saving seats.

3. Assistance in the playing of the game. An employee of the casino licensee shall not be required to assist a person with a disability.

(c) Legally blind or persons with disabilities may use their personal Braille, shutter or sight-assistance bingo cards when a licensee does not provide such bingo cards and shall pay the equivalent price to participate in the game.

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32 V.I. R. & Regs. § 456-16.9, 32 VI ADC § 456-16.9

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.10

456-16.10. Prizes

(a) The amount of the prize for each bingo game shall be conspicuously posted where the bingo cards are distributed to the patrons. A licensee may not deviate from the prize amounts posted, unless such posting identifies the minimum attendance required for those prize amounts to be awarded. If the minimum attendance is not realized, the licensee shall announce the revised prize payouts to all players prior to the call of the first bingo number and letter and players shall have the option of obtaining a full refund of monies paid for a bingo card or packet if such a request is made before the first number and letters required to be covered on the bingo card in order to win the bingo game shall be clearly described and audibly announced to the players immediately before each game.

(b) Jackpot bingo games which incorporate a carryover prize feature are legal when conducted in accordance with this Act and regulations, and the following provisions are adhered to:

1. Any conditional aspects of the jackpot game and the corresponding prizes to be awarded must be clearly posted at the bingo occasions. The winning combinations and the prizes to be awarded must be clearly described and announced to the players immediately before each game.

2. If the jackpot prize is not awarded at a particular bingo occasion, the bingo game must be continued until such time a winner is determined; however, the winning prize does not have to be the full amount of the jackpot but could be a consolation prize of lesser value.

(c) Jackpot bingo games known as “Hot Number” “Hot Ball”, “Share the Pot”, etc, are legal when conducted in accordance with Casino Act and Regulations and the following provisions:

1. Only individuals holding cards are eligible to win.
2. To begin the game, the first number called on the initial bingo game is a “Hot Number;
3. A player must achieve bingo on the “Hot Number” in order to win the jackpot prize.
4. The winner may be in any bingo game played during the bingo occasion;

5. If there is not a winner by the completion of the last scheduled bingo game, an additional bingo game must be played. Only players who are participating in the “Hot Number” game, as evidenced by a ticket or hand stamping, are allowed to play an additional bingo game. The winning prize does not have to be the full amount of the jackpot but could be a consolation prize of lesser value.

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32 V.I. R. & Regs. § 456-16.10, 32 VI ADC § 456-16.10

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.11

456-16.11. Disputed Games

(a) If it is discovered that the correct numbered balls 1 to 75 are not in the bingo receptacle, more than 75 numbered balls are found to be present, or a ball is so badly damaged that it is unable to be properly mixed to ensure an opportunity to be drawn, then the following shall apply:

1. If it is discovered while the game is in progress, then that game is void and shall be played over during the game occasion at no cost to the players.
2. If it is discovered before the start of the next game, then the just completed game is void and shall be replayed during the same occasion at no cost to the players.
3. If it is discovered after a bingo occasion is completed, then no game shall be replayed.
4. If the number of bingo cards each player was playing during the affected game can be determined, then each player shall receive that same number of bingo cards.

(b) If it is discovered that a ball was incorrectly called or improperly placed or entered into the master board, then one of the following shall apply:

1. If it is immediately discovered, then the game shall be stopped. The error shall be corrected by clearly restating the incorrect call or indicating the improper placement and indicating what the correct call or placement should have been and continue the game.
2. If it is discovered after additional balls have been called, then the game shall be stopped.
3. The casino key employee (manager on duty) shall determine whether the game can be reconstructed by recalling the game from the point of error and continuing. If the game cannot be reconstructed, then the game shall be declared void and replayed during the same occasion. Only those portions of the game and prize affected by the error and all subsequent portions of the games shall be replayed.

If disposable bingo cards were being used then the licensee shall issue replacement disposable bingo cards of equivalent value at no cost to the players to play the makeup game.

If the number of bingo cards played cannot be determined for all players, then an equal number of bingo cards shall be given to each player.

(c) In the case of a disputed game if a prize has been paid to a player before the discovery of the error, then the prize shall remain the property of the player.

(d) In the investigation of disputed prizes, the Commission may instruct a licensee to pay a disputed prize if the preponderance of the evidence is in favor of the player.

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32 V.I. R. & Regs. § 456-16.11, 32 VI ADC § 456-16.11

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456-16. Subchapter 16 - Bingo

32 V.I. R. & Regs. § 456-16.12

456-16.12. Bingo Game Closing

- (a) The game shall only be closed after the winning combination has been verified.
- (b) The Caller shall inquire three times in a manner audible to all players whether there are any other bingo.
- (c) After the third announcement and a pause sufficient to permit additional Winners to identify themselves, the caller shall then announce in an audible manner that the game is closed. In multiple part games the announcement shall announce the part of the game is closed.
- (d) If there is not a valid bingo, then the caller shall so state.
- (e) A licensee closing a game in accordance with the procedure herein has no obligation to pay a prize to a winner who claims a bingo after the game is closed.

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32 V.I. R. & Regs. § 456-16.12, 32 VI ADC § 456-16.12

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.1

456-17.1. Possession of CLGD.

The regulation of the possession of CLGD and/or a CLGS shall be in accordance with § 456-8.1 of these regulations.

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32 V.I. R. & Regs. § 456-17.1, 32 VI ADC § 456-17.1

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.2

456-17.2. Transportation of CLGD

The regulation of the transportation of CLGD and/or a CLGS shall be in accordance with § 456-8.2 of these regulations.

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.3

456-17.3. Territorial Seals.

The regulation of the placement of territorial seals on CLGD and/or a CLGS shall be in accordance with § 456-8.3 of these regulations.

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.4

456-17.4. Testing and Approval of CLGD and the CLGS.

The regulation of testing and approval of CLGD and/or the CLGS shall be in accordance with § 456-8.6 of these regulations.

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32 V.I. R. & Regs. § 456-17.4, 32 VI ADC § 456-17.4

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.5

456-17.5. Operation of CLGD in Conformance with Approved Model.

The regulation of operation of CLGD in conformance with the approved model shall be in accordance with § 456-8.7 of these regulations.

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32 V.I. R. & Regs. § 456-17.5, 32 VI ADC § 456-17.5

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.6

456-17.6. Disciplinary Procedures.

Disciplinary procedures with respect to violations(s) of this subchapter shall be governed in accordance with § 456-8.8 of these regulations.

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32 V.I. R. & Regs. § 456-17.6, 32 VI ADC § 456-17.6

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.7

456-17.7. Records and Reports.

The maintenance of a record of customer complaints and CLGD repairs shall be governed in accordance with § 456-8.9 of these regulations.

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32 V.I. R. & Regs. § 456-17.7, 32 VI ADC § 456-17.7

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.8

456-17.8. CLGS/CLGD Features.

(a) Unless otherwise authorized by the Commission, each CLGD shall have the following identifying features:

1. A manufacturer's serial number permanently imprinted, impressed, affixed or engraved on the exterior of the cabinet;
2. An asset number, at least two inches in height, permanently imprinted, impressed, engraved or affixed on the outside cabinet of the machine by the casino licensee;
3. A display, located conspicuously on the CLGD and/or CLGS, that automatically indicates when a player has won a jackpot not paid automatically and totally by the CLGD and which advises the player to see an attendant to receive full payment;
4. A device that automatically precludes a player from operating the CLGD after a jackpot requiring a manual payout has been hit and which requires the machine to be reset by an attendant in such circumstances;
5. A display that includes the information required by § 455-9.4(a)4 of these regulations;

(b) The CLGS shall include:

1. Approved gaming devices.
2. A central game server that houses the random number generator, game software and game logic. The central game server shall communicate directly with the approved gaming devices.
3. Workstations, including the cashier station, where transactions are processed.
4. Reporting stations that communicate with the central game server in a “read only” mode, allowing for the generation of reports.

(c) The CLGS servers, remote CLGD and other equipment for gaming device connection shall be powered by uninterruptible power supply (UPS). Access to the on/off switch of the UPS shall be controlled in the same manner as access to the system area as prescribed by § 455-9.9.

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32 V.I. R. & Regs. § 456-17.8, 32 VI ADC § 456-17.8

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.9

456-17.9. Cash Out /Ticket Redemption.

- (a) When a player cashes out, a ticket and/or unique identification number shall be generated by the CLGD.
- (b) Once the ticket and/or unique identification number is generated, it shall be considered “live” by the system and shall remain so for thirty (30) days.
- (c) If the player chooses to redeem for cash the credits that he has won or accumulated, the cashier or automated terminal shall access the live ticket and/or unique identification number information on the central game server. The cashier or automated terminal shall verify the validity and dollar amount represented by the ticket and/or unique identification number with the CLGS. The cashier or automated terminal shall then pay the player.
- (d) If the player chooses to play another CLGD using a ticket and/or unique identification number, the ticket and/or unique identification number shall be verified prior to credit being applied. Once the ticket and/or unique identification number of the ticket is verified, the CLGD shall retrieve the dollar amount from the central game server. The player can then commence play on the current CLGD.
- (e) Upon redemption, either by payment from a cashier or an automated terminal, the ticket and/or unique identification number shall no longer be considered “live” and shall be cancelled on the central game server.

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32 V.I. R. & Regs. § 456-17.9, 32 VI ADC § 456-17.9

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.10

456-17.10. Cash In.

- (a) When a player has established a unique account and cashes in, the credits shall be added to the player's unique account.
- (b) The player may redeem credits in the account for cash at a cashier station, or utilize the credits for play on a CLGD through the use of a unique identification number.

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32 V.I. R. & Regs. § 456-17.10, 32 VI ADC § 456-17.10

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.11

456-17.11. Closed Loop Gaming System Connectivity with CLGD.

(a) The CLGS shall communicate with an approved gaming device through standard protocol and programs protocol that are unique and compatible to both the CLGS and the gaming device and which enables the CLGS to collect the data from a CLGD without omissions and errors.

(b) For approved gaming devices, the CLGS shall recognize and record:

1. all the events on individual gaming devices, including at a minimum:

- i. jackpot (date, time, amount, asset number);
- ii. credit-in from cash out receipt ticket and/or unique identification number;
- iii. currency acceptance (date, time, amount, asset number); and
- iv. employee identification number;

2. value of meters on individual gaming devices at gaming locations;

3. changes in the CLGS listed below:

- i. connection to random number generator established (date, time, asset number);
- ii. connection to random number generator not present (date, time, asset number);
- iii. gaming device connection to the CLGS (date, time, asset number, state or event); and
- iv. disconnection of gaming device from the CLGS (date, time, asset number, state or event).

4. all interventions into a gaming device and other protected areas:

- i. door opening (date, time, asset number, door, state or event);
- ii. door closing (date, time, asset number, door, state or event); and
- iii. employee identification number.

5. complete cashier operation regarding:

- i. cash out receipt tickets and/or unique identification numbers redeemed (date, time, gaming machine, amount);
- ii. hand-pays for jackpot and credit cancel (date, time, gaming machine, type of hand-pay, amount);
- iii. BA drop (accounting date, gaming machine, number of banknotes, amount); and
- iv. operations log, noting detected equipment malfunctions and detected software errors.

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32 V.I. R. & Regs. § 456-17.11, 32 VI ADC § 456-17.11

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.12

456-17.12. Assuring Production and Continuity of Operation of the CLGS and CLGD.

- (a) The prescribed operating time of the CLGS is 24 hours a day and 365 days a year.
- (b) Deviations from the prescribed operating time are allowed for necessary maintenance procedures and unexpected failures. Allowed CLGS downtime shall not exceed four (4) days in a calendar year. CLGS downtime shall not influence the required completeness and correctness of data.
- (c) The casino licensee shall immediately report to the Commission any CLGD downtime. For planned downtime longer than one day, written approval by the Commission is required 24 hours in advance.
- (d) The casino licensee shall assure the protection, security, reliability and accuracy of software, hardware and communication equipment operation, including the equipment for gaming device connection.
- (e) The casino licensee shall perform regular backup copies of all gaming data on secondary media to assure the restoration of the CLGS operations after major breakdowns or own time.
- (f) The casino licensee shall file with the Commission a copy of its written instructions for any significant roles such as cashier operations, filings, clearings, period closings, counting, manual meter collection, administration, maintenance, backup and recovery.
- (g) CLGS operators shall be properly trained in the operation and/or management of the system.

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32 V.I. R. & Regs. § 456-17.12, 32 VI ADC § 456-17.12

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32 V.I. R. & Regs. § 456-17.13

456-17.13. Equipment Malfunctions and Downtime of the CLGS.

(a) During CLGS downtime, gaming shall be allowed only if there is no data loss. In case of equipment and connection malfunctions causing errors in required meters or omissions of required meters and events from gaming devices, the casino licensee is required to remove the affected gaming device(s) from use until the malfunction is corrected and the cause of the removal is eliminated. Removal of a gaming device from use and the placement of the device back into use shall be logged and reported to the Commission.

(b) The casino licensee shall maintain a CLGD operations log for the recording of all equipment malfunctions and detected software errors. The log shall be used for recording the following information:

1. when a malfunction or error occurred;
2. who noticed the malfunction and error;
3. who corrected the malfunction or error;
4. when the malfunction or error was corrected; and
5. the method and efficiency of malfunction and error correction.

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32 V.I. R. & Regs. § 456-17.13, 32 VI ADC § 456-17.13

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456-17. Subchapter 17 - Closed Loop Gaming Devices (Clgd)

32 V.I. R. & Regs. § 456-17.14

456-17.14. Applicability of All Other Relevant Provisions.

All other relevant provisions of law and rules and regulations governing casino gaming shall be applicable to the CLGS and CLGD.

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32 V.I. R. & Regs. § 456-17.14, 32 VI ADC § 456-17.14

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32 V.I. R. & Regs. § 461-1.1

461-1.1. Definitions.

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

“Agent” means any person, including a junket representative, junket enterprise or casino employee acting as a junket representative, acting directly or indirectly on behalf of a casino licensee or an affiliate of a casino licensee.

“Compensation” means any form of remuneration whatsoever, including, but not limited to, the payment of cash, the forgiveness or forbearance of a debt, or the direct or indirect provision of a product, service or item without charge or for less than full value.

“Complimentary guest room accommodations” means a guest room provided to a person at no cost, or at a reduced price not generally available to the public under similar circumstances; provided, however, that the term shall include any guest room provided to a person at a reduced price due to the anticipated or actual gaming activities of that person.

“Complimentary service or item” is defined in the Accounting and Internal Controls section of these rules.

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32 V.I. R. & Regs. § 461-1.1, 32 VI ADC § 461-1.1

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32 V.I. R. & Regs. § 461-1.2

461-1.2. Definition of Junket: Scope of Activities Included.

(a) A junket, as defined in the Act, is an arrangement the purpose of which is to induce any person, selected or approved for participation therein on the basis of his or her ability to satisfy a financial qualification obligation related to his or her ability or willingness to gamble or on any other basis related to his or her propensity to gamble, to come to a licensed casino hotel for the purpose of gambling and pursuant to which, and as consideration for which, any or all of the cost of transportation, food, lodging and entertainment for said person is directly or indirectly paid by a casino licensee or employee or agent thereof.

(b) For the purposes of (a) above, a selection or approval of a person “on the basis of his ability to satisfy a financial qualification obligation related to his ability or willingness to gamble” shall be deemed to occur whenever a person, as an element of the arrangement, is required to:

1. Establish gaming credit with a casino licensee;
2. Establish a customer deposit with a casino licensee;
3. Demonstrate to a casino licensee or employee or agent thereof the availability of a specified amount of cash, cash equivalent or gaming chips;
4. Gamble to a predetermined level at the establishment of a casino licensee; or
5. Comply with any similar obligation.

(c) For purpose of (a) above, a selection or approval of a person on a “basis related to his propensity to gamble” shall be deemed to occur whenever that person has been selected or approved on the basis of.

1. The previous satisfaction of a financial qualification obligation in accordance with the provisions of (b) above;
2. A rating for gambling performance; or
3. An evaluation that the person has a tendency to participate in gambling activities as the result of:

- i. An inquiry concerning said person's tendency to gamble; or
- ii. Some other means of determining that the person has a tendency to participate in gambling activities.

(d) For purposes of (a) above, but without limitation of (c) above, a rebuttable presumption that a person has been selected or approved for participation in an arrangement on a basis related to his or her propensity to gamble shall be created whenever said person is provided with:

- 1. Complimentary guest room accommodations as part of the arrangement; or
- 2. Complimentary food, entertainment or transportation which has a value of \$ 200.00 or more.

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32 V.I. R. & Regs. § 461-1.2, 32 VI ADC § 461-1.2

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32 V.I. R. & Regs. § 461-1.3

461-1.3. Open-Ended or Conditional Complimentary Offers.

An offer by a casino licensee to pay for the cost of transportation, food, lodging and entertainment for a person in an amount to be determined by the actual gaming activities of that person after his or her arrival at the casino hotel shall be deemed to be an offer of complimentary services or items for the purposes of determining whether an arrangement involving such an offer is a junket.

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32 V.I. R. & Regs. § 461-1.4

461-1.4. Advertising.

Any advertisement by a junket enterprise vendor registrant or by an applicant for or holder of a junket enterprise license or by any agent thereof, including a junket representative, shall be subject to the provisions relating to advertising in these rules, to the same extent as if such advertisement were by a casino licensee or applicant.

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461-2. Subchapter 2. Licensure Requirements

32 V.I. R. & Regs. § 461-2.1

461-2.1. Junket Representatives.

(a) A junket representative, as defined in the Act, is any natural person who negotiates the terms of, engages in the referral, procurement or selection of persons who may participate in any junket to a licensed casino, regardless of whether or not those activities occur within the United States Virgin Islands. If a person performs any one of these functions in connection with a junket to a licensed casino, that person is a junket representative for the purposes of the Act and this chapter.

(b) The fact that a person licensed as a casino employee may, pursuant to Section 461 of the Act and (c)3 below, act as a junket representative while employed by a casino licensee or affiliate of a casino licensee does not excuse the casino licensee, affiliate of a casino licensee or any other person from meeting any other licensing, registration or reporting obligation which may exist as a result of the conduct of the junket activity.

(c) Except as otherwise provided by Section 461 of the Act, no person shall act as a junket representative in connection with a junket to a licensed casino unless he or she:

1. Has been plenarily or temporarily licensed as a junket representative in accordance with the provisions of Section 461 of the Act and is employed by a licensed casino or an affiliate of a casino licensee;
2. Has been licensed as a junket enterprise in accordance with the provisions of Sections 461 and 444(c) of the Act and this chapter, or has been registered as a junket enterprise vendor; or
3. Is the holder of a current and valid casino employee license, is currently employed by the casino licensee or affiliate of the casino licensee for whom such junket representative services are being rendered and is reported to the Commission, or
4. Is employed as a junket representative by a junket enterprise which is licensed, or by a junket enterprise which is registered as a junket enterprise vendor.

(d) A junket representative may only be employed by one casino licensee, an affiliate of a casino licensee or junket enterprise at a time. For the purposes of this section, to qualify as an employee of a casino licensee, a junket enterprise licensee or a junket enterprise vendor, a junket representative must:

1. Receive all compensation for his or her services as a junket representative through the payroll account of the employer; and

2. Exhibit all other appropriate indicia of genuine employment, including taxation withholdings.

(e) No casino licensee or junket enterprise shall employ or otherwise engage the services of a junket representative except in accordance with the provisions of this section. A junket representative may begin employment with:

1. A casino licensee as soon as he or she is licensed by the Commission in accordance with (c) above; or

2. A junket enterprise as soon as the enterprise or the junket representative has completed and filed with the Commission all information required by the Act and the regulations of the Commission.

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32 V.I. R. & Regs. § 461-2.2

461-2.2. Junket Enterprises.

(a) A junket enterprise, as defined in the Act, is any person, other than the holder of or an applicant for a casino license, who employs or otherwise engages the services of a junket representative in connection with a junket to a licensed casino, regardless of whether or not such activities occur within the U.S. Virgin Islands.

(b) A junket enterprise shall be licensed as a junket enterprise prior to a casino licensee permitting a junket involving that junket enterprise to arrive at its casino. A junket enterprise shall be considered “involved” in a junket to a licensed casino if it receives any compensation whatsoever from any person as a result of the conduct of the junket. No casino licensee or junket enterprise may engage the services of any junket enterprise which has not been so registered or licensed.

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32 V.I. R. & Regs. § 461-2.3

461-2.3. Application for Initial Junket Enterprise License.

(a) An application for initial issuance of a Junket Enterprise License shall consist of the fee and a completed original and one copy of the following:

1. A Casino Servicing Entity License Application Gaming Related for the applicant and for each holding company of the applicant.
2. Both of the following in a format prescribed by the Commission:
 - i. A notarized acknowledgment of the Equal Employment and Business Opportunity obligations which shall be signed and dated by the president, chief executive officer, partner or sole proprietor, as applicable; and
 - ii. A statistical report of the composition of the applicant's work force;
3. A completed application including a Personal History Disclosure Form 2, for each person required to be qualified pursuant to Sections 444(c) and 461 of the Act; and
4. Notice of a designated agent for service of process.
5. Such other forms and applications as may be required by the Commission.

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32 V.I. R. & Regs. § 461-2.3, 32 VI ADC § 461-2.3

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32 V.I. R. & Regs. § 461-2.4

461-2.4. Application for Renewal of Junket Enterprise License.

(a) An application for renewal of a Junket Enterprise License shall consist of the fee and a completed original and one copy of the following:

1. A Casino Servicing Entity Renewal Application for the applicant and for each holding company of the applicant;
2. Both of the following, in a format prescribed by the Commission:
 - i. A notarized affidavit of compliance with the Equal Employment and Business Opportunity requirements signed and dated by the president, chief executive officer, partner or sole proprietor of the applicant, as applicable; and
 - ii. A statistical report of the composition of the applicant's work force in the U.S. Virgin Islands;
3. A completed application including a Personal History Disclosure Form 2 for each person required to be qualified who has not previously been found qualified;
4. A Personal History Disclosure Form 2 Renewal Application for each person required to be qualified who has previously been found qualified; and
5. Notice of a designated agent for service of process.
6. Such other forms and applications as may be required by the commission.

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32 V.I. R. & Regs. § 461-2.4, 32 VI ADC § 461-2.4

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461-3. Subchapter 3. Reporting Requirements

32 V.I. R. & Regs. § 461-3.1

461-3.1. Junket Schedules.

- (a) A junket schedule shall be prepared by a casino licensee for each junket which involves a junket enterprise.
- (b) A junket schedule shall be filed with the Commission by the casino licensee by the 15th day of the month preceding the month in which the junket is scheduled. If a junket for which a junket schedule is required by (a) above is arranged after the 15th day of the month preceding the arrival of the junket, an amended junket schedule shall be immediately filed with the Commission by the casino licensee.
- (c) Junket schedules shall be certified by an authorized agent of the casino licensee and shall include:
1. The origin of the junket;
 2. The number of participants in the junket;
 3. The arrival time and date of the junket;
 4. The departure time and date of the junket; and
 5. The name of all junket representatives and the name and license or vendor registration number of all junket enterprises involved in the junket.
- (d) Any change in the information required by (c)3 or (c)5 above which occurs after the filing of a junket schedule or amended junket schedule with the Division shall be immediately reported in writing to the Commission by the casino licensee. These changes, plus any other material change in the information provided in a junket schedule, shall also be noted on the arrival report maintained.
- (e) All filings required by this section shall be made at locations to be designated by the Commission.

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32 V.I. R. & Regs. § 461-3.1, 32 VI ADC § 461-3.1

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32 V.I. R. & Regs. § 461-3.2

461-3.2. Junket Arrival Reports.

(a) An arrival report shall be prepared by a casino licensee for each junket which involves either:

1. A junket enterprise; or
2. An offer of complimentary services or items which have a value in excess of \$ 200.00 per participant; or
3. Complimentary guest room accommodations.

(b) Arrival reports shall be prepared and maintained by the casino licensee on the premises of its casino hotel in accordance with the following:

1. An arrival report on a junket involving complimentary guest room accommodations shall be prepared within 12 hours of the registration of the junket participant.
2. An arrival report on a junket required by (a)1 or (a)2 above shall be prepared by 5:00 P.M. of the next calendar business day following arrival. A junket arrival which occurs after 12:00 A.M. but before the end of the gaming day shall be deemed to have occurred on the preceding calendar day. For the purposes of this section, a business day shall be defined as any day except a Saturday, Sunday, Territorial or Federal holiday.

(c) Arrival reports shall be certified by an authorized agent of the casino licensee and shall include:

1. A junket guest manifest listing the names and addresses of junket participants; and
2. Any required information which has not been previously provided to the Commission in a junket schedule pertaining to that particular junket, or an amendment thereto.

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32 V.I. R. & Regs. § 461-3.2, 32 VI ADC § 461-3.2

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32 V.I. R. & Regs. § 461-3.3

461-3.3. Junket Final Reports.

(a) A final report shall be prepared by a casino licensee for each junket engaged in or on its premises for which the casino licensee was required to prepare either a junket schedule or an arrival report.

(b) A final report shall be prepared by a casino licensee and placed in its files within seven days of the completion of the junket.

(c) A final report shall include:

1. The actual amount of complimentary services and items provided to each junket participant; and
2. Any information required by subsections 461-3.1(c) or 461-3.2(c).

(d) Attached to each final report on a junket involving complimentary guest room accommodations shall be an acknowledgment by each participant that he understands the terms of the particular junket. The acknowledgment shall clearly explain the junket arrangement and be signed and dated by the participant on or prior to the arrival date of the junket.

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32 V.I. R. & Regs. § 461-3.4

461-3.4. Purchases of Patron Lists.

(a) Each casino licensee, affiliate of a casino licensee, junket representative or junket enterprise shall prepare and maintain a report with respect to each list of names of junket patrons or potential junket patrons purchased from any source whatsoever.

(b) The report required by (a) above shall 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; and
3. The date of purchase of the list.

(c) The report required by (a) above shall be filed as soon as is practicable at a location to be designated by the Commission, but in no event shall such report be filed later than seven days after the receipt of the list by the purchaser.

(d) If a list of names of junket patrons or potential junket patrons has been compiled in whole or in part by selecting the names included therein on a “basis related to their propensity to gamble,” the seller of such list shall be appropriately licensed or registered in accordance with the provisions of Sections 461 and 444(c) of the Act and this subchapter prior to engaging in such sale. No casino licensee, affiliate of a casino licensee or junket enterprise shall purchase a list of names compiled in such fashion unless the seller has been so licensed or registered.

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32 V.I. R. & Regs. § 461-3.5

461-3.5. Monthly Reports: Employee Junket Activities.

Each casino licensee shall, on or before the 15th day of the month, prepare and maintain a report listing the name and license number of each person employed by that casino licensee or an affiliate of a casino licensee who performed the services of a junket representative during the preceding month. The report shall be maintained by the casino licensee on the premises of its casino hotel and made available to the Commission for inspection.

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32 V.I. R. & Regs. § 461-3.5, 32 VI ADC § 461-3.5

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462-1. Subchapter 1 - General Provisions

32 V.I. R. & Regs. § 462-1.1

462-1.1. Definitions.

(a) For the purposes of this chapter words shall be defined in accordance with the Act, the regulations of the Commission, Title 8 of the Virgin Islands Code, or the rules, regulations and bulletins of the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board according to their commonly understood meaning or usage except where such common meaning or usage would be inconsistent with the purpose or intent of the Act. Any definition contained herein or incorporated by reference shall apply to any form of the defined word. For example, “sell” means to make a “sale” as defined below.

(b) Where definitions set forth in the Act or Commission regulations conflict with those contained in Title 8 or the rules, regulations and bulletins of the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board, the definitions contained in the Act or Commission regulations shall govern.

(c) For the purposes of this chapter, the following definitions shall apply:

“Alcohol” means ethyl alcohol, hydrated oxide of ethyl or neutral spirits from whatever source or by whatever process produced.

“Alcoholic beverage” means any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having an alcohol content of more than one-half of one per centum (1/2 of 1%) by volume, including alcohol, beer, lager beer, ale porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors and any brewed, fermented or distilled liquors fit for use for beverage purposes or any mixture of the same, and fruit juices.

“Authorized location” means any room or area which is in, on, or about the premises, and which has been approved by the Commission for the service, sale, consumption, or storage of alcoholic beverages pursuant to Section 462 of the Act and this chapter.

“Casino hotel alcoholic beverage (CHAB) licensee” means a person licensed to serve, sell or store alcoholic beverages pursuant to Section 462 of the Act and this chapter.

“Container” means any glass, can, bottle, vessel or receptacle of any material whatsoever used for holding alcoholic beverages, which container is covered, corked or sealed in any manner whatsoever.

“Manufacturer” means any person who, directly or indirectly, personally or through any agency whatsoever, engages in the making or other processing whatsoever of alcoholic beverages.

“Original container” means any container in which an alcoholic beverage has been delivered to a CHAB licensee.

“Premises” means the premises licensed as an approved hotel pursuant to Section 435 of the Act.

“Retailer” means any person who sells alcoholic beverages to consumers.

“Sale” means every delivery of alcoholic beverage otherwise than by purely gratuitous title, including deliveries from without this Territory and deliveries by any person without this Territory intended for shipment by carrier or otherwise into this Territory and brought within this Territory, or the solicitation or acceptance of an order for an alcoholic beverage, including exchange, barter, traffic in, keeping and exposing for sale, serving with meals, delivering for value, peddling, possessing with intent to sell, and the gratuitous delivery or gift of any alcoholic beverage by any licensee.

“Wholesaler” means any person who sells an alcoholic beverage for the purpose of resale to a licensed wholesaler, a licensed retailer, or a CHAB licensee.

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32 V.I. R. & Regs. § 462-1.1, 32 VI ADC § 462-1.1

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32 V.I. R. & Regs. § 462-1.2

462-1.2. Applicability of Other Laws.

(a) Title 8 of the Virgin Islands Code, and the rules, regulations and bulletins promulgated thereunder by the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board, except as otherwise provided in section 462 of the Act or this chapter, apply to any premises and to any CHAB licensee.

(b) All CHAB licensees that are required to make informational and other filings by Title 8 and the rules, regulations and bulletins of the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board shall make all such filings both to the Commission, in accordance with prescribed procedures, and to the Virgin Islands Alcoholic Beverages Control Board.

(c) A CHAB licensee engaging in off-premises storage, delivery or sale of alcoholic beverages shall obtain any necessary licenses or permits for such activities from the Virgin Islands Alcoholic Beverages Control Board. If these alcoholic beverage activities are in any way connected with or involve the licensed premises, copies of these licenses or permits shall be submitted to the Commission within three business days of their receipt by the licensee.

(d) Any licensed wholesaler or other person who has obtained a merchandising permit from the Virgin Islands Alcoholic Beverages Control Board to offer complimentary samples of alcoholic beverages on a CHAB licensee's premises, need not obtain a CHAB license or permit from the Commission in order to conduct such activity in a CHAB authorized location; provided, however, that a copy of such permit shall be submitted to the Commission at least three business days prior to the event, and shall be displayed at the event itself.

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32 V.I. R. & Regs. § 462-1.2, 32 VI ADC § 462-1.2

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32 V.I. R. & Regs. § 462-1.3

462-1.3. License and Authorization As Condition Precedent to Operation.

(a) No casino licensee, nor any of its lessees, agents or employees, nor any other person except as otherwise provided in this chapter, shall expose for sale, solicit or promote the sale of, possess with intent to sell, sell, give, dispense, or otherwise transfer or dispose of alcoholic beverages in, on or about the premises unless such person possesses a CHAB license.

(b) No CHAB licensee, nor any of its agents or employees, shall expose for sale, solicit, or promote the sale of, possess with intent to sell, sell, give, dispense or otherwise transfer or dispose of alcoholic beverages except in an authorized location.

(c) In issuing a CHAB license or any authorization thereunder, or any permit pursuant to Section 462 of the Act and Title 8, the Commission may impose any conditions, limitations and restrictions as it deems necessary and reasonable.

(d) A CHAB license shall be granted for a term which coincides with the term of the casino license or casino service industry license held by the licensee.

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32 V.I. R. & Regs. § 462-1.3, 32 VI ADC § 462-1.3

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32 V.I. R. & Regs. § 462-1.4

462-1.4. Classification of Authorized Locations.

(a) Authorized locations shall be classified as follows:

1. All locations authorized pursuant to Section 462(g)(2) of the Act shall be classified as Type I (casino/casino simulcasting facility) locations.
2. All locations authorized pursuant to Section 462(g)(3) of the Act shall be classified as Type II (hotel) locations. Examples of Type II locations include, without limitation, showrooms, cabarets, restaurants, meeting rooms, pubs and lounges.
3. All locations authorized pursuant to Section 462(g)(4) of the Act shall be classified as Type III (packaged goods) locations.
4. All locations authorized pursuant to Section 462(g)(5) of the Act shall be classified as Type IV (room service) locations.
5. All locations authorized pursuant to Section 462(g)(6) of the Act shall be classified as Type V (storage) locations.

(b) Notwithstanding any other provision of this chapter to the contrary, a CHAB licensee shall be entitled to possess or store within any of its authorized locations alcoholic beverages intended but not actually exposed for sale in that authorized location, without obtaining a separate or additional Type V location authorization.

(c) The Commission may, consistent with the requirements of Section 462(g), issue two or more types of authorizations for the same authorized location, or different types of authorizations for different areas of the same authorized location.

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32 V.I. R. & Regs. § 462-1.4, 32 VI ADC § 462-1.4

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32 V.I. R. & Regs. § 462-1.5

462-1.5. Standards for Qualification.

(a) No CHAB license shall issue unless each person required to qualify shall have first qualified in accordance with the CHAB license standards set forth in section 436 of the Act, the regulations of the Commission, Title 8 of the Virgin Islands Code, and the rules, regulations and bulletins of the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board, except where inconsistent with the Act or the regulations of the Commission.

(b) No CHAB license which authorizes the sale of alcoholic beverages within a casino or casino simulcasting facility shall issue to any applicant who does not hold a casino license issued pursuant to the Act.

(c) No CHAB license which authorizes the possession, sale or storage of alcoholic beverages within any part of the premises, other than a casino or casino simulcasting facility, shall issue to any applicant who would not qualify under the standards for licensure of a non-gaming related casino service industry pursuant to Section 444 of the Act.

(d) No Type V authorization shall issue to any applicant who does not hold a Type I, II, III, or IV CHAB authorization.

(e) Every employee and agent of a CHAB licensee whose employment or agency includes duties in, on, or about the premises, but not in a Type I authorized location, shall be registered as a casino hotel employee in accordance with Section 443 of the Act.

(f) No CHAB licensee shall allow, permit or suffer any wholesaler to sell, give, dispense, or otherwise transfer or dispose of alcoholic beverages to it unless the wholesaler possesses a valid license from the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board.

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462-2. Subchapter 2 - Conduct of Chab Licensees

32 V.I. R. & Regs. § 462-2.1

462-2.1. Operating Conditions of CHAB Licensees.

CHAB licensees shall comply with Title 8 and all other rulings and bulletins of the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board regarding the retail sale of alcoholic beverages, except as modified by regulations or rulings of the Commission.

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462-2. Subchapter 2 - Conduct of Chab Licensees

32 V.I. R. & Regs. § 462-2.2

462-2.2. Additional Operating Conditions of CHAB Licensees.

(a) No employees or agents of a CHAB licensee, except those approved by the Commission, shall consume alcoholic beverages during their hours of employment.

(b) No CHAB licensee shall create, expand or decrease in size, close or change the name or type of a CHAB location without notifying the Commission and the Division in writing, as follows:

1. Creation, expansion or decrease in size, or change in type of CHAB authorization: A petition for approval must be submitted at least 10 business days prior to construction or use of the CHAB location, and shall include the name of the location, the floor of the premises where it is located, the type or types of CHAB authorizations, and a floor plan of the location.
2. Permanent closure of a CHAB location: Notification must be filed within five business days before closure.
3. Change in name of a CHAB location: Notification must be filed within five business days before change.

(c) No CHAB licensee shall discharge, suspend, discipline or demote an employee, or take any other action which would be adverse to the terms and conditions of his or her employment, by reason of the refusal of the employee, with regard to any person who is actually or apparently intoxicated; to:

1. Serve, or allow, permit or suffer the service of alcoholic beverages to such person;
2. Allow, permit or suffer the consumption of any alcoholic beverage in or upon the licensed premises by such person;
3. Deal any game, or allow, permit or suffer the dealing of a game to such person; or
4. Allow, permit or suffer the placement of a wager by such person.

(d) At the request of a CHAB licensee or any patron or employee thereof, any Commission employee or agent of the Division may observe and document, request a videotaping by the Division or surveillance department, or otherwise record the physical condition, appearance and activities of any person who is or is claimed to be actually or apparently intoxicated. The Commission

shall refer to the Division for appropriate action any evidence of a violation alcoholic beverage in or upon the licensed premises by such person; of Commission regulations or applicable provisions of Title 8 and the rules, regulations and bulletins of the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board.

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32 V.I. R. & Regs. § 462-2.2, 32 VI ADC § 462-2.2

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462-3. Subchapter 3 - Conditions of Operation in Authorized Locations

32 V.I. R. & Regs. § 462-3.1

462-3.1. Conditions of Operation in Type I (Casino/Casino Simulcasting Facility) Locations.

(a) No alcoholic beverage shall be sold, given or be available for consumption, offered, delivered or otherwise brought to a patron within a casino room or casino simulcasting facility unless so requested by the patron.

(b) No alcoholic beverage in an original container shall be brought into a Type I location except by the CHAB licensee authorized to sell alcoholic beverages in that Type I location.

(c) No CHAB licensee shall serve any alcoholic beverage in a Type I location except by the glass or other open receptacle, but not in an original container, for on-premises consumption within the authorized location.

(d) No alcoholic beverage shall be displayed in a Type I location except:

1. As required for the necessary operation of a bar;
2. During the customary and ordinary course of preparing a patron's drink order; or
3. Incidental to delivery or consumption by a patron.

(e) Alcoholic beverages may be served in a Type I location only when the casino room or casino simulcasting facility is open for gaming activity as provided in section 453(a) of the Act, but shall not be served later than 15 minutes prior to the closing of the casino room or casino simulcasting facility.

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32 V.I. R. & Regs. § 462-3.1, 32 VI ADC § 462-3.1

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462-3. Subchapter 3 - Conditions of Operation in Authorized Locations

32 V.I. R. & Regs. § 462-3.2

462-3.2. Conditions of Operation in Type III (Package Goods) Locations.

(a) No CHAB licensee shall, in a Type III location, sell any alcoholic beverage for delivery to any other area in, on or about the premises.

(b) No CHAB licensee shall, in a Type III location, sell any alcoholic beverage in other than original sealed containers or for consumption within the Type III authorized location.

(c) Sale of alcoholic beverages may include the retail sale of distillers' and vintners' packaged holiday merchandise prepacked as a unit with suitable glassware as gift items to be sold only as a unit, cigars, accessory beverages to alcoholic beverages and novelty wearing apparel identified with the name or the trade name(s) of the CHAB licensee.

(d) No CHAB licensee shall allow, permit or suffer any alcoholic beverage to be consumed in or upon a Type III location, nor shall any CHAB licensee possess or allow, permit or suffer any open containers of alcoholic beverages in or upon its Type III location; provided, however, that opened bottles of alcoholic beverages returned by a customer as allegedly defective may be so possessed pending return to the manufacturer or wholesaler; and further provided that the container is immediately resealed and labeled with the name and address of the customer and the date of return by the customer.

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462-3. Subchapter 3 - Conditions of Operation in Authorized Locations

32 V.I. R. & Regs. § 462-3.3

462-3.3. Conditions of Operation in Type V (Storage) Locations.

- (a) A CHAB licensee may, in a Type V location, store alcoholic beverages intended for sale at other authorized locations in, on, or about the premises.
- (b) A CHAB licensee shall transfer or deliver such alcoholic beverages from a Type V location only to authorized locations in, on or about the premises.
- (c) A CHAB licensee shall not allow, permit or suffer access to or from a Type V authorized location, except to the extent that such access is necessary in the normal course of business to employees or agents of the CHAB licensee or to licensed employees or agents of wholesalers or distributors licensed pursuant to Title 8, the Act and the regulations of the Commission.
- (d) All Type V locations shall be fixed, enclosed areas within the premises, not in a casino, and not otherwise authorized for the sale, service or consumption of alcoholic beverages.
- (e) No alcoholic beverage shall be sold, served or consumed in a Type V location.
- (f) A CHAB licensee shall maintain its Type V locations in a secure manner.

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32 V.I. R. & Regs. § 462-3.3, 32 VI ADC § 462-3.3

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462-4. Subchapter 4 - Disciplinary Proceedings

32 V.I. R. & Regs. § 462-4.1

462-4.1. General Provisions.

(a) In addition to disciplinary actions which may be taken, any violation of Title 8 or the rules, regulations and bulletins of the Department of Licensing and Consumer Affairs and Virgin Islands Alcoholic Beverages Control Board by an applicant or CHAB licensee, or its agents or employees shall be grounds for penalty, suspension, revocation, or other disciplinary action by the Commission unless the conduct involved is specifically permitted by the Act or by these regulations.

(b) In disciplinary proceedings it shall be sufficient, in order to establish the guilt of the licensee, to show that the violation was committed by an agent, servant or employee of the CHAB licensee. The fact that the CHAB license did not participate in the violation or that its agent, servant or employee acted contrary to instructions given by the CHAB licensee or that the violation did not occur in the CHAB licensee's presence shall constitute no defense to the charges preferred in such disciplinary proceedings.

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467-1. Subchapter 1. General Provisions

32 V.I. R. & Regs. § 467-1.1

467-1.1. Definitions.

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

“Party” means any person or entity directly involved in a contested case, including petitioner, respondent, intervenor, or governmental agency proceeding in any such capacity.

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32 V.I. R. & Regs. § 467-1.1, 32 VI ADC § 467-1.1

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32 V.I. R. & Regs. § 467-1.2

467-1.2. Applicability of Rules.

(a) In addition to any administrative rulings, the laws of the U.S. Virgin Islands, the provisions of this Act and the rules and regulations in this chapter shall apply to the appropriate contested case initiated pursuant to the Act.

(b) To the extent that the Act and the rules in this chapter are inconsistent with the administrative rulings, the former shall apply.

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32 V.I. R. & Regs. § 467-1.2, 32 VI ADC § 467-1.2

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32 V.I. R. & Regs. § 467-1.3

467-1.3. Conduct of Contested Case Hearings.

(a) At all hearings of the Commission in contested cases, the Commissioner shall hear all matters directly or the Chairman may designate a member of the Commission to serve as Hearing Commissioner.

(b) In the event that a designated Hearing Commissioner becomes unavailable prior to the filing of the recommended report and decision for consideration by the Commission, the Chairman may either designate another Hearing Commissioner or transfer the proceedings to the entire Commission. In such event, and consistent with the requirements of due process, the Commission or the Hearing Commissioner may either continue the hearing and render a decision upon the entire record or begin the hearing anew.

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32 V.I. R. & Regs. § 467-1.3, 32 VI ADC § 467-1.3

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467-2. Subchapter 2. Rules Concerning All Contested Cases

32 V.I. R. & Regs. § 467-2.1

467-2.1. Rules Concerning All Contested Cases.

(a) Whether a contested case hearing is conducted by the Commission or by a Hearing Commissioner, the Chairman, or the Hearing Commissioner, as the case may be, shall have the authority to:

1. Administer oaths and to require testimony under oath;
2. Serve process or notices in a manner provided for service of process and notice in civil actions in accordance with the rules of court;
3. Issue subpoenas and compel the attendance of witnesses at any place within this Territory;
4. Propound written interrogatories;
5. Take official notice of any generally accepted information or technical or scientific matter in the field of gaming and of any other fact which may be judicially noticed by the courts of this Territory; and
6. Permit the filing of amended or supplemental pleadings.

(b) Whether a contested case hearing is conducted by the Commissioner or a Hearing Commissioner, the parties shall have the right to:

1. Call and examine witnesses;
2. Introduce exhibits relevant to the issues of the case, including the transcript of testimony at any investigative hearing conducted by or on behalf of the commission;
3. Cross examine opposing witnesses in any matters relevant to the issue of the case;
4. Impeach any witness, regardless of which party called him or her to testify;

5. Offer rebuttal evidence; and

6. Stipulate and agree that certain specified evidence may be admitted, although such evidence may be otherwise subject to objection.

(c) In any contested case, the Commission shall have the authority to:

1. Grant testimonial immunity;

2. Order a rehearing; and

3. Certify contempt for punishment by the Territorial Courts.

(d) In any contested case held before the Commission or a Hearing Commissioner, the following special rules of evidence shall apply:

1. Any relevant evidence, not subject to a claim of privilege, may be admitted regardless of any rule of evidence which would bar such evidence in judicial matters; and

2. Evidence admitted pursuant to (d)1 above shall be sufficient in itself to support a finding if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs.

3. If an applicant, licensee, registrant or person who shall be qualified pursuant to the Act is a party and if such party shall not testify in his or her own behalf, he or she may be called and examined as if under cross-examination.

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32 V.I. R. & Regs. § 467-2.1, 32 VI ADC § 467-2.1

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32 V.I. R. & Regs. § 467-2.2

467-2.2. Motions for Reconsideration; Motions to Reopen the Record; Motions for Relief.

(a) Any party may, within 10 days after the service of a final Commission order, file a motion for reconsideration which motion may seek to reopen the record. The motion shall be in writing and shall state the grounds upon which relief is sought. The Commission may grant such motion, under such terms and conditions as the Commission may deem appropriate, when the Commission finds just cause for reconsideration of the order based upon legal, policy or factual argument advanced by the movant or raised by the Commission on its own motion.

(b) Any party may, within one year after the service of a final Commission order, file a motion to reopen the record based upon newly discovered evidence. The motion shall be supported by an affidavit of the moving party or counsel showing with particularity the materiality and necessity of the additional evidence and the reason why such evidence was not presented at the original hearing or on a motion for reconsideration pursuant to (a) above. The Commission may grant such motion upon a showing that the newly discovered evidence is material and necessary, that sufficient reason existed for failure to present such evidence and that the evidence is reasonably likely to change the final decision of the Commission. Upon reconsideration, the Commission may modify its decision and order as the additional evidence may warrant.

(c) Any party may, within one year of the service of a final Commission order, file a motion for relief from such an order. The motion shall be in writing and shall state the grounds upon which relief is sought. The Commission may grant such motion and vacate or modify the order, reopen the record, or grant a hearing, upon a showing of the following:

1. Mistake, inadvertence, surprise or excusable neglect;
2. Fraud, misrepresentation or other misconduct of an adverse party; or
3. Any other reason consistent with the public policy of the Act and in the interest of justice.

(d) No motion filed pursuant to this section, and no order granting such motion, shall suspend the operation of any final Commission order unless otherwise specified by order of the Commission.

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32 V.I. R. & Regs. § 467-2.2, 32 VI ADC § 467-2.2

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467-3. Subchapter 3. Rules Concerning Applications Hearings

32 V.I. R. & Regs. § 467-3.1

467-3.1. Rights to Hearing; Request; Written Notice.

(a) When the Commission has been provided with all information necessary for action upon an application, the Commission shall serve upon the Division and upon the applicant either personally or by certified mail to the address on file with the Commission a written notice of the right to a hearing and the responsibility to request a hearing; provided, however, that the Commission may on its own motion direct that a hearing to be held.

(b) Within 15 days after service of such written notice of right to a hearing and responsibility to request a hearing, the Division or the applicant may file with the Commission a request for a hearing.

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32 V.I. R. & Regs. § 467-3.1, 32 VI ADC § 467-3.1

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32 V.I. R. & Regs. § 467-3.2

467-3.2. Procedure Where No Hearing Is Held.

In any case in which no timely request for a hearing has been filed and in which the Commission has not directed a hearing, the Commission shall take final action on the application within 30 days after the completion of all investigation and receipt of all information required by the Commission.

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32 V.I. R. & Regs. § 467-3.2, 32 VI ADC § 467-3.2

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467-3.3. Burden of Proof.

(a) The applicant, licensee or registrant shall have the affirmative responsibility of establishing his individual qualifications by clear and convincing evidence.

(b) An applicant for a casino license or a casino licensee shall have the affirmative responsibility of establishing by clear and convincing evidence:

1. His individual qualifications;
2. The qualification of each person who is required to be qualified under the Act; and
3. The qualifications of the facility in which the casino is to be located.

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467-3. Subchapter 3. Rules Concerning Applications Hearings

32 V.I. R. & Regs. § 467-3.4

467-3.4. Approval and Denial of Applications.

- (a) The Commission shall have the authority to deny any application pursuant to the provisions of the Act.
- (b) When the Commission is satisfied that an application shall be granted, it shall;
1. Before granting a casino license:
 - i. Require the applicant to tender all license fees and taxes as required by law and the regulations adopted pursuant to the act;
 - ii. Require the applicant to post such bonds as the Commission may require for the faithful performance of all requirements imposed by law or regulation; the Commission shall fix the amount of the bond or bonds to be required under this subsection in such amounts as it may deem appropriate, according to this title.
 2. Before granting any application other than for a casino license;
 - i. Limit or place such restrictions thereupon as the Commission may deem necessary in the public interest;
 - ii. Require the applicant to tender all license fees as required by law and the regulations adopted pursuant to the act.

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32 V.I. R. & Regs. § 467-3.5

467-3.5. Renewal of Other Licenses and Registrations.

(a) Subject to the power of the Commission to deny, refuse to renew, revoke or suspend any license or registration, the Commission may renew any license other than a casino license or any registration upon:

1. Proper application for renewal filed with the Commission no later than 45 days prior to the expiration of the current license or registration; and
2. Payment on or before the date of expiration of the current license or registration of all fees as required by law and the regulations of the Commission.

(b) The Commission shall act upon any such application for renewal of a license or registration no later than 10 days prior to the date of expiration of the current license or registration.

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467-3. Subchapter 3. Rules Concerning Applications Hearings

32 V.I. R. & Regs. § 467-3.6

467-3.6. Refusal to Renew; Hearing.

(a) The Commission shall not refuse to renew any license or registration unless it has first afforded the licensee or registrant an opportunity for a hearing in accordance with law and the regulations of the Commission pertaining to applications hearings. If the licensee or registrant has, in accordance with law and the rules and regulations of the Commission, made timely and sufficient application for renewal, his license or registration shall not expire until such application has been finally determined by the Commission.

(b) When the Commission has authority under the Act and under the regulations of the Commission to suspend a license, registration or certificate without first holding a hearing, it shall promptly upon exercising such authority, afford the licensee or registrant an opportunity for a hearing in conformity with law and the rules and regulations of the Commission.

(c) This section shall not apply where:

1. The Act provides that the Commission is not required to grant a hearing in regard to the refusal to renew a license, registration or certificate; or
2. The Commission is required by law to refuse to renew a license, registration or certificate, without exercising any discretion in the matter on the basis of a judgment of a court of competent jurisdiction; or
3. Refusal to renew is based solely upon the failure of the licensee or registrant to maintain insurance coverage as required by any law or regulation.

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32 V.I. R. & Regs. § 467-3.6, 32 VI ADC § 467-3.6

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467-4. Subchapter 4. Rules Concerning Exclusion of Persons Hearings

32 V.I. R. & Regs. § 467-4.1

467-4.1. Definitions.

The words and terms defined in Chapter 1 of these rules shall have the meanings set forth therein when used in this subchapter, unless the context clearly indicates otherwise.

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32 V.I. R. & Regs. § 467-4.1, 32 VI ADC § 467-4.1

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467-4. Subchapter 4. Rules Concerning Exclusion of Persons Hearings

32 V.I. R. & Regs. § 467-4.2

467-4.2. Commencement; Petition.

Any proceeding to place an individual on the exclusion list initiated under Section 423 of the Act, or these rules shall commence by written petition, which shall include a statement setting forth in ordinary and concise language the grounds for exclusion.

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32 V.I. R. & Regs. § 467-4.2, 32 VI ADC § 467-4.2

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32 V.I. R. & Regs. § 467-4.3

467-4.3. Service of Petition.

(a) Whenever the Division, pursuant to section 423 of the Act and of these rules and regulations, and this subchapter, petitions to place a candidate on the exclusion list, the Commission or the Division shall serve such petition on the candidate by:

1. Personal service; or
2. Certified mail at the last known address of the candidate; or
3. Publication daily for one week in a newspaper designated by the Commission in the Territory.

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32 V.I. R. & Regs. § 467-4.3, 32 VI ADC § 467-4.3

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32 V.I. R. & Regs. § 467-4.4

467-4.4. Right to a Plenary Hearing; Time; Waiver.

(a) A candidate for placement on the exclusion list shall be advised at the time of service of the petition for exclusion of his or her right to demand a plenary hearing.

(b) A demand for a plenary hearing shall be in writing and must be received by the Commission within 15 days after service of the petition for exclusion.

(c) The Commission shall, upon receipt of a timely and sufficient demand for a plenary hearing, set a time and place for such hearing.

(d) Any candidate for exclusion who fails to demand a plenary hearing within the allotted time period shall be deemed to have admitted all matters and facts alleged in the petition, shall be precluded from having a plenary hearing before the Commission, and shall be subject to the issuance of a final order directing that the candidate be placed on the list or, if the candidate has been placed on the list by preliminary order of the Commission, shall remain on the list until further order of the Commission; provided, however, that the Commission, in its discretion, may nevertheless order a hearing; and provided further, that such preclusion shall in no way affect the right of any excluded person to judicial review as provided in the Act and rules of the Commission.

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467-4. Subchapter 4. Rules Concerning Exclusion of Persons Hearings

32 V.I. R. & Regs. § 467-4.5

467-4.5. Plenary Hearing: Nature of Proceeding; Burden of Proof; Issuance and Service of Order.

(a) A plenary hearing shall be a full evidentiary proceeding conducted in accordance with the provisions of section 467 of the Act and these rules and regulations. The purpose of a plenary hearing is to determine if a candidate for exclusion satisfies the criteria for exclusion established by section 423 of the Act or these rules.

(b) The Division shall have the affirmative obligation to demonstrate by a fair preponderance of the evidence that the candidate for exclusion satisfies the criteria for exclusion. The excluded person shall have the affirmative obligation to show cause why he or she should not be removed from the list.

(c) If, upon completion of a plenary hearing, or in the absence of a plenary hearing, upon the expiration of the time for requesting such a hearing, the Commission determines that a candidate for exclusion satisfies the criteria for exclusion, the Commission shall issue a final order directing that the candidate be placed on the exclusion list until further order of the Commission. A final order directing that the candidate for exclusion shall be placed on the list, or if the candidate has been placed on the list by preliminary order of the Commission, shall remain on the list shall, within 10 days of its entry, be served on the candidate, the Division and all casino licensees.

(d) If, upon completion of a plenary hearing, the Commission determines that a candidate for exclusion does not satisfy the criteria for exclusion, the Commission shall issue a final order denying the petition for exclusion. A final order denying a petition for exclusion shall, within 10 days of its entry, be served on the candidate and the Division. If the candidate has been previously placed upon the list by preliminary order of the Commission, the Commission shall issue a final order directing that the excluded person be removed from the list, which order shall, within 10 days of its entry, be served on the excluded person, the Division and all casino licensees.

(e) A final order of the Commission shall be subject to review by the Territorial Court in accordance with the rules of court.

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32 V.I. R. & Regs. § 467-4.5, 32 VI ADC § 467-4.5

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32 V.I. R. & Regs. § 467-4.6

467-4.6. Preliminary Placement on the List; Commencement; Notice; Service; Postponement.

(a) The Commission may place a candidate on the exclusion list pending completion of the plenary hearing on the petition for exclusion by the Division filing an application for preliminary placement of the candidate on the list. Timely notice of a preliminary exclusion hearing shall be served upon the candidate for exclusion by regular mail at his or her last known address. The notice shall include:

1. A statement advising the candidate of his or her right to appear before the Commission at the preliminary exclusion hearing; and

2. The time, place and nature of the preliminary exclusion hearing.

(b) The preliminary exclusion hearing shall be scheduled no earlier than 15 days from the mailing of the notice of the hearing.

(c) Unless otherwise approved by the Commission for good cause shown, a preliminary exclusion hearing scheduled in accordance with this subchapter shall not be postponed at the request of any party.

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467-4. Subchapter 4. Rules Concerning Exclusion of Persons Hearings

32 V.I. R. & Regs. § 467-4.7

467-4.7. Preliminary Exclusion Hearing; Nature of Hearing; Burden of Proof; Service of Order.

- (a) A preliminary exclusion hearing shall be a limited pre-exclusion proceeding. The purpose of the preliminary exclusion hearing is to determine if there is a reasonable possibility that a candidate satisfies the criteria for exclusion.
- (b) A preliminary exclusion hearing shall be decided on the basis of the reliable documentary or other supporting evidence of the Division and the oral arguments of the parties. Candidates may be represented by counsel.
- (c) The Division shall have the affirmative obligation to establish that there is a reasonable possibility that the candidate satisfies the criteria for exclusion.
- (d) A preliminary order of the Commission designating a candidate as an excluded person shall, within 5 days of its entry, be served upon the candidate, the Division and all casino licensees.
- (e) A Commission order denying an application for preliminary placement of a candidate on the list shall be served upon the candidate and the Division.
- (f) Any order served upon a candidate and issued pursuant to (d) and (e) above, shall be served by regular mail at the candidate's last known address.

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32 V.I. R. & Regs. § 467-4.7, 32 VI ADC § 467-4.7

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467-5. Subchapter 5. Rules Concerning Proceedings Against Applicants, Licensees and Registrants

32 V.I. R. & Regs. § 467-5.1

467-5.1. Commencement; Complaint.

Any proceeding against an applicant, licensee or registrant shall be brought on by written complaint, which shall include a statement setting forth in ordinary and concise language the charges and the acts or omissions supporting such charges.

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32 V.I. R. & Regs. § 467-5.1, 32 VI ADC § 467-5.1

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32 V.I. R. & Regs. § 467-5.2

467-5.2. Service of Complaint.

Upon filing of the complaint, the Commission shall serve a copy upon the applicant, licensee or registrant either personally or by certified mail to the address on file with the Commission.

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32 V.I. R. & Regs. § 467-5.3

467-5.3. Notice of Defense; Multiple Party Representation.

(a) Within 15 days after service upon him of the complaint, the applicant, licensee or registrant may file with the Commission and serve upon the division a notice of defense, in which he may:

1. Request a hearing;
2. Admit the accusation in whole or in part;
3. Present new matters or explanations by way of defense; or
4. State any legal objections to the complaint.

(b) Within the time specified, the applicant, licensee or registrant may file one or more notices of defense upon any or all of the above grounds.

(c) In any circumstance described in (d) below, an attorney who intends to represent more than one party in the same or a substantially related matter shall file a petition for approval no later than 7 days after filing a pleading or entering an appearance in the matter, whichever is earlier. The petitioner shall file such petition with the Commission.

(d) No attorney shall represent the following parties respondent, unless a petition pursuant to (c) above is granted:

1. A casino licensee or applicant and any person who at the time of the alleged violation was an employee of said licensee or applicant;
2. A casino servicing entity licensee or applicant and any person who at the time of the alleged violation was employed by said licensee or applicant;
3. Two persons who at the time of the alleged violation were employed by the same casino licensee or applicant where one such employee had supervisory responsibility over the other employee; or

4. Two persons who at the time of the alleged violation were employed by the same casino service industry enterprise licensee or applicant where one such employee had supervisory responsibility over the other employee.

(e) Any petition filed pursuant to (c) above shall be in writing and shall include:

1. The nature of the petition and the reasons therefor;
2. The name and docket number of the matter involved;
3. The name and address of the parties represented;
4. A concise statement of the nature of the allegations raised in the complaint and the reasons why no conflict of interest is presented;
5. The certification of the attorney/petitioner detailing the basis of his or her belief that the representation will not adversely affect his or her relationship with each party respondent; and
6. The certification of each respondent acknowledging full disclosure of the potential conflict of interest and consenting to his or her representation by the attorney/petitioner.

(f) Upon receipt of a petition pursuant to (c) and (e) above:

1. If the matter will be heard by the Commission, the matter shall be forwarded to the Chair or to such other Commission member as the Chair may designate. Thereafter, with the advice and recommendation of the General Counsel of the Commission, the petition shall be evaluated on the papers submitted and in conformity with the ABA Model Code of Professional Responsibility governing conflict of interest, and any applicable statutory provisions, judicial decisions, rules of court, or determinations of the Supreme Court's Advisory Committee on Professional Ethics or other appropriate authority.

(g) All interested parties shall be advised of the decision of the Chair or the Chair's designee in writing no later than 10 days from the date that the petition is filed.

(h) Any time limitations imposed by (c) and (g) above may be extended by the Chair or the Chair's designee for good cause, upon notice to all parties.

(i) Any party may appeal from the determination of the Chair or the Chair's designee to the full Commission upon written notice filed within 10 days.

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32 V.I. R. & Regs. § 467-5.4

467-5.4. Right to Hearing; Waiver.

The applicant, licensee or registrant shall be entitled to an evidentiary hearing on the complaint if he files and serves the required notice of defense within the time allowed herein, and any such notice shall be deemed a specific denial of all parts of the complaint not expressly admitted. Failure to file and serve a notice of defense within such time shall constitute a waiver of the right to a hearing, but the Commission, in its discretion, may nevertheless order a hearing. All affirmative defenses must be specifically stated, and unless objection is taken as provided herein, all objections to the form of complaint shall be deemed waived.

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32 V.I. R. & Regs. § 467-5.5

467-5.5. Notice of Hearing.

The Commission shall determine the time and place of the hearing as soon as is reasonably practical after receiving the notice of defense. The Commission shall deliver or send by certified mail a notice to all parties at least 10 days prior to the hearing. Unless the applicant, licensee or registrant consents, the hearing shall not be held prior to the expiration time within which the applicant, licensee or registrant is entitled to file the notice of defense.

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467-5. Subchapter 5. Rules Concerning Proceedings Against Applicants, Licensees and Registrants

32 V.I. R. & Regs. § 467-5.6

467-5.6. Revocation of License or Registration; Hearing.

The Commission shall not revoke any license or registration unless it has first afforded the licensee or registrant an opportunity for a hearing.

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32 V.I. R. & Regs. § 467-5.7

467-5.7. Revocation or Suspension; Hearing.

(a) The Commission shall not revoke any license or registration unless it has first afforded the licensee or registrant an opportunity for a hearing in accordance with law and the regulations of the Commission. When the Commission has authority under the Act and under regulations of the Commission to suspend a license, registration or certificate without first holding a hearing, it shall promptly upon exercising such authority, afford the licensee or registrant an opportunity for a hearing in conformity with law and the regulations of the Commission; provided, however, that this subsection shall not apply where;

1. The act provides that the Commission is not required to grant a hearing in regard to suspension of a license, registration or certificate; or
2. The Commission is required by law to revoke or suspend a license, registration or certificate without exercising any discretion in the matter on the basis of a judgment of a court of competent jurisdiction; or
3. The suspension or revocation is based solely upon the failure of the licensee or registrant to maintain insurance coverage as required by law.

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467-5. Subchapter 5. Rules Concerning Proceedings Against Applicants, Licensees and Registrants

32 V.I. R. & Regs. § 467-5.8

467-5.8. Emergency Orders; Hearings; Complaint.

(a) Within 5 days after issuance of an emergency order pursuant to Section 469 of the Act, the Commission shall cause a complaint to be filed and served upon the person involved in accordance with the provisions of the Act and the regulations of the Commission. Thereafter, the person against whom the emergency order has been issued and served shall be entitled to a hearing before the Commission.

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467-6. Subchapter 6. Hearings on Complaints Against the Division

32 V.I. R. & Regs. § 467-6.1

467-6.1. Hearings on Complaints Against the Division.

(a) In its sole discretion, the Commission may conduct hearings on complaints against the Division.

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467-6. Subchapter 6. Hearings on Complaints Against the Division

32 V.I. R. & Regs. § 467-6.2

467-6.2. Presumption of Need to Inspect and Investigate.

The need of the Division to inspect and investigate, and conduct continuing reviews of casino operations through on-site observation and other reasonable means to assure compliance with the Act and the rules and regulations promulgated hereunder shall be presumed at all times.

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32 V.I. R. & Regs. § 467-6.3

467-6.3. Burden of Proof.

(a) The casino licensee shall have the affirmative responsibility of establishing by clear and convincing evidence that:

1. The procedures of the Division had no reasonable law enforcement purpose; and
2. The procedures of the Division were so disruptive as to inhibit reasonable casino operations; and
3. The procedures of the Division in fact disrupted the licensee's casino operations.

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467-7. Subchapter 7. Investigative Hearings

32 V.I. R. & Regs. § 467-7.1

467-7.1. Investigative Hearings.

Pursuant to Sections 415, 416, 418, 424, and 505(b) of the Act, the Commission may conduct investigative hearings concerning the conduct of gaming and gaming operations, the development and well-being of the industries controlled by the Act, the operation and administration of casino control laws in this and in other jurisdictions, and any other matters within the scope of powers, duties and responsibilities of the Commission.

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467-8. Subchapter 8. Hearings on Regulations

32 V.I. R. & Regs. § 467-8.1

467-8.1. Hearings on Regulations.

- (a) The Commission shall adopt, amend and repeal regulations in accordance with Section 421 of the Act.
- (b) The Commission shall conduct hearings concerning the adoption, amendment or repeal of its rules and regulations.
- (c) When a hearing is held in connection with a proposed regulation, all interested parties shall be afforded the opportunity to attend and to appear before the Commission to submit oral argument in support of or in opposition to the proposed regulation. Such participation does not include the right to present evidence or to cross-examine witnesses, which may be permitted solely in the discretion of the Commission.
1. The Commission may require notice in advance of the date of the proceedings of any individual's intent to participate.
 2. This section shall not be construed to establish a right of any individual to appear before the Commission in the event that the Commission may act at a subsequent date to adopt the proposed regulation.

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467-9. Subchapter 9. Declaratory Rulings

32 V.I. R. & Regs. § 467-9.1

467-9.1. Declaratory Rulings.

(a) Any interested person may request that the Commission render a Declaratory Ruling with respect to the applicability to any person, property or state of facts of any provision of the Act or of any regulation of the Commission.

(b) A request for a declaratory ruling shall be initiated by a Petition. The Petition shall include the following items with specificity:

1. The nature of the request and the reasons therefor;
2. The facts and circumstances underlying the request;
3. Legal authority and argument in support of the request;
4. The remedy or result desired.

(c) If the Commission, in its discretion, decides to render a Declaratory Ruling, a hearing shall be afforded prior to the rendering of such a ruling.

(d) In appropriate cases, the Commission may notify persons who may be interested in or affected by the subject of the Declaratory Ruling. In such cases, the Commission may afford these persons an opportunity to intervene as parties or to otherwise present their views in an appropriate manner which is consistent with the rights of the parties.

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32 V.I. R. & Regs. § 467-9.1, 32 VI ADC § 467-9.1

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467-10. Subchapter 10. Administrative Review of Unpaid Fees and Civil Penalties

32 V.I. R. & Regs. § 467-10.1

467-10.1. Commencement.

(a) The Commission may, on its motion, administratively review the issuance or renewal of any license, the registration of any person, the acceptance of any application or the failure to pay any civil penalty where cause exists to question whether all required fees or civil penalties have been paid.

(b) The Commission shall initiate the administrative review by notifying any person who apparently has failed to pay a required fee or civil penalty that all applications, licenses or registrations held or submitted by such person will be dismissed or suspended, as applicable, unless the person attends an administrative review conference conducted by the Commission.

(c) The notice scheduling an administrative review conference shall be served either by regular and certified mail, return receipt requested, or, in the case of an individual employed at a casino hotel, by personal service through a Commission inspector. The notice shall specify a date for the conference that is not earlier than 10 days after the date the notice is served and shall schedule a date subsequent to the date of the conference on which the Commission shall consider dismissing the application or suspending the license or registration unless the matter has been resolved to the satisfaction of the Commission prior thereto.

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467-10. Subchapter 10. Administrative Review of Unpaid Fees and Civil Penalties

32 V.I. R. & Regs. § 467-10.2

467-10.2. Administrative Review Conference.

(a) The administrative review conference is an informal proceeding designed to facilitate a fair, expeditious and orderly disposition of the Commission's administrative review of unpaid fees and civil penalties. Any person that is notified to attend such a conference is required to appear and may be represented by counsel. If the person so notified is a corporation, it may appear without counsel provided it does so through one of its principals.

(b) Attendance at a scheduled administrative review conference is mandatory, and the failure to attend such a conference shall constitute cause to dismiss immediately all applications, or suspend all licenses or registrations, held or submitted by the person served with notice.

(c) During the administrative review conference, the person required to attend the conference may present any information that would demonstrate that all required payments have been made.

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467-10. Subchapter 10. Administrative Review of Unpaid Fees and Civil Penalties

32 V.I. R. & Regs. § 467-10.3

467-10.3. Disposition of Fee Matters and Civil Penalties.

(a) If, after the administrative review is initiated, the Commission determines that no debt is owed, or the applicant, licensee or registrant pays the debt in full, the matter shall be closed.

(b) If the matter remains open after an administrative review conference, the Commission shall so advise the person attending the conference, and the matter shall proceed to a hearing before the Commission on the date specified in the notice served pursuant to this Section, unless, prior to the Commission hearing the matter, the person served with such notice pays the debt in full or agrees to a repayment plan that is acceptable to the Commission.

(c) At the hearing, the Commission may dismiss all applications, and may suspend all licenses or registrations, of any person who has failed to pay all required fees or civil penalties owed by that person.

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467-10. Subchapter 10. Administrative Review of Unpaid Fees and Civil Penalties

32 V.I. R. & Regs. § 467-10.4

467-10.4. Restoration Upon Payment.

(a) Any license or registration that has been administratively suspended shall be reinstated upon payment of all outstanding amounts. Any application that has been administratively dismissed shall be reactivated if, within 60 days of the dismissal, all outstanding amounts are paid.

(b) An administrative suspension of any license in accordance with this subchapter shall not affect the term of such license, which shall expire on its stated expiration date.

(c) The Commission shall notify each casino licensee of any action that it has taken to administratively dismiss or reactivate any application, or to administratively suspend or reinstate any registration or any license other than a casino license, and each casino licensee, upon receiving such notice, shall comply with any Commission directions concerning any such application, license or registration.

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Subchapter 506. Equal Employment and Business Opportunity

506-1. Subchapter 1 - General Provisions

32 V.I. R. & Regs. § 506-1.1

506-1.1. Definitions.

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

“Adjusted gross disbursements” means gross disbursements minus allowable administrative costs and allowable direct labor costs as defined in Section 506-5.5.

“BFRBE” means a bona fide resident business enterprise as defined in Section 557(b) of the Act.

“Bona fide resident” is defined in Section 557(a) of the Act.

“Certified BFRBE” or “certified WBE” means any business enterprise which has been certified by the Department of Labor pursuant to Section 560 of the Act as a bona fide resident business enterprise or a women business enterprise, respectively.

“Change in ownership or management” means any change in the ownership or management of a licensee or applicant which could enable an involuntary change in the existing policy of the licensee or applicant to occur, and shall include, without limitation, the sale of a controlling interest in the licensee or applicant or a holding company thereof, or the replacement of the chief executive officer of the licensee or applicant.

“Chief executive officer” means:

1. As to casino licensees or applicants, the natural person located at a casino hotel facility who is ultimately responsible for the daily conduct of the hotel and gaming business of the casino licensee or applicant, regardless of the form of business association of the casino licensee or applicant or the particular title which the person holds.

2. As to casino service industry enterprise licensees or applicants, the natural person who bears ultimate responsibility for the organization and business activities of the enterprise.

“Commercial buyer” means a person who is not an employee of a casino licensee and who acts as a merchandise factor or broker in the purchase or negotiation of purchase of goods or services from a supplier for the benefit of a casino licensee.

“Construction” or “renovation” or “reconstruction” means any construction, renovation, reconstruction, rehabilitation, alteration, conversion, extension, demolition, repair or other changes or improvements of any kind whatsoever of any structure or facility to be used as an approved hotel or casino. These terms also include the maintenance, supervision, inspection, and other on-site functions incidental to the actual construction.

“Contract” means any written or unwritten agreement between two or more persons.

“Contractor” means any party performing or offering to perform pursuant to a contract.

“Disability” means a physical or mental impairment which is included in the definition of “handicapped” contained in Title 24 of the Virgin Islands Code, or in the definition of “disability” contained in the Americans with Disabilities Act of 1990, 92 USC 12101, and attendant regulations.

“Equal business opportunity” means the opportunity of any person to buy from, sell to, lease from or to, license, contract with, trade with, provide goods, services or information to, or do business with any other person without regard to the race, creed, color, national origin, gender, disability (where reasonable accommodation may be made to allow for such disability without causing an undue hardship on the person doing business) or rehabilitated offender status of such person or such person's partners, members, stockholders, directors, officers, managers or employees.

“Equal employment opportunity” means the opportunity of any person to apply for, obtain and retain employment, transfer, promotion, pay raises, benefits and training without regard to the race, creed, color, national origin, gender, disability (where reasonable accommodation may be made to allow for such disability without causing an undue hardship on the employer) or rehabilitated offender status of such person.

“Equal opportunity officer” means a person appointed by a licensee or applicant, pursuant to the provisions of Section 507(f) of the Act and Sections 506-1.2 or 506-3.1, to assure its compliance with this chapter and any Federal or Territorial laws regarding equal employment and business opportunity.

“Goods or services” is defined in Section 558(a) of the Act.

“Gross disbursements” means the total amount of money spent for any purpose whatsoever by a casino licensee.

“Net disbursement” is defined in Section 506-5.5 of this subchapter.

“Operations work force” means all employees of a casino licensee or applicant who work in or in support of any structure or facility to be used as any structure or facility to be used as an approved hotel or casino.

“Preferred contractor's” as indicated in Section 556 of the Act.

“Project” means the objective of a construction contract or subcontract. The same project may involve more than one contract or subcontract.

“Project Labor Report” shall describe the work force used by the contractor or subcontractor on each construction project of the casino licensee or applicant during the week. The PLR shall indicate the number of bona fide residents employed by the

contractor or subcontractor in each skilled building and construction trade and the number of hours each worker was employed during the week. The PLR shall be completed on a form prescribed by the Commission and supplied to the contractor or subcontractor by the casino licensee or applicant.

“Project Status Report” shall describe all construction projects involving contractors or subcontractors which have started or are scheduled to start prior to the filing of the next Project Status Report and shall include: the name and project number for each project; a listing of all contractors and subcontractors working or scheduled to work on each project; the name of any certified BFRBE working or scheduled to work on each project, and the scheduled or actual start date and anticipated finish date of construction. The Project Status Report shall be submitted in a format prescribed by the Commission and shall be filed in accordance with a schedule proposed by the casino licensee or applicant and approved by the Commission.

“Purchase agreement” means an agreement between a commercial buyer and a supplier pursuant to which the commercial buyer purchases, or negotiates the purchase of, goods or services from the supplier for the benefit of a casino licensee.

“Purchase authorization” means an agreement between a casino licensee and a commercial buyer pursuant to which the casino licensee authorizes the commercial buyer to negotiate the purchase of, or actually purchase, goods or services from a supplier for the benefit of the casino licensee.

“Rehabilitated offender” means any person who has been convicted of or has committed a disqualifying offense pursuant to Section 438 of the Act and who has been found by the Commission to have been rehabilitated from such offense pursuant to the provisions of Sections 442(h) or 443(d) of the Act.

“Subcontract” means a binding legal relationship involving performance by a subcontractor of all or part of a contract or subcontract.

“Subcontractor” means any party engaged by a contractor or subcontractor to perform, under a subcontract, all or part of the work included in a contract or subcontract.

“Successor business” means a business enterprise which satisfies the definition of BFRBE set forth in Section 557(b) of the Act but, within the past two years, either was acquired as an ongoing business or more than 50 percent of the assets of the business, as valued in accordance with generally accepted accounting principles, were acquired, other than by inheritance, from a person or persons in whose ownership or control the business enterprise would not qualify as an BFRBE.

“Supplier” means an enterprise in the business of: providing services to customers as an independent contractor; manufacturing or producing and selling goods; or distributing goods that are maintained for sale either on an independent basis or as a representative of a manufacturer or producer.

“WBE” means women business enterprise as defined in Section 557(c) of the Act.

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32 V.I. R. & Regs. § 506-1.1, 32 VI ADC § 506-1.1

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32 V.I. R. & Regs. § 506-1.2

506-1.2. Designation of Equal Opportunity Officer by Casino Licensee or Applicant;

Responsibility of Chief Executive Officer and Equal Opportunity Officer.

(a) Each casino licensee or applicant shall designate a principal member of its organization to serve as an equal opportunity officer. A casino license applicant shall designate its equal opportunity officer prior to the start of actual construction by the applicant or by any affiliated entity of any structure or facility to be used as an approved casino hotel, or prior to the recruitment and employment of personnel necessary to undertake the business of the hotel or casino, whichever first occurs. The chief executive officer shall be ultimately responsible for insuring that equal employment opportunity is afforded to all prospective and actual employees, that equal business opportunity is afforded to all persons, that affirmative efforts are made to recruit and employ bona fide residents for positions in which the licensee or applicant is below the applicable employment goals, that the casino licensee makes affirmative efforts to achieve the applicable participation goals for business with certified BFRBEs. The position of equal opportunity officer shall require a casino key employee license.

(b) The responsibilities of the equal opportunity officer shall include, without limitation, the responsibility to:

1. Monitor and review all aspects of the personnel procedures and decisions of the casino licensee or applicant;
2. Recommend in writing to the chief executive officer the suspension of any personnel procedure, decision or transaction which is not consonant with the Act or with any Federal or Territorial law regarding equal employment opportunity or affirmative action;
3. Act as a liaison and to provide assistance to the Commission and the Division in the enforcement of Section 506 of the Act and this chapter, which responsibility shall include, without limitation, the obligation to prepare and submit such reports, documentation and statistical information as the Commission shall require concerning the licensee's or applicant's:
 - i. Work force composition;
 - ii. Efforts to assure that equal employment opportunity is being afforded to bona fide residents, women, persons with disabilities and rehabilitated offenders;
 - iii. Good faith efforts to meet any applicable employment goals;

- iv. Employment, promotion, demotion or transfer decisions;
 - v. Recruitment, recruitment advertising and union referral efforts;
 - vi. Rates of pay or other forms of compensation;
 - vii. Training programs and selection procedures;
 - viii. Layoff, recall or termination decisions; and
 - ix. Grievance procedures for, and disposition of, complaints related to equal employment opportunity;
4. Monitor and review all aspects of the contracting and purchasing procedures and decisions of the licensee or applicant;
 5. Recommend in writing to the chief executive officer the suspension of any contracting or purchasing procedure, decision, or transaction which is not consonant with its approved Equal Employment and Business Opportunity Program or with any Federal or Territorial law regarding equal business opportunity;
 6. Act as a liaison and to provide assistance to the Commission and the Division in the enforcement of the Act and this chapter, which responsibility shall include, without limitation, the obligation to prepare and submit such reports, documentation and statistical information as the Commission shall require concerning the activities of the licensee or applicant with certified BFRBEs in contracting and purchasing;
 7. Act as a liaison and provide assistance to the Department of Labor with respect to its responsibilities to certify BFRBEs;
 8. Monitor and review the employment, recruitment and union referral practices of all contractors and subcontractors used in connection with the actual construction, renovation or reconstruction of any structure or facility to be used as an approved hotel or casino;
 9. Recommend in writing to the chief executive officer the suspension of any contract or subcontract or payment thereof where the contractor or subcontractor is engaging in any employment, recruitment, referral or bidding practice which is not consonant with the Act or the rules of the Commission or with any Federal or Territorial law regarding equal employment and business opportunity or affirmative action;
 10. Accompany the Commission and the Division, if requested, during on-site inspections authorized pursuant to Section 506-2.1(c) of this subchapter; and
 11. Prepare and submit to the Commission and Division such reports, documentation and statistical information as the Commission shall require concerning any contractor or subcontractor used by the licensee or applicant in connection

with the construction, renovation or reconstruction of any structure or facility to be used as an approved hotel or casino including, without limitation, information concerning:

- i. Work force composition;
- ii. Good faith efforts to meet any applicable employment goals;
- iii. Employment, promotion, demotion or transfer of skilled construction worker;
- iv. Recruitment, recruitment advertising and union referral efforts;
- v. Layoff, recall or termination of construction workers;
- vi. Rates of pay or other forms of compensation;
- vii. Selection for training programs; and
- viii. Grievance procedures for, and disposition of, complaints related to equal employment opportunity.

(c) In addition to any other requirements imposed by this section, a casino licensee or applicant shall comply with the following requirements concerning its equal opportunity officer:

1. The equal opportunity officer designated by the casino licensee or applicant shall have a minimum of three years experience in equal employment and business opportunity plan implementation or affirmative action enforcement, which experience may not be waived, and either:
 - i. Two years of related experience drawn from any of the following areas: employment, recruitment, training, labor relations, employee relations, employee development, compensation and benefits administration, law, or statistics; or
 - ii. A bachelor's degree from an accredited institution.
2. The title, rank and level of compensation of the equal opportunity officer shall be comparable to that of a director of a major department within the organization of the casino licensee or applicant.
3. The equal opportunity officer shall be provided with a staff sufficient to achieve full and timely implementation and enforcement of the EEBOP approved by the Commission and compliance with the Act and this chapter.

4. The equal opportunity officer shall report directly to the chief executive officer of the licensee or applicant or, in his or her absence, to the chief legal officer of the licensee or applicant.

(d) Whenever the equal opportunity officer of a casino licensee or applicant makes a suspension recommendation to the chief executive officer pursuant to 506-1.2(b)(5) or 506-1.2(b)(9) above, a copy of the recommendation shall be maintained on file by the casino licensee or applicant for inspection by the Commission or Division upon request.

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32 V.I. R. & Regs. § 506-1.2, 32 VI ADC § 506-1.2

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32 V.I. R. & Regs. § 506-1.3

506-1.3. 90% Bona Fide Resident Employment Goals; Waiver

(a) The bona fide resident employment goals for the operations work force of a casino licensee or applicant, casino service industry, including construction contractors and subcontractors of casino licensees and applicants, shall be as follows:

1. At least 65% by the end of the first year of the opening of the first casino hotel facility licensed to do business in the Virgin Islands;
2. At least 75% by the end of the second year of the opening of the first casino hotel facility licensed to do business in the Virgin Islands; and
3. At least 90% in the years prior to the end of the third year of the opening of the first casino hotel facility licensed to do business in the Virgin Islands.

(b) Casino licensees and applicants shall file quarterly and annual reports with the Commission showing strict compliance with the employment goals set forth in (a) above, pursuant to Section 506-4.4.

(c) The Commission shall consider whether to waive the requirements of Section 465(c) of the Act and (a) above upon the filing of an affidavit by the casino licensee or applicant or casino service industry, which sets forth the following:

- (1) Efforts to publish employment opportunities in local newspapers and media;
- (2) Efforts made through the Department of Labor to locate qualified, bona fide residents for employment opportunities; and
- (3) Any other information which would assist the Commission in rendering a determination on such a waiver request.

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32 V.I. R. & Regs. § 506-1.3, 32 VI ADC § 506-1.3

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32 V.I. R. & Regs. § 506-1.4

506-1.4. Powers of the Commission; Effect of Rules.

- (a) Nothing in this chapter shall be construed as limiting the powers of the Commission or the Division as granted by the Act.
- (b) Nothing contained in this chapter shall be interpreted to supplant, diminish, limit or in any way affect the scope and application of Title 10 of the Virgin Islands Code, Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. sec. 2000(e), or any other law regarding equal employment opportunity, equal business opportunity or affirmative action.

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32 V.I. R. & Regs. § 506-1.5

506-1.5. Enforcement and Compliance; Role of the Division.

Pursuant to Section 428 of the Act, the Division shall assist the Commission in the enforcement of any applicable provisions of the Act and this chapter by prosecuting before the Commission proceedings for violation of the Act and this chapter and by providing the Commission with information necessary for proceedings involving enforcement of any of the applicable provisions of the Act and this chapter.

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32 V.I. R. & Regs. § 506-1.5, 32 VI ADC § 506-1.5

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32 V.I. R. & Regs. § 506-1.6

506-1.6. Severability.

If any clause, sentence, subparagraph, paragraph, subsection, section, subchapter or other portion of these rules or the application thereof to any person or circumstance shall be held to be invalid, such holding shall not affect, impair or invalidate the remainder of these rules or the application of such portion held invalid to any other person or circumstances, but shall be confined in its operation to the clause, sentence, subparagraph, paragraph, subsection, section, subchapter, or other portion thereof directly involved in such holding or to the person or circumstance therein involved.

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32 V.I. R. & Regs. § 506-1.7

506-1.7. Sanctions.

(a) If the Commission determines that a casino licensee or applicant is in violation of any applicable provision of the Act or this chapter, the Commission, as appropriate, may:

1. Impose penalties in accordance with Section 490 of the Act;
2. Deny, suspend or revoke or refuse to renew the casino license;
3. Enter a cease and desist order which specifies the practice or contract to be discounted or altered by the casino licensee or applicant;
4. Issue public letters of reprimand or censure to be made a permanent part of the file of the casino licensee or applicant;
5. Assess appropriate civil penalties as allowed by the Act;
6. Refer to the Attorney General or his or her designee circumstances which may constitute violation of Title 24 of the Virgin Islands Code;
7. Enforce in a court of law the applicable provisions of the Act, or join in or assist any enforcement proceeding initiated by an aggrieved person;
8. Impose license conditions; and
9. Take any other action authorized or permitted by the Act.

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32 V.I. R. & Regs. § 506-2.1

506-2.1. Equal Employment and Business Opportunity Obligations of Casino Licensees and Applicants Concerning Construction; Mandatory Contract Language.

(a) Each casino licensee and applicant shall provide equal employment opportunity to all prospective and actual employees at all levels of the work force and equal business opportunity to all prospective and actual contractors or subcontractors employed in the construction, renovation or reconstruction of any structure or facility to be used as an approved hotel or casino.

(b) No architectural plans or site plans of proposed construction, renovation or reconstruction of any structure or facility to be used as an approved hotel or casino shall be approved by the Commission, nor shall any contract or subcontract for such work be commenced, unless the casino licensee or applicant guarantees that all contracts and subcontracts to be awarded in connection therewith shall contain appropriate provisions by which contractors or subcontractors or their assignees agree to afford prospective employment to all bona fide residents.

(c) Prior to the commencement of any work by a contractor or subcontractor in connection with any construction, renovation or reconstruction of any structure or facility to be used as an approved hotel or casino, each casino licensee or applicant shall require the construction contractor or subcontractor to include the following mandatory contract language in each contract or subcontract:

“During the performance of this contract (or subcontract), the contractor (or subcontractor) agrees that it will be bound by the equal employment and business opportunity requirements of the Virgin Islands Casino and Resort Control Act, Title 32 Section 402 et seq of the Virgin Islands Code, and the regulations of the Virgin Islands Casino Control Commission.

The contractor (or subcontractor) agrees that it will provide equal employment opportunity, as defined in Section 506-1.1 of the regulations concerning Equal Employment and Business Opportunity promulgated by the Virgin Islands Casino Control Commission, to all prospective and actual employees of the contractor (or subcontractor).

The contractor (or subcontractor) agrees that a representative of the Casino Control Commission and the Division of Gaming Enforcement shall be entitled to attend all construction project meetings and, at reasonable times and in a reasonable manner, to enter the contractor's (or subcontractor's) business facility or facilities or construction project site for determining whether the contractor or subcontractor is complying with the Virgin Islands Casino and Resort Control Act and the rules of the Commission. The contractor (or subcontractor) agrees that the Commission or the Division, in making such determinations, shall be entitled to inspect or copy any relevant books and records of the contractor (or subcontractor).”

The contractor (or subcontractor) agrees to attempt in good faith to employ bona fide resident workers in each construction skill or trade consistent with the applicable employment goals established pursuant to Section 506-1.3 of the regulations concerning Equal Employment and Business Opportunity promulgated by the Virgin Islands Casino Control Commission and to file in a complete, accurate and timely manner all reports and documentation required by the regulations of the Virgin Islands Casino Control Commission.”

(d) A casino license applicant shall be required to designate an Equal Opportunity Officer in accordance with the provisions of Section 506-1.2 prior to the start of actual construction by the applicant of any structure or facility to be used as an approved hotel or casino.

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32 V.I. R. & Regs. § 506-2.1, 32 VI ADC § 506-2.1

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32 V.I. R. & Regs. § 506-2.2

506-2.2. Obligation of Casino Licensee or Applicant to Monitor All Construction Activity.

(a) Each casino licensee or applicant shall be required to develop and implement a monitoring system which allows the casino licensee or applicant to oversee all construction activity performed for the licensee or applicant at any structure or facility to be used as an approved hotel or casino.

(b) The monitoring system shall provide for systematic coordination between the equal opportunity officer, the relevant departments within the organization of the casino licensee or applicant which contract for construction work and the purchasing department. The monitoring system shall include, without limitation, procedures which:

1. Ensure that all contractors and subcontractors are notified of their obligation to submit a Project Labor Report pursuant to Section 506-2.5 and to confirm that such reports are in fact submitted by comparison of the contractors and subcontractors identified on these reports with those listed on the Project Status Report required pursuant to Section 506-2.4;
2. Require the evaluation of the information contained in the Project Labor Reports to ensure their complete, accurate and timely submission, and compliance by all contractors and subcontractors with their obligations under this subchapter;
3. Outline the steps to be used by the casino licensee or applicant to obtain compliance from contractors and subcontractors who fail to fulfill their obligations under this subchapter;
4. Ensure that the mandatory construction contract and subcontract language required by Section 506-2.1(c) is actually included in all construction contracts and subcontracts;
5. Provide notification to all contractors and subcontractors of the obligations of the casino licensee or applicant under the Act and this subchapter;
6. Encourage contractors and subcontractors to employ bona fide residents at all levels of the work force;
7. Ensure the documentation of the activities and efforts of contractors and subcontractors to obtain bona fide resident participation in the construction work force as required by Section 506-2.5 when the construction work force of the contractor or subcontractor does not satisfy the bona fide resident employment goals established by Section 506-1.3;

8. Ensure that certified BFRBEs are afforded equal opportunity to compete in the bidding for construction contracts and subcontracts; and

9. Track the participation of certified BFRBEs in construction projects.

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32 V.I. R. & Regs. § 506-2.2, 32 VI ADC § 506-2.2

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32 V.I. R. & Regs. § 506-2.3

506-2.3. Bona Fide Resident Goals for the Construction Work Force of Casino Licensees and Applicants.

(a) The bona fide resident employment goals for the construction work force of a casino licensee or applicant and its individual contractors and subcontractors shall be as set forth in Section 506-1.3.

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32 V.I. R. & Regs. § 506-2.4

506-2.4. Reporting Obligations of Casino Licensees and Applicants Concerning the Construction Work Force.

(a) Each casino licensee or applicant shall be required to file monthly a Project Status Report Summary, which shall be filed by the 15th day of the month.

(b) Each casino licensee or applicant shall file an Annual Summary of Construction Activity with the Commission and Division at least four months prior to the scheduled date of the initial casino license hearing or casino license renewal hearing. The Annual Summary of Construction Activity shall include a summary of all construction projects started by the casino licensee or applicant during the four calendar quarters immediately preceding the filing deadline for the Annual Summary of Construction Activity. The summary shall, without limitation, describe:

1. The start and actual or anticipated finish date for each construction project;
2. The project number or numbers assigned to each construction project;
3. All contractors and subcontractors providing services on each construction project; and
4. The total dollar amount of construction expenditures made with certified BFRBE or WBE construction firms.

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32 V.I. R. & Regs. § 506-2.4, 32 VI ADC § 506-2.4

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32 V.I. R. & Regs. § 506-2.5

506-2.5. Reporting Obligations of Construction Contractors and Subcontractors.

(a) Each contractor or subcontractor involved in the construction of any structure or facility to be used as an approved hotel or casino for that casino licensee or applicant shall be required to file or maintain a Project Labor Report (PLR) as defined in Section 506-1.1, shall be prepared on a monthly basis and shall be submitted by the contractor or subcontractor to the Commission, Division and the equal opportunity officer of the casino licensee or applicant.

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32 V.I. R. & Regs. § 506-2.5, 32 VI ADC § 506-2.5

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32 V.I. R. & Regs. § 506-2.6

506-2.6. Quarterly Assessment of Good Faith Efforts of Contractors and Subcontractors
to Meet Employment Goals and Bona Fide Residents; Referral to Division.

(a) The Commission shall, on a quarterly basis, review and assess the monthly Project Status Report submitted by casino licensees or applicants pursuant to Section 506-2.3 and any other available documentation concerning the efforts of contractors and subcontractors to meet the applicable employment goals for bona fide residents established by Section 506-1.3.

(b) Any contractor or subcontractor which fails to meet the applicable employment goals for bona fide residents during a calendar quarter shall be notified by the Commission that the contractor or subcontractor may have one additional calendar quarter in which to comply with the goals or document its good faith efforts to do so.

(c) If a contractor or subcontractor which has been notified pursuant to (b) above fails, by the end of the six month compliance review period, to meet the employment goals for bona fide residents or to submit documentation of its good faith efforts to meet the goals, the issue of compliance shall be referred to the Division for investigation as to whether a violation of the Act or these rules has occurred. If, upon the filing of a complaint by the Division against a contractor or subcontractor, the Commission finds that a violation has occurred, the contractor or subcontractor may be subject to any of the sanctions enumerated in Section 490 of the Act and Section 506-3.3.

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32 V.I. R. & Regs. § 506-2.6, 32 VI ADC § 506-2.6

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506-3. Subchapter 3 - Equal Employment and Affirmative Action Obligations of Casino Service Industries

32 V.I. R. & Regs. § 506-3.1

506-3.1. Designation of Equal Opportunity Officer by Casino Service Industry Enterprise Licensee; Responsibility of Chief Executive Officer and Equal Employment Officer.

Each casino service industry enterprise licensee shall designate a principal member of its organization to serve as an equal opportunity officer. The chief executive officer shall be ultimately responsible for insuring that equal employment opportunity is afforded to all prospective and actual employees of the licensee, that equal business opportunity is afforded to all persons who do or would like to do business with the licensee, and that the licensee complies with or makes good faith efforts to comply with any affirmative action obligations imposed on the licensee by the Act and this chapter. The equal opportunity officer shall be directly responsible for the effective and continuing implementation of the equal opportunity and affirmative action obligations of the licensee.

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32 V.I. R. & Regs. § 506-3.1, 32 VI ADC § 506-3.1

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506-3. Subchapter 3 - Equal Employment and Affirmative Action Obligations of Casino Service Industries

32 V.I. R. & Regs. § 506-3.2

506-3.2. Equal Employment and Business Opportunity Obligations
of All Casino Service Industry Enterprise Licensees and Applicants.

- (a) Each casino service industry enterprise licensee and applicant shall provide equal employment opportunity to all prospective and actual employees at all levels of its work force.
- (b) Each casino service industry enterprise licensee and applicant shall provide equal business opportunity to all persons who do or wish to do business with the licensee or applicant.
- (c) The chief executive officer of each casino service industry enterprise licensee or applicant shall submit to the Commission an acknowledgment of the obligations imposed by this section with the application for initial casino service industry licensure, with each application for license renewal, and upon any change in the ownership or management of the casino service industry enterprise.
- (d) Each casino service industry enterprise licensee and applicant shall guarantee to provide employment opportunity to bona fide residents in accordance with Section 465(c) of the Act and Section 506-1.3.
- (e) Each casino service industry enterprise licensee and applicant shall be required to make diligent efforts to locate qualified, bona fide residents for employment opportunities.
- (f) Each casino service industry enterprise license applicant shall submit a statistical report on the composition of its work force in the Virgin Islands at the time of filing of its applications for initial licensure and license renewals. The reports shall be submitted on forms provided by the Commission and shall indicate the number of employees by bona fide resident status.

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32 V.I. R. & Regs. § 506-3.2, 32 VI ADC § 506-3.2

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506-3. Subchapter 3 - Equal Employment and Affirmative Action Obligations of Casino Service Industries

32 V.I. R. & Regs. § 506-3.3

506-3.3. Sanctions.

(a) If the Commission determines that a casino service industry enterprise licensee or applicant is in violation of the Act or this subchapter, in addition to any action taken by the Commission to suspend or revoke the casino service enterprise license, the Commission may:

1. Order any or all casino licensees and applicants to terminate or suspend any business relationships or contracts with the casino service industry enterprise licensee or applicant;
2. Prohibit the casino service industry enterprise licensee or applicant from entering into any future contracts with any casino licensee or applicant for a period of time to be determined by the Commission; and
3. Take any other action authorized by the Act or the rules of the Commission.

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506-4. Subchapter 4 - Equal Employment Opportunity and Affirmative Action Obligations of Casino Licensees and Applicants Concerning the Operations Work Force

32 V.I. R. & Regs. § 506-4.1

506-4.1. Equal Employment Opportunity and Affirmative Action Obligations
of Casino Licensees and Applicants Concerning the Operations Work Force.

(a) Each casino licensee and applicant shall provide equal employment opportunity to all prospective and actual employees at all levels of the operations work force.

(b) Each casino licensee and applicant shall be required to undertake affirmative measures to ensure that bona fide residents are recruited and employed at all levels of the operations work force and treated during employment without regard to their bona fide resident status. Such affirmative efforts shall, without limitation, address all employment practices including employment, promotion, demotion or transfer; recruitment, recruitment advertising or posting; layoff or termination; rates of pay and other forms of compensation or benefits; selection for training programs; and grievance procedures for, and disposition of, complaints related to equal employment opportunity.

(c) In the event that any criteria, test, interview procedure or other employment procedure used by a casino licensee or applicant is shown to have a discriminatory impact, the casino licensee or applicant shall be required to demonstrate to the satisfaction of the Commission that no less discriminatory method of evaluation or prediction of job performance is feasible. In such case, the casino licensee or applicant shall justify the requirements imposed and shall demonstrate to the satisfaction of the Commission that any criteria, tests, interview procedures or other procedures used are truly predictive of job performance. The casino licensee or applicant shall discontinue the use of any criteria, tests, interview procedures or other employment procedures which have a discriminatory impact and which cannot be validated as truly predictive of job performance to the satisfaction of the Commission. In attempting to establish the validity of the criterion, test, interview procedure or other employment procedure, the casino licensee or applicant shall be guided by the rules of the Virgin Islands Civil Rights Commission and the U.S. Equal Employment Opportunity Commission.

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32 V.I. R. & Regs. § 506-4.1, 32 VI ADC § 506-4.1

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506-4. Subchapter 4 - Equal Employment Opportunity and Affirmative Action Obligations of Casino Licensees and Applicants Concerning the Operations Work Force

32 V.I. R. & Regs. § 506-4.2

506-4.2. Periodic Reports on the Affirmative Action Efforts
of Casino Licensees Concerning the Operations Work Force.

(a) Beginning with the first calendar quarter after the opening of its casino, each casino licensee shall be required to file a quarterly report with the Commission and the Division on its affirmative action efforts concerning its operations work force. The quarterly report shall be presented in a format approved by the Commission and shall be filed by the fifteenth day of the month following the end of the quarter.

(b) The quarterly report shall include the following:

1. Data concerning the composition of the operations work force of the casino licensee and shall list by bona fide resident status the number of workers employed by the casino licensee;
2. A summary of new hires, promotions, involuntary and voluntary terminations and layoffs;
3. A copy of all grievance reports related to equal employment opportunity filed with the casino licensee's equal opportunity officer; and
4. A report on the implementation of all upward mobility training programs and the status of participants.

(c) Each casino license applicant shall submit a statistical report on the composition of its operations work force at the time of filing its application for initial casino licensure. Thereafter, the applicant shall file the report four months prior to its initial casino license hearing.

(d) The reports required by (c) above shall be submitted in a form prescribed by the Commission and shall indicate the number of employees by bona fide resident status and by gender working in each EEOC job category as of, except for the initial report submitted by a casino license applicant, the end of the calendar quarter immediately preceding the filing deadline for submission of the report.

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32 V.I. R. & Regs. § 506-4.2, 32 VI ADC § 506-4.2

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506-5. Subchapter 5 - Equal Business Opportunity and Affirmative Action Obligations of Casino Licensees and Applicants

32 V.I. R. & Regs. § 506-5.1

506-5.1. Equal Business Opportunity Obligation of All Casino Licensees and Applicants.

Each casino licensee and applicant shall afford equal business opportunity to all persons who do or wish to do business with the licensee or applicant in connection with its approved hotel or casino.

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32 V.I. R. & Regs. § 506-5.1, 32 VI ADC § 506-5.1

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506-5. Subchapter 5 - Equal Business Opportunity and Affirmative Action Obligations of Casino Licensees and Applicants

32 V.I. R. & Regs. § 506-5.2

506-5.2. Participation Goals for Casino Licensee Purchases
of Goods and Services from Bona Fide Resident Businesses.

(a) Each casino licensee and applicant shall make a good faith effort to spend each year at least 65% of the dollar value of its purchased goods and services, calculated in accordance with the provisions of Section 506-5.4, with certified BFRBEs.

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32 V.I. R. & Regs. § 506-5.2, 32 VI ADC § 506-5.2

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506-5. Subchapter 5 - Equal Business Opportunity and Affirmative Action Obligations of Casino Licensees and Applicants

32 V.I. R. & Regs. § 506-5.3

506-5.3. Commission Directory of Certified Bona Fide Resident Business Enterprises; Removal from Directory; Obligation to Obtain Registration or License.

(a) Any enterprise that is currently certified by the Department of Labor as an BFRBE shall be listed in the Commission's directory of certified BFRBEs (Commission BFRBE Directory). Any enterprise that has its BFRBE certification revoked by the Department of Labor or that fails to maintain its Department of Labor certification shall be removed immediately from the Commission BFRBE Directory. The Commission shall provide assistance to BFRBEs in applying for certification by the Department of Labor.

(b) If it is determined by the Commission or the Department of Labor, upon the denial of certification by the Department of Labor, or at any time before or after such decision, that an enterprise has intentionally misrepresented material facts in its application for Department of Labor certification, the Commission, after an appropriate hearing pursuant to these regulations, shall remove the enterprise from the Commission BFRBE directory. In addition, the Commission may prohibit any such enterprise from transacting further business with any casino licensee or applicant for a period of five years. Such prohibition may be applied to all owners, principals, officers and employees of the enterprise.

(c) Certification of an enterprise as an BFRBE does not in any way relieve that enterprise or any casino licensee of its obligation to comply with any requirement of the Act or the Commission's rules concerning registration or licensure of enterprises doing business with casino licensees.

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32 V.I. R. & Regs. § 506-5.3, 32 VI ADC § 506-5.3

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506-5. Subchapter 5 - Equal Business Opportunity and Affirmative Action Obligations of Casino Licensees and Applicants

32 V.I. R. & Regs. § 506-5.4

506-5.4. Determination of Casino Licensee Net Disbursements
for Goods and Services and Disbursements to BFRBEs.

(a) In determining the net disbursements for goods and services made by a casino licensee during any period and the percentage thereof made with certified BFRBEs and WBEs, a casino licensee shall first record the amount of the gross disbursements during the period and then determine its adjusted gross disbursements by deducting its allowable administrative costs and allowable direct labor costs for the period.

(b) Allowable administrative costs are defined as follows:

1. Fees paid to governmental and quasi-government organizations such as fees paid to the Commission, the Securities and Exchange Commission, the Department of Motor Vehicles, and the Alcoholic Beverages Control Board; payments made to the United States Post Office for the cost of postage; court costs; and Department of Licensing and Consumer Affairs permit and license fees;
2. Refunds paid to customers; cash awards and settlements; room deposit refunds; and casino licensee donations to charities recognized by the Internal Revenue Service;
3. Dues and fees for professional associations, trade publications and journals; and
4. Reimbursements for employee travel, food and lodging. This deduction shall not include the cost of conferences, expositions and seminars.

(c) Allowable direct labor costs are defined as follows:

1. Net payroll, which is the cost of salaries, wages, overtime, cash bonuses, director's fees and incentive pay; and
2. Payments related to: workman's compensation claims, retirement benefit plans, payments for employee benefits packages such as 401k contributions and other withholdings such as credit union deductions and employee charitable deductions; payments made to employee wage garnishment agencies pursuant to a court order; and union fees and dues including membership dues, health and welfare, pension, severance, education, legal and annuity fund payments.

(d) The total cost of the following disbursements shall then be deducted from adjusted gross disbursements to determine net disbursements for the period:

1. Utilities and taxes;
2. Financing costs, such as mortgages, loans or any other type of debt;
3. Medical insurance paid directly by the casino licensee on behalf of its employees which, for the purposes of determining net disbursements, shall not include any other insurance such as general or property liability insurance aviation, auto or crime insurance;
4. Fees and payments to a parent or affiliated company of the casino licensee other than those that represent fees and payments for goods and services supplied by non-affiliated persons through an affiliated company for the use or benefit of the casino licensee; and
5. Rents paid for real property and any payments constituting the price of an interest in real property as a result of a real estate transaction which, for the purposes of determining net disbursements, shall not include fees paid incidental to the real estate transaction, such as fees for brokers who represent the casino licensee, finder's fees, title insurance or other insurance.

(e) A casino licensee may fulfill up to 70 percent of the BFRBE participation goals established by Section 506-5.2, or any part thereof, by requiring its contractors or commercial buyers to award portions of their contracts or purchase authorizations to certified BFRBEs, to the extent that dollars are actually spent with certified BFRBEs. In determining the good faith efforts of a casino licensee to meet its BFRBE participation goals, no consideration shall be given to dollars spent by casino contractors or commercial buyers with certified BFRBEs in excess of this 70 percent limitation. Any casino licensee seeking credit for subcontracts or purchase agreements awarded to certified BFRBEs by a casino contractor or commercial buyer shall provide proof of the amount of the disbursements to the Commission. Such proof shall include:

1. Executed copies of the contract and subcontract or purchase authorization and purchase agreement, as appropriate;
2. Copies of any payment orders and checks made payable to the certified BFRBE subcontractor or supplier or copies of computer generated records which indicate that such payments were made; and
3. Any other information the Commission may require concerning the circumstances of or enterprises involved in a particular contract, subcontract, purchase authorization or purchase agreement.

(f) The percentage of disbursements awarded to certified BFRBEs by a casino licensee during any period shall be determined by dividing the total amount of such disbursements permitted by this section made during the period by the casino licensee and by any contractor or commercial buyer pursuant to an agreement authorized under (e) above, by the net disbursements of the casino licensee for the period as determined in (a) and (d) above.

(g) If a casino licensee has an agreement with a contractor in which the contractor agrees to award a portion of its contract to certified BFRBEs pursuant to (e) above and the contractor itself is a certified BFRBE, a casino licensee shall not claim credit for any disbursement to a certified BFRBE subcontractor if a corresponding credit is claimed for disbursements made pursuant to the casino contract.

(h) If a casino licensee has issued a purchase authorization to a commercial buyer and the commercial buyer itself is a certified BFRBE, a casino licensee shall only claim credit for those disbursements made to the commercial buyer that represent compensation paid to the commercial buyer for its purchasing or negotiation activities on behalf of the casino licensee. Except as otherwise authorized by (e) above, the casino licensee shall not claim credit for any disbursements made to the commercial buyer for the purpose of purchasing goods and services from a supplier unless, pursuant to (i) below, the commercial buyer also qualifies as a supplier and does in fact supply goods or services to the casino licensee in satisfaction of the purchase authorization.

(i) In determining whether an enterprise that is purchasing goods or services for the benefit of a casino licensee is acting as a supplier or commercial buyer for purposes of this subchapter, the totality of circumstances surrounding the transaction shall be considered including, without limitation, the following:

1. Whether the enterprise is a viable ongoing business enterprise involved in the distribution of such goods or the provision of such services independent of any business conducted with casino licensees (indicative of supplier status);
2. The level of involvement of casino licensees in the purchasing decisions of the enterprise, such as whether:
 - i. The casino licensee specifies not only the goods or services to be purchased but also the terms of purchase or the supplier from which the goods or services should be purchased (indicative of commercial buyer status); or
 - ii. The enterprise has the authority to make purchasing decisions without the approval of the casino licensee (indicative of supplier status); and
3. The nature of the business relationship between the enterprise and the casino licensee, historically and currently, such as whether:
 - i. The casino licensee takes an active role in the management of the enterprise (indicative of commercial buyer status); or
 - ii. All business arrangements between the enterprise and the casino licensee are negotiated on an independent arm's length basis, for example, the enterprise bids to supply goods or services that are specified in advance by the casino licensee (indicative of supplier status).

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32 V.I. R. & Regs. § 506-5.4, 32 VI ADC § 506-5.4

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506-5. Subchapter 5 - Equal Business Opportunity and Affirmative Action Obligations of Casino Licensees and Applicants

32 V.I. R. & Regs. § 506-5.5

506-5.5. Quarterly Casino Licensee Disbursement Reports.

(a) Each casino licensee shall submit to the Commission, in a format prescribed by the Commission, a quarterly report on its purchases of goods and services which shall consist of the following information recorded in accordance with the requirements of Section 506-5.4:

1. The total dollar value of gross disbursements;
2. The total dollar value of allowable administrative costs, as defined in Section 506-5.4, deducted from gross disbursements;
3. The total dollar value of allowable direct labor costs, as defined in Section 506-5.4, deducted from gross disbursements;
4. The total dollar value of adjusted gross disbursements for goods and services made by the casino licensee during the quarter;
5. The total dollar value of net disbursements for goods and services made by the casino licensee during the quarter;
6. The name and vendor identification number of each certified BFRBE with whom the casino licensee did business during the quarter, as well as:
 - i. The certification status of the enterprise (BFRBE or uncertified supplier);
 - ii. The total dollars disbursed to the enterprise; and
 - iii. The total amount of dollars, if any, which were disbursed to the certified BFRBE by contractor or commercial buyer pursuant to an agreement as described in Section 506-5.4(e);
7. The total dollar amount of permitted disbursements made to certified BFRBEs during the quarter by either the casino licensee or its contractors and commercial buyers, listed by BFRBEs, and combined total, and the percentage of the net disbursements reported pursuant to (a)5 above that each listed amount represents; and

8. The total dollar amount of permitted disbursements made during the quarter to certified BFRBEs by contractors or commercial buyers pursuant to agreements as described in Section 506-5.4(e).

(b) The quarterly reports required by this section shall be based on calendar quarters and shall be filed with the Commission by the last business day of the month following the expiration of the calendar quarter. The initial quarterly report of any casino licensee which receives its casino license on a date other than the beginning of the calendar quarter shall be based on the partial calendar quarter.

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32 V.I. R. & Regs. § 506-5.5, 32 VI ADC § 506-5.5

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32 V.I. R. & Regs. § 506-5.6

506-5.6. Annual Report by Casino Licensees on Disbursements to BFRBEs.

(a) Each casino licensee shall file an annual BFRBE disbursement report with the Commission and Division at least four months prior to the scheduled date of its casino license renewal hearing. The annual BFRBE disbursement report shall contain a yearly summary of the information required by Section 506-5.5(a)1 through 506-5.7 and 506-5.8 for the four calendar quarters immediately preceding the filing deadline for the annual BFRBE disbursement report.

(b) Each casino licensee whose annual BFRBE disbursement report does not demonstrate that the casino licensee achieved the applicable participation goals specified in Section 506-5.2 shall be required to document its good faith efforts to implement and comply with Section 558(a) of the Act.

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32 V.I. R. & Regs. § 506-5.6, 32 VI ADC § 506-5.6

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32 V.I. R. & Regs. § 506-5.7

506-5.7. Required Reporting Adjustments for Enterprises Removed from the Commission BFRBE Directory.

(a) A casino licensee shall be required to report separately in the BFRBE disbursement sections of its current quarterly disbursement report, required pursuant to Section 506-5.5, or its current annual disbursement report, required pursuant to Section 506-5.6, any disbursement made to a certified BFRBE which is removed from the Commission BFRBE Directory prior to the submission of the report to the Commission and the Division.

(b) A casino licensee may receive credit for any disbursement made to an BFRBE which was certified at the time of the disbursement even if such enterprise is subsequently removed from the Commission BFRBE Directory unless the casino licensee knew or should have known at the time of the disbursement that the BFRBE did not qualify for certification.

(c) Any disbursement to an BFRBE which is removed from the Commission BFRBE Directory during the current reporting period shall not be included in any report prepared by the Commission or any casino licensee concerning actual disbursements made to certified BFRBEs.

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32 V.I. R. & Regs. § 506-5.7, 32 VI ADC § 506-5.7

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32 V.I. R. & Regs. § 515-1.1

515-1.1. Description of Tax.

Subsection 515(a) of the Act imposes an annual tax on gross revenues, as defined in Section 402 of the Act, in the amount of twelve percent of such gross revenues.

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32 V.I. R. & Regs. § 515-1.1, 32 VI ADC § 515-1.1

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32 V.I. R. & Regs. § 515-1.2

515-1.2. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Act” refers to Virgin Islands Casino and Resort Control Act of 1995, Title 32 of the V.I. Code.

“Casino licensee” or “licensed casino” includes the holder of a casino license or interim casino authorization.

“Casino management agreement” means a written agreement between one or more casino licensees and another casino licensee whereby the latter agrees to provide complete management of a casino in accordance with Section 434 of the Act.

“Casino management licensee” means a casino licensee which provides complete management of a casino pursuant to a casino management agreement, as herein defined.

“Casino operator” means:

1. Where there is no casino management agreement with regard to the casino hotel facility, the casino operator shall be the casino licensee which is responsible for submitting and maintaining the internal controls required by Section 455 of the Act; or
2. Where there is a casino management agreement with regard to the casino hotel facility, the casino operator shall be the casino management licensee, if said licensee has supplied capital at risk in the gaming operations of the casino. If the casino management licensee has supplied none of the capital at risk in the gaming operations of the casino, the casino operator shall be the licensee designated in paragraph 1 of this definition, as though no casino management agreement existed.

“Casino Revenue Fund” means a separate special account established in the Department of Finance for the deposit of all revenues from the tax imposed by Section 515 of the Act, the investment alternative taxes imposed by Section 516 of the Act, any interest earned pursuant to Section 516(a)(2) of the Act any income realized from investments pursuant to Section 519 of the Act, and any penalties payable to the Casino Revenue Fund pursuant to Section 523 of the Act.

“Lease” or “lease agreement” means a written agreement for the lease of the approved hotel in accordance with Section 434 of the Act, including any such lease which is capitalized under generally accepted accounting principles.

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32 V.I. R. & Regs. § 515-1.2, 32 VI ADC § 515-1.2

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32 V.I. R. & Regs. § 515-1.3

515-1.3. Tax Year.

For purposes of the tax on gross revenues, the tax year shall be the calendar year. In the year in which a casino operator commences gaming operations, the tax year for that casino operator shall begin with the commencement of operations and terminate on the last gaming day of the current calendar year.

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32 V.I. R. & Regs. § 515-1.4

515-1.4. Tax Payer.

(a) The obligation to file returns and reports and to pay the gross revenue tax and any investment alternative taxes shall be upon the casino operator who shall be primarily liable therefor. In the event of a transfer of operations to a different casino operator, the transferor-operator will be obligated to file a return and to pay all taxes based upon gross revenues derived by the said transferor during the tax year in which the transfer occurred. The appointment of a conservator under the Act shall not be deemed a transfer to a different casino operator but, for the duration of the conservatorship, the conservator shall file all returns and pay all taxes on behalf of the former or suspended casino licensee who shall remain primarily liable therefor.

(b) In accordance with Section 434 of the Act, each casino licensee which is a party to either a casino management agreement or a lease with the casino operator, shall be individually and severally liable for any acts, omissions and violations by the casino operator regarding the tax obligations imposed by the Act regardless of actual knowledge of such act, omission or violation and notwithstanding any provision of such agreement or lease to the contrary.

(c) In the event of a sale or other transfer by the casino operator of its interest in the licensed premises to another casino licensee, the transferee shall be liable for any default by the former casino operator in its tax obligations with respect to the licensed premises. The liability of the transferee shall not, however, release any other party from potential liability.

(d) Nothing in this section shall be construed to limit the authority of the Director of the Virgin Islands Bureau of Internal Revenue or the Commission to enforce any tax obligation by way of a lien against the property of a taxpayer or otherwise as provided by Title 32 and Title 33 of the Virgin Islands Code or by any other applicable law.

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32 V.I. R. & Regs. § 515-1.5

515-1.5. Payment of Tax.

(a) In accordance with subsection 521(a) of the Act, the gross revenues tax shall be due and payable monthly within 30 calendar days following the last day of the month concerned. The gross revenues tax shall be based upon the gross revenues derived by the casino operator during the previous month. The amount of the annual tax shall be computed in accordance with subsection 515-1.6.

(b) The monthly nature of the tax notwithstanding, the casino operator shall make weekly deposits of the tax at such times, under such conditions, and in such manner as shall be prescribed by the Director of the Virgin Islands Bureau of Internal Revenue. Deposits for a given week shall be made no later than the Monday of the succeeding week. If such Monday is a government holiday, the deposit shall be made on the next business day. In the event that the week for which the weekly deposit is being made includes gaming days from two calendar months, the casino operator shall deposit and report separately, the amount of the deposit attributable to the gaming days of each month.

(c) The amount of the required weekly deposit for a given week shall be determined by subtracting the total amount of deposits made by the casino operator in the current tax year up to and including the week preceding the given week from the total tax liability incurred by the casino operator for the current tax year. The total tax liability for the current tax year shall be based upon the gross revenues derived by the casino operator from the commencement of the current tax year to the end of the gaming day which commenced on the Friday of the given week.

(d) The amount of deposits required for a given month shall be the amount determined by subtracting the total amount of deposits made by the casino operator in the current tax year up to and including the month preceding the given month from the total tax liability incurred by the casino operator for the current tax year. The total tax liability for the current tax year shall be based upon the gross revenues derived by the casino operator from the commencement of the tax year to the end of the gaming day which commenced on the last calendar day of the given month.

(e) In the event that the total amount of deposits made for the entire tax year is determined to be less than the annual tax liability for the entire year, the casino operator shall remit the requisite additional payment to the Director of the Virgin Islands Bureau of Internal Revenue. In the event that the total amount of such deposits is determined to be greater than the annual tax liability, the casino operator may be allowed to reduce the amount of its weekly deposits in the succeeding tax year by the amount of the overpayment, provided, however, that the casino operator shall not claim any such credit against deposits unless the Virgin Islands Bureau of Internal Revenue first certifies the existence and amount of the overpayment. Nothing in this section shall limit any authority of the Director of the Virgin Islands Bureau of Internal Revenue under sections 522 and 523 of the Act, and Title 33 of the Virgin Islands Code including the authority to determine the insufficiency of any deposit or deposits, to require payments of penalties and interest or to allow or disallow any claim for refund due to overpayment of taxes.

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32 V.I. R. & Regs. § 515-1.6

515-1.6. Computation of Tax.

(a) The gross revenue tax shall be twelve percent of gross revenue. The gross revenue for the tax year, or portion thereof, shall be the amount obtained from the following calculation:

1. The total of all sums for the tax year, or portion thereof, that are actually received by a casino operator from its gaming operations, which sums include, but are not limited to, cash, slot tokens, prize tokens counted at face value pursuant to Sections 455-7.14 and 455-8.3 of the Accounting and Internal Control regulations, checks received by a casino operator pursuant to Section 457 of the Act whether collected or not, and coupons counted pursuant to Section 455-8.2 of the Accounting and Internal Control regulations regardless of validity, less only the total of all sums paid out as winnings to patrons;

2. Minus only the lesser of the following:

i. Four percent of the sum total derived in (a)1 above; or

ii. The amount shown in the casino department account entitled "Provision for Uncollectible Patron Checks," which account shall be maintained in accordance with generally accepted accounting principles as part of the uniform chart of accounts required for casino departments pursuant to Section 422(m) of the Act and Section 455-1.3 of the Regulations concerning Accounting and Internal Controls.

(b) The methodology used to determine the amount of the "Provision for Uncollectible Checks" shall be delineated in the casino operator's accounting and internal controls submission required by Section 455 of the Act and Section 455-1.4 of the Regulations concerning Accounting and Internal Controls.

1. The methodology shall include the consideration of historical data related to uncollectible checks. The data shall be derived from:

i. The casino operator's statistics;

ii. Virgin Islands casino industry statistics maintained by the casino operator; or

iii. Virgin Islands casino industry statistics provided to the casino operator by the Commission.

2. The methodology shall, at the discretion of the casino operator, focus on uncollectible patron checks as:

- i. A percentage of credit issued;
- ii. A percentage of casino receivables; or
- iii. Multiple percentages applied to an aging of accounts receivable.

3. The methodology may consider other factors considered relevant by the casino operator provided that any resultant departures from the historical data are contemporaneously documented. The correlation between the other factors and the adjusted amount shall be included in the documentation. Such other factors may, without limitation, include:

- i. Information related to specific obligors or groups of obligors;
- ii. An appraisal of current economic conditions;
- iii. A change in the character of the casino receivables;
- iv. The experience of the collection manager, chief financial officer, or other expert; and
- v. A change in collections policy.

4. On an annual basis, the Commission shall provide to the accounting department of each casino operator Virgin Islands casino industry statistics on uncollectible checks. The statistics will be based upon calendar year data and shall cover the most recent five year period. The following Virgin Islands casino industry statistics shall be provided for each of the five years and for the five year cumulative period:

- i. Uncollectible checks as a percentage of credit issued;
- ii. Uncollectible checks as a percentage of undeposited checks; and
- iii. Uncollectible checks as a percentage of returned checks.

5. Each casino operator shall submit and obtain approval of the internal controls required by this section 90 days prior to the start of casino operation.

(c) Nothing in this section shall be construed to limit the authority of the Virgin Islands Bureau of Internal Revenue to redetermine the amount of tax liability or to require adjustments or corrections to the accounts of the casino operator.

(d) Each casino operator shall treat each check which it receives in that year but which is invalid and unenforceable pursuant to Section 457(f) of the Act as cash received from gaming operations, and no deduction for the amount thereof shall be allowed in computing gross revenue.

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32 V.I. R. & Regs. § 515-1.6, 32 VI ADC § 515-1.6

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32 V.I. R. & Regs. § 515-1.7

515-1.7. Return and Reports.

(a) The casino operator shall file with the Director of the Virgin Islands Bureau of Internal Revenue and the Commission a monthly tax return for purposes of the gross revenues tax. The return shall be filed no later than 30 calendar days following the last day of the month concerned. Filing of the monthly tax return shall satisfy the reporting of gross revenues requirement imposed by Section 521(a) of the Act. The monthly tax return shall be made on a form promulgated and distributed by the Director of the Virgin Islands Bureau of Internal Revenue pursuant to Section 524 of the Act. The casino operator shall provide all information required on the form and shall attest to the accuracy of such information. The monthly tax return shall be signed by the chief executive officer, chief financial officer, treasurer, or controller if the casino operator is a corporation; by a general partner if the operator is a partnership; by the chief executive officer if the operator is any other form of business association; or by the proprietor if the operator is a sole proprietorship.

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32 V.I. R. & Regs. § 515-1.7, 32 VI ADC § 515-1.7

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32 V.I. R. & Regs. § 515-1.8

515-1.8. Examination of Accounts and Records.

The casino operator shall permit duly authorized representatives of the Commission to examine the operator's accounts and records for the purpose of certifying gross revenues. In the event that any records or documents deemed pertinent by an examiner are in the possession of another licensee or entity, the casino operator shall be responsible for making those records or documents available to the examiner. Further, the casino operator shall be individually and severally liable for any relevant accounts, records or documents maintained or required to be maintained by any other licensee or entity with regard to the casino.

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32 V.I. R. & Regs. § 515-1.8, 32 VI ADC § 515-1.8

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32 V.I. R. & Regs. § 515-1.9

515-1.9. Determination of Tax Liability; Notice; Disputes; Hearings.

(a) If a return or deposit required by section 515 of the Act with respect to the gross revenue tax is not filed or paid, or if a return or deposit when filed or paid is incorrect or insufficient in the opinion of the Director of the Virgin Islands Bureau of Internal Revenue, the amount of tax due or deposit shall be determined by the Virgin Islands Bureau of Internal Revenue through an examination of the casino licensee's books and records. The Virgin Islands Bureau of Internal Revenue is empowered to determine whether a casino operator or other casino licensee has fully satisfied its obligations with regard to the gross revenues tax and to require that a casino operator or casino licensee make additional payments, including the payment of interest or penalty, or take additional steps to comply.

(b) If the Virgin Islands Bureau of Internal Revenue determines that the casino operator has not satisfied its obligation as to payment of tax or deposit, a notice of such determination shall be given to the casino operator and to other licensees liable for the payment under subsection 515-1.4. Such determination shall finally and irrevocably fix the tax unless within 30 days after receiving notice of such determination, the casino operator or any other licensee liable for the payment shall apply to the Director of the Bureau of Internal Revenue for a hearing, or unless the Virgin Islands Bureau of Internal Revenue redetermine the same. Any hearing by the Virgin Islands Bureau of Internal Revenue shall be governed as to notice and procedure by Title 33 of the Virgin Islands Code.

(c) In discharging its responsibilities under this Act, the Director of the Virgin Islands Bureau of Internal Revenue shall have all the authority granted by Title 33, and all proceedings shall be conducted in accordance with said law, except to the extent that a specific provision of the Act or these regulations may be in conflict therewith. Nothing herein shall prevent the Virgin Islands Bureau of Internal Revenue from employing additional procedures including informal conferences with a licensee at which the licensee may present legal and factual contentions to the Virgin Island Bureau of Internal Revenue. Such informal conferences shall not, however, be a substitute for a formal hearing as defined and described in Title 33.

(d) The Director of the Virgin Islands Bureau of Internal Revenue shall notify the Commission of all determinations and redetermination of all the taxes, and of all hearings or all other actions concerning casino operators taken by the Virgin Islands Bureau of Internal Revenue. In all such matters, the Commission shall have the right to appear in person or through an Agent or to submit in writing any position, petition, or documentation it deems appropriate.

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32 V.I. R. & Regs. § 515-1.10

515-1.10. Penalties and Sanctions.

- (a) A casino operator who shall fail to file its return when due or to pay the tax or deposit when the same becomes due shall be subject to such penalties and interest as provided in Title 33.
- (b) If the Virgin Islands Bureau of Internal Revenue determines that any part of any underpayment of tax required to be shown on a return is due to fraud, there shall be added to the tax an amount equal to 50 percent of the underpayment.
- (c) Any person failing to file a return to pay the tax or deposit, or filing or causing to be filed, or making or causing to be made, or giving or causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by the Act, or rules or regulations adopted thereunder which is willfully false, or failing to keep any records required by the Act or rules and regulations adopted thereunder, shall, in addition to any other penalties herein or elsewhere prescribed, shall be subject to such criminal sanctions set forth in the Act or otherwise as provided by law.
- (d) In addition to the foregoing, any casino operator or other licensee which violates any of the provisions of the Act or these regulations regarding the gross revenues tax shall be liable to any sanction, penalty or other consequence which the Commission may be authorized to impose, including those delineated in sections 471, 490 and 491 of the Act.

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