



# TINIAN CASINO GAMING CONTROL COMMISSION

Municipality of Tinian and Aguiguan  
Commonwealth of the Northern Mariana Islands



Esther H. Barr  
Chairman

Jose P. Kiyoshi  
Vice Chairman

Patrick H. San  
Nicolas  
Commissioner

Charlene M.  
Lizama  
Commissioner

William M. Cing  
Executive Director

## **PUBLIC NOTICE OF PROPOSED RULES AND REGULATIONS OF THE TINIAN CASINO GAMING CONTROL COMMISSION PERTAINING TO THE ESTABLISHMENT OF JUNKETS AND COMPLIMENTARY**

**PROPOSED RULES AND REGULATIONS:** The Tinian Casino Gaming Control Commission (TCGCC) finds that:

### **INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS:**

The Tinian Casino Gaming Control Commission intends to adopt as permanent regulations the attached Proposed Regulations for Junkets and Complimentary, pursuant to the procedures of the Administrative Procedures Act, 1 CMC § 9104(a). The Regulations would become effective ten (10) days after adoption and publication in the Commonwealth Register. (1 CMC§ 9104(b)).

**AUTHORITY:** At its Regular Meeting held on May 8, 2018, the Tinian Gaming Commission Chair and members, vested with authority as the governing body, approved to promulgate the Regulations for Junkets and Complimentary for publication and notice in the Commonwealth Register and in line with Part II, Section 5(8)(c) of the Revised Tinian Casino Gaming Control Act of 1989 and the CNMI Administrative Procedures Act.

The Commission hereby approves for the publication in the Commonwealth Register for Notice and Comment pursuant to the Administrative Procedure Act and as administered by the CNMI Law Revision Commission to be incorporated in Title 170 of the NMI Administrative Code and for approval by the Attorney General pursuant to 1 CMC § 2153(e).

**THE TERMS AND SUBSTANCE:** The newly proposed regulations will be an added Part to Title 170 (Local Rules and Regulations; Tinian and Aguiguan); Chapter 170-30 (Tinian Gaming Control Commission); Subchapter 30.2 (Casino Application and Licensure Regulations), to provide rules and regulations governing the control and operation of all forms of junket activities in the Second Senatorial District (Tinian) and for the purposes connected herewith as set forth in the Revised Tinian Casino Gaming Control Act of 1989.

**THE SUBJECTS AND ISSUES INVOLVED:** The Proposed Regulations for Junkets and Complimentary consists entirely of Junket and Complimentary. (Definitions/Licensure and Registration Required/Rolling Chip Program/Adherence to Regulations and Orders/Key Employees for Junket Activity/Form and Content of Junket Agreements/Obligation of Casino Licensee and Junket Operator/Methods, Procedures, and Forms/Required Fees/Complimentary/Prohibited Complimentary Activity/General Applicability to Internet Gaming Junket Operator)

**DIRECTIONS FOR FILING AND PUBLICATION:** These proposed regulations shall be published in the Commonwealth Register in the section on Proposed and Newly Adopted Regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the Mayor's Office and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104(a)(1)).


**TO PROVIDE COMMENTS:** All interested persons may examine the proposed regulations and submit written comments, positions, or statements for or against the proposed regulations to the Chairman of the Tinian Casino Gaming Control Commission via mail at P.O. Box 143, Tinian, MP 96952, via phone at (670) 433-9288, or via fax at (670) 433-9290 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of these proposed regulations. (1 CMC § 9102(a)(2)).

Submitted by:   
ESTHER HOFSCHEIDER BARR  
Chairman  
Tinian Casino Gaming Control Commission

5/08/18  
Date

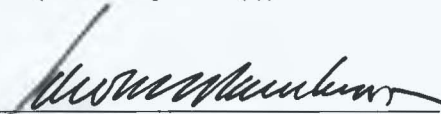
Received by:   
SHIRLEY CAMACHO-OGUMORO  
Special Assistant for Administration

6/18/18  
Date

Filed and Recorded by:   
ESTHER SN. NESBITT  
Commonwealth Register

06.18.2018  
Date

I certify, pursuant to 1 CMC § 2153(e) and 1 CMC § 9104(a)(3), that the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency and shall be published (1 CMC § 2153(f)).

  
EDWARD MANIBUSAN  
Attorney General

6/13/18  
Date

**TINIAN CASINO GAMING CONTROL COMMISSION**  
**Munisipalidad Tinian yan Aguiguan**  
**Commonwealth gi Sangkattan na Islas Mariñas**

**NUTISIAN PUBLIKU PUT I MANMAPROPONI NA AREKLAMENTU YAN  
REGULASION SIHA GI TINIAN CASINO GAMING CONTROL COMMISSION  
PUT PARA I FUNDASION NU I HINANAO YAN ATENDIDU SIHA**

**I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA:** I Tinian Casino Gaming Control Commission (TCGCC) ha sodda' na:

**I MA'INTENSIONA NA AKSION NI PARA U MA'ADAPTA ESTI I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA:** I Tinian Casino Gaming Control Commission ha intensiona para u adapta kumu petmanienti na regulasion siha ni mañechettun i Manmaproponi na Regulasion para Hinanao yan Atendidu Siha, sigun para i manera siha gi Aktun Administrative Procedures gi 1 CMC § 9104(a). I regulasion siha para u ifektibu gi hálum dies (10) dihas dispues di adaptasion yan publikasion gi hálum i Rehistran Commonwealth. (1 CMC § 9104(b))

**ATURIDÁT:** Gi regulát na Huntan-ñiha ni magotti gi Måyu 8, 2018, i Kabesiyu yan i membrun i Tinian Gaming Commission siha, magubietna yan aturidát kumu i governing body, ma'aprueba para u promulgate i Regulasion para Hinanao yan Atendidu Siha para publikasion yan nutisia gi hálum i Rehistran Commonwealth yan pumarehu yan Pátti II, Seksion 5(8)(c) gi 1989 na Aktun Maribisa na Tinian Casino Gaming Control yan i Aktun Maneran i CNMI Administrative.

I kumision guini pá'gu ha aprueba para u mapublika gi hálum i Rehistran Commonwealth para Nutisia yan Upiñon sigun para i Aktun Maneran i CNMI Administrative yan kumu magubietna ni Kumision Revision I Lai CNMI para u manadanña hálum Titulu 170 gi Code i NMI Administrative yan para inaprueba ginin i Henerát Abugádu sigun para 1 CMC § 2153(e).

**I TEMA YAN SUSTANSIAN I PALÁBRA SIHA:** I nuebu manmaproponi na regulasion siha siempri manadanña na Pátti para Titulu 170 (Local na Areklamentu yan Regulations; Tinian yan Aguiguan); Pátti 170-30 (Tinian Gaming Control Commission); Subchapter 30.2 (Aplikasion Casino yan Regulasion Licensure siha), para u pribeni areklamentu yan regulasion ni gumubebetna i manea yan aktibidát nu i todú fotma siha gi aktibidát hinanao gi hálum i Sigundu na Distritun Senadot (Tinian) yan para i rason siha ni mañechettun guini yan kumu mapega mona' gi hálum 1989 na Aktun Maribisa na Tinian Casino Gaming Control.

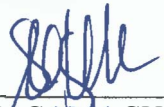
**I SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA:** I Manmaproponi na Regulasion siha para Hinanao yan Atendidu konsisti puru nu i Hinanao yan Atendidu siha. (Definision/Licensure yan Nisisidát Rehistrasion/Prugráman Rolling Chip/Mañechettun para Regulasion yan Enkátga siha/ Key Employees para Operasion Hinanao/Macho' guiña, Manera, yan Fotma siha/Nisisidát Ápas siha/Atendidu/Mapruhibi na Aktibidát Atendidu/Aplikáo Henerát para Internet Gaming Junket Operator)

**DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA:** Esti i manmaproponi na Regulasion siha debi na u mapupblika gi hálum i Rehistran Commonwealth gi hálum i seksiona ni Maproponi yan Nuebu na Regulasion ni Ma'adapta siha (1 CMC § 9102(a)(1)) yan u mapega gi hálum i kumbinienti na lugát siha gi hálum i Ufisinan Mayot yan i ufisinan gubietnamentu siha gi kada distritun senadot, parehu Englis yan prinsipát na lingguáhin natibu. (1 CMC § 9104(a)(1)).

**PARA U MAPRIBENIYI UPIÑON SIHA:** Todu manintirisáo na petsona siha siña eksamina i manmaproponi na regulasion siha yan u na'hálum tinigi' upiñon, pusisions siha, pat sinangan para pat kinentra gi manmaproponi na regulasion siha guatu gi Kabesiyun i Tinian Casino Gaming Control Commission na'hanáo káta gi P.O. Box 143, Tinian, MP 96952, pat tilifon gi (670) 433-9288 pat fax guatu gi (670)433-9290 gi hálum trenta(30) dihas ni tinattitiyi gi fetchan kalendáriu gi publikasion gi hálum i Rehistran Commonwealth gi esti na manmaproponi na regulasion siha. (1 CMC 9104(a)(2))

Nina'hálum as:   
ESTHER HOFSCHEIDER BARR  
Kabesiyun  
Tinian Casino Gaming Control Commission

5/02/18  
Fetcha

Rinisibi as:   
SHIRLEY P. CAMACHO-OGUMORO  
Ispisiát Na Ayudánti Para Atministrasion

6/12/18  
Fetcha

Pine'lu yan  
Ninota as:   
ESTHER SN. NESBITT  
Rehistran Commonwealth

06.18.2018  
Fetcha

Hu Settifikáo, sigun i 1 CMC § 2153(e) yan 1 CMC § 9104(a)(3), atyu i manmaproponi na regulasion siha ni mañechettun guini na manma'eksamina yan manma'aprueba kumu para fotma yan sufisienti ligát yan debi na u mapupblika (1 CMC § 2153 (f)).

  
EDWARD MANIBUSAN  
Abugádu Henerát

6/13/18  
Fetcha

**ARONGORONGOL TOULAP REEP POMMWOL ALLÉGH ME  
MWÓGHUTUGHUTÚL CASINO GAMING CONTROL COMMISSION-IL  
TCHULIYÓL IYE E SULLU NGÁLI ITITTIWEL  
JUNKETS ME COMPLIMENTARY**

**POMMWOL ALLÉGH ME MWÓGHUTUGHUT:** Tinian Casino gaming Control Commission (TCGCC) re schuungi bwe:

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI POMMWOL ALLÉGH ME MWÓGHUTUGHUT KKAL:** Tinian casino gaming Control Commission re mángemángil rebwe adóptááli bwe ebwe lléghló reel fféerúl mwóghut ikka e appasch bwe Pommwol Mwóghutughut ngáli Junkets me Complimentary, sáangi mwóghutughutúl Administrative Procedures Act, 1 CMC § 9104(a). Ebwe bwunguló mwóghut kkal llól seigh ráál mwiril aar adóptáánil me arongowowul me llól Commonwealth Register. (1 CMC § 9104(b)).

**BWÁNGIL:** Igha re yéélágh wóól Móózo 8, 2018, Tinian gaming Commission Chair me memners, eyoor bwángiir igha iir mille re lemelem, re átirow bwe ebwe lléghló Mwóghutughut ngáli Junkets me Complimentary igha ebwe akkatééwow me arongowow me llól Commonwealth Register me e ffil ngáli Part II, Tálil 5(8)(c) reel mille re Fféerú Sefááliy Tinian Casino Gaming Control Act-il 1989 me CNMI Administrative Procedures act.

Commission ra átirow reel akkatééwowul me llól Commonwealth Register ngáli Arongorong me Kkapas sáangi Administrative Procedure Act me ebwe lemeli sáangi CNMI Law Revision Commission ebwe aschúulong llól Title 170 reel NMI Administrative Code me átirow sáangi Soulemelemil Allégh Lapalap sáangi 1 CMC § 2153(e).

**KKAPASAL ME AWEEWEL:** Pommwol mwóghutughut ikka e ffé e schuulong reel Part ngáli Title 170 (Allégh me Mwóghutughut ikka e Local; Tchuliyól me Aguiguan); Chapter 170-30 (Tinian Gaming Control Commission); Subchapter 30.2 (Casino Application me Mwóghutughutúl Licensure), ebwe ayoorai allégh me mwóghutughut reel rebwe lemeli me aghatchú mwóghutughutúl alongal tappal junkets llól Secong Senatorial District (Tchuliyól) me ngáli bwulul ikka e schuu ighal llól mille re Fféerú Sefááliy Tinian Casino Gaming Control Act-il 1989.

**KKAPASAL ME ÓUTOL:** Pommwol Mwóghutughut ngáli Junkets me Complimentary iye e lo bwe óutol Junket me Complimentary. (Faal/Licensure me Registration ikka e Ffil/ Progróomal Rolling Chip/ iye e Ppasch ngáli Mwóghutughutúl me Ammwelil/Key employees ngáli Mwóghutughutúl Junket/ Form me Óutol Abwungubwungúl Junket/ Obligation reel Casino Licensee me Junket Operator.Methods, Mwóghutughutúl, me Pappid ikka e Ffil me Óbwóssul/Complimentary/Mwóghutughutúl Prohibited Complimentary/General Applicability ngáli Internet gaming Junket Operator)

**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Ebwe akkatééwow pommwol mwóghutughut yeel me llól Commonwealth Register llól tálil Pommwol me Ffél Mwóghutughut ikka ra adóptáali (1 CMC § 9102(a)(1) ebwe appaschetá llól Bwulasiyol Mayor me llól bwulasiyol gobetnameento llól senatorial district, fengál reel English me mwaliyaasch. (1 CMC § 9104(a)(1)).

**ISIISILONGOL KKAPAS:** Schóó kka re mwuschel amwuri ghatchúw pappidil pommwol mwóghutughut kkal me isiisilong aar ischil kkapas, positions, ngáre kkapasal aweewe ngáli ngáre sáangi pommwol mwóghutughut kkal ngáli Chairman-il Tinian Casino Gaming Control Commission via email reel P.O. Box 143, Tinian, MP 96952, via tilifon me (670) 433-9288, ngáre via fax me (670) 433-9290 llól eliigh ráal mwiril aal akkatééwow arongorong yeel me llól Commonwealth Register reel pommwol mwóghutughut kkal. (1 CMC § 9102(a)(2)).

Isáliyalong:   
ESTHER HOF SCHNEIDER BARR  
Chairman  
Tinian Casino Gaming Control Commission


5/08/18

Ráal

Bwughiyal:   
SHIRLEY CAMACHO-OGUMORO  
Special Assistant ngáli Administration

6/18/18

Ráal

Ammwelil:   
ESTHER SN. NESBITT  
Commonwealth Register

06-18-2018

Ráal

I alúghúlúgh, sáangi 1 CMC § 2153(e) me 1 CMC § 9104(a)(3), bwe aa átirow me ra amwuri fischiiy bwe aa lléghló fféerúl me legal sufficiency reel pommwol mwóghutughut ikka e appasch me ebwe akkatééwow (1 CMC § 2153(f)).

  
EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap

6/13/18

Ráal

**NORTHERN MARIANA ISLAND ADMINISTRATIVE CODE**

**TITLE 170**

**LOCAL RULES AND REGULATIONS; TINIAN AND AGUIGUAN (SECOND SENATORIAL DISTRICT)**

**Regulation Title:** Northern Mariana Island Administrative Code  
Title 170 (Local Rules and Regulations; Tinian and Aguiguan (Second Senatorial District))  
Chapter 170-30 (Tinian Gaming Control Commission)  
Subchapter 30.2 (Casino Application and Licensure Regulations)  
Part 1100 (Junkets and Complimentary)

**The following Part 1100 shall be added to Title 170; Chapter 170-30; Subchapter 170-30.2; Part 1100:**

**Part 1100 – Junkets and Complimentary**

**§ 170-30.2-1101 - Definitions**

- (a) As used in this Part, the following terms have the following definitions, unless the context clearly requires a different definition:
- (1) “Junket” means an arrangement the purpose of which is to induce any person, selected or approved for participation therein on the basis of his ability to satisfy a financial qualification obligation related to his 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 of said person is directly or indirectly paid by a casino licensee or employee or agent thereof.
  - (2) “Junket enterprise” means any person 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 those activities occur within the Commonwealth.
  - (3) “Junket agreement” means a contract between the casino licensee and the junket operator that states the terms and conditions in relation to the organizing, promoting or conduct of a casino marketing arrangement in or with respect to a casino licensed by the Commission, and the terms of rebate or other rewards from the junket activity payable to the junket operator by the casino licensee.
  - (4) “Junket operator” means an individual or business entity other than the casino licensee, who engages in junket activity.
  - (5) “Junket operator license” means the license granted by the Commission to the junket operator to engage in junket activity under and subject to these regulations.
  - (6) “Junket representative” means any natural person who negotiates the terms of, engages in the referral, procurement or selection of person who may participate in, or accompanies for purposes of monitoring or evaluating the participants in, any junket to a licensed casino, regardless of whether or not those activities occur within the Commonwealth.

[Proposed] Regulations for Junket Operation 1 of 5

**§ 170-30.2-1102 - Licensure and Registration Required**

- (a) All junket operators must be licensed by the Commission.
- (b) All junket representatives must be registered with the casino licensee before any junket activity can be conducted at the casino(s) of the casino licensee.
- (c) It is an unsuitable method of operation for the casino licensee to permit a junket operator or junket representative to conduct any Junket activity at the casino(s) of the casino licensee, unless the junket operator has been licensed by the Commission and the junket representative has been registered with the casino licensee.
- (d) A junket operator must meet with the criteria and standards of Part 400 in applying for a junket operator license. The Commission has absolute discretion to deny, suspend or revoke a junket agent license at any time. A junket operator license shall be valid for two years.
- (e) The Commission has the authority to grant a provisional junket operator license upon submission by an applicant, to the satisfaction of the Commission, of all required fees and forms, and a current license issued for the same or substantially the same activities as the junket activity and issued by a gaming regulatory authority from the United States of America, Australia, South Korea, Macao, Singapore, or any other country as approved by the Commission. The provisional junket operator license shall be valid for a period not to exceed one year. Any person or entity that holds a provisional junket operator license may apply for a junket operator license at any time during the period of provisional licensure.

**§ 170-30.2-1103 - Rolling Chip Program**

- (a) The licensee may utilize a rolling chip program for junket or non-junket patrons only as authorized by the Commission or the Executive Director.
- (b) The licensee may utilize a rolling chip program for junket or non-junket patrons only as authorized by the Commission or the Executive Director.

**§ 170-30.2-1104 - Adherence to Regulations and Orders**

- (a) No junket may be organized or permitted and no junket activity of any kind may occur or be permitted except in accordance with the provisions of these regulations and the orders of the Commission.
- (b) No person may act as a junket operator, except in accordance with the provisions of these regulations and the orders of the Commission.
- (c) The Commission is empowered to condition, suspend or revoke the junket operator license or to enter any order necessary for the regulation of junket activity. The Commission or

Executive Director is allowed to suspend or terminate the registration of any junket representative.

- (d) All junket operators and junket representatives who engage in junket activity must, at all times, comply with all CNMI and federal laws and regulations.

**§ 170-30.2-1105 - Key Employees for Junket Activity**

- (a) Any employee or board member of the casino licensee or an affiliate of a casino licensee who engages in any junket activity including, inducing junket patrons to wager or negotiating terms of any rebate or commission for junket activity shall be licensed as a casino key employee in accordance with the provisions of these regulations; provided, however, that said licensee need not be a resident of the Commonwealth.
- (b) Any employee or board member of the casino licensee or an affiliate of the casino licensee who make decisions concerning the extension or collection of credit to junket operators or patrons must be licensed as casino key employees, regardless of whether they reside in the Commonwealth.

**§ 170-30.2-1106 - Form and Content of Junket Agreements**

- (a) Every junket agreement must contain all terms and conditions between the casino licensee and the junket operator, and must be in writing and signed by all parties.
- (b) Every junket agreement entered into by a casino licensee and a junket operator or representative shall be deemed to include a provision for its termination without liability on the part of the casino licensee, if the Commission orders the termination upon the suspension, limitation, conditioning, denial or revocation of the licensure of the junket operator, or as a penalty imposed against the casino licensee. Failure to expressly include such a condition in the agreement shall not constitute a defense in any action brought to terminate the agreement.
- (c) A copy of all junket agreements shall be provided to the Commission upon execution of the contract.

**§ 170-30.2-1107 - Obligation of Casino Licensee and Junket Operator**

- (a) The casino licensee must keep a log of the junket representatives registered by the junket operator and make it available to the Commission upon request.
- (b) The Commission may order restitution or impose penalties or such other relief as the Commission considers fit against the junket operator for any violation or deviation from the terms of any of these regulations or activities of a junket operator and limit or prohibit the engagement of any junket operator by the casino licensee.

**§ 170-30.2-1108 - Methods, Procedures, and Forms**

[Proposed] Regulations for Junket Operation 3 of 5

- (a) The Commission or the Executive Director shall, by order prescribe methods, procedures, and forms for the delivery and retention of information concerning the conduct of a junket by the casino licensee and persons engaged in junket activity.
- (b) The failure to follow any ordered method or procedure or the failure to complete or submit any ordered form is an unsuitable method of operation.
- (c) Every junket operator must provide to the Executive Director an exact copy of every tax or other document, form, or return filed with or provided to the Commonwealth's Secretary of Finance, the Department of Finance, the Division of Revenue and Taxation, or the Tinian Municipal Treasury within three days of such filing or provision, without regard as to whether the document, form or return was filed or provided by the junket operator or on behalf of the operator by an agent or third party.

**§ 170-30.2-1109 - Required Fees**

- (a) Application for a junket operator license must be submitted to the Commission with a non-proratable, non-refundable license fee of Two Thousand Five Hundred Dollars (\$2,500.00). The Application for a junket operator license must also be accompanied by a non-proratable, non-refundable investigation fee of Ten Thousand Dollars (\$10,000.00).
- (b) The regular junket operator license shall be valid for a period of two years unless revoked by the Commission. A non-proratable, non-refundable license fee of One Thousand Dollars (\$1,000.00) dollars shall be payable to the Commission for each renewal. Each renewal application must also be accompanied by a non-proratable, non-refundable investigation fee of Two Thousand Five Hundred Dollars (\$2,500.00).
- (c) The application for a provisional junket operator license must be submitted to the Commission with a non-proratable and non-refundable license fee of Five Hundred Dollars (\$500.00). The provisional license is valid for one year.

**§ 170-30.2-1110 - Complimentary**

- (a) The licensee may engage in a program of extending wagering chips, instruments, or credits as allowed by Commission order or by order of the Executive Director.
- (b) Complimentary/promotional chips, instruments, and wagering credits used as wager shall form part of table capital and therefore be included in the gross gaming revenues.
- (c) No money expended on any complimentary item or service shall be deducted from gross gaming revenues.

**§ 170-30.2-1111 - Prohibited Complimentary Activity**

- (a) The licensee shall not offer or provide complimentary cash, chips, wagering credits, or instruments to any restricted person at any time.

- (b) The licensee may offer or provide complimentary room, food, beverage, transportation, or (non-wagering) entertainment expenses to restricted persons only if such good, service, or discount is offered to all members of the general public in like circumstance.
- (c) As used in this section, “restricted person” means any Commonwealth board member, officer, or employee.

**§ 170-30.2-1112 - General Applicability to Internet Gaming Junket Operator**

These Rules shall apply with equal force to individuals or business entities seeking licensure as an Internet Gaming Junket Operator as provided under the Regulations for Internet Gaming Operations.