

## **SUBCHAPTER 2. SELF-EXCLUSION**

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### **19:48-2.1 Definitions**

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

"Self-excluded person" means any person whose name is included, at his or her own request, on the self-exclusion list maintained by the Commission.

"Self-exclusion list" means a list of names of persons who, pursuant to this subchapter, have voluntarily agreed to be excluded from all gaming activities and to be prohibited from collecting any winnings or recovering any losses at all licensed casinos and simulcasting facilities.

Adopted, effective: 09/04/01; Operative: 09/10/01

### **19:48-2.2 Request for self-exclusion**

(a) Any person may have his or her name placed on the self-exclusion list by submitting a request for self-exclusion in the form and manner required by this section.

(b) Any person requesting placement on the self-exclusion list shall submit, in person, a completed request for self-exclusion as required in (c) below. The request shall be delivered to either the Employee License Information Unit of the Commission located at the Arcade Building, Tennessee Avenue and the Boardwalk, in Atlantic City, or to the Trenton office of the Division of Gaming Enforcement located at 140 East Front Street. The Commission may designate other locations for submission of completed

requests for self-exclusion in accordance with these rules, which locations may be designated on a temporary basis. Any person submitting a self-exclusion request shall be required to present valid identification credentials containing his or her signature and either a photograph or a general physical description. Any person requesting self-exclusion pursuant to this subchapter shall be required to have his or her photograph taken by the Commission or Division upon submission of the request.

(c) A request for self-exclusion shall be in a form prescribed by the Commission, which form shall include:

1. The following identifying information concerning the person submitting the request for self-exclusion:
  - i. Name, including any aliases or nicknames;
  - ii. Date of birth;
  - iii. Address of current residence;
  - iv. Telephone number of current residence; and
  - v. Social security number, which information is voluntarily provided in accordance with section 7 of the Privacy Act, 5 U.S.C. 552a; and
  - vi. A physical description of the person, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person;
2. The length of minimum self-exclusion requested by the person:
  - i. One year;
  - ii. Five years; or
  - iii. Lifetime.
3. A waiver and release which shall release and forever discharge the State of New Jersey, the Commission and its employees, the Division and its employees and agents, and all casino licensees and their employees and agents from any liability to the person requesting self-exclusion and his or her heirs, administrators, executors and assigns for any harm, monetary or otherwise, which may arise out of or by reason of any act or omission relating

to the request for self-exclusion or request for removal from the self-exclusion list, including:

- i. Its processing or enforcement;
- ii. The failure of a casino licensee to withhold gaming privileges from, or restore gaming privileges to, a self-excluded person;
- iii. Permitting a self-excluded person to engage in gaming activity in a licensed casino or simulcasting facility while on the list of self-excluded persons; and
- iv. Disclosure of the information contained in the self-exclusion request or list, except for a willfully unlawful disclosure of such information;

4. The signature of the person submitting the request for self-exclusion indicating acknowledgment of the following statement:

"I am voluntarily requesting exclusion from all gaming activities at all New Jersey licensed casinos and simulcasting facilities because I am a problem gambler. I certify that the information that I have provided above is true and accurate, and that I have read and understand and agree to the waiver and release included with this request for self-exclusion. I am aware that my signature below authorizes the Casino Control Commission to direct all New Jersey casino licensees to restrict my gaming activities in accordance with this request and, unless I have requested to be excluded for life, until such time as the Commission removes my name from the self-exclusion list in response to my written request to terminate my voluntary self-exclusion. I am aware and agree that during any period of self-exclusion, I shall not collect any winnings or recover any losses resulting from any gaming activity at all licensed casinos and simulcasting facilities, and that any money or thing of value obtained by me from, or owed to me by, a casino licensee as a result of wagers made by me while on the self-exclusion list shall be subject to forfeiture.";

5. The type of identification credentials examined containing the signature of the person requesting self-exclusion, and whether said credentials

included a photograph or general physical description of the person; and

6. The signature of a Commission or Division employee authorized to accept such request, indicating that the signature of the person on the request for self-exclusion appears to agree with that contained on his or her identification credentials and that any photograph or physical description of the person appears to agree with his or her actual appearance.

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As amended, effective: 01/05/04

### **19:48-2.3 Self-exclusion list**

(a) The Commission shall maintain the official self-exclusion list and shall notify each casino licensee of any addition to or deletion from the list by depositing a notice in the mail slot of each casino licensee in accordance with the provisions of N.J.A.C. 19:40-3.3(d), or by transmitting a notice by electronic means directly to each casino licensee.

(b) Each casino licensee shall maintain its own copy of the self-exclusion list and shall establish procedures to ensure that its copy of the self-exclusion list is updated and that all appropriate employees and agents of the casino licensee are notified of any addition to or deletion from the list within five business days after the day the notice is deposited in its mail slot or transmitted electronically pursuant to (a) above. The notice provided by the Commission shall include the name and date of birth of any person whose name shall be removed from the self-exclusion list and the following information concerning any person whose name shall be added to the self-exclusion list:

1. Name, including any aliases or nicknames;
2. Date of birth;
3. Address of current residence;
4. Telephone number of current residence;

5. Social security number, if voluntarily provided by the person requesting self-exclusion;

6. A physical description of the person, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person; and

7. A copy of the photograph taken by the Commission or Division pursuant to N.J.A.C. 19:48-2.2(b).

(c) Information furnished to or obtained by the Commission or Division pursuant to this subchapter shall be deemed confidential and not be disclosed except in accordance with this subchapter and N.J.A.C. 19:40-4.

(d) No casino licensee or employee or agent thereof shall disclose the name of, or any information about, any person who has requested self-exclusion to anyone other than employees and agents of the casino licensee whose duties and functions require access to such information.

Notwithstanding the foregoing, a casino licensee may disclose the name of and information about a self-excluded person to appropriate employees of other casino licensees in Atlantic City for the purpose of alerting other casino licensees that a self-excluded person has tried to gamble or obtain gaming related privileges or benefits in the casino licensee's casino or simulcasting facility.

Adopted, effective: 09/04/01; Operative: 09/10/01  
As amended, effective: 12/06/04

#### **19:48-2.4 Duties of casino licensee**

(a) Each casino licensee shall establish procedures that are designed, to the greatest extent practicable, to:

1. Permit appropriate employees of the casino licensee to identify a self-excluded person when present in a casino or simulcasting facility and, upon such identification, notify:

i. Those employees of the casino licensee designated to monitor the presence of self-excluded persons; and

ii. Designated representatives of the Commission and Division;

2. Refuse wagers from and deny any gaming privileges to any self-excluded person;

3. Deny casino credit, check cashing privileges, player club membership, complimentary goods and services, junket participation and other similar privileges and benefits to any self-excluded person;

4. Ensure that self-excluded persons do not receive, either from the casino licensee or any agent thereof, junket solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities at its licensed casino or simulcasting facility; and

5. Enforce the provisions of N.J.A.C. 19:48-2.3(d).

(b) Without limitation of the requirements imposed by (a) above, each casino licensee shall, upon notification that a person has been added to or deleted from the self-exclusion list, comply with all relevant provisions of N.J.A.C. 19:45-1.27A as if such person has also been added to or deleted from the list of persons who have requested suspension of their credit privileges pursuant to that section.

(c) Each casino licensee shall submit to the Commission and Division a copy of its procedures established pursuant to N.J.A.C. 19:48-2.3(b) and (a) and (b) above by October 4, 2001. Any amendments to said procedures shall be submitted to the Commission and Division at least three business days prior to their implementation. If the Commission and Division do not object to said procedures or amendments thereto, such procedures or amendments shall be deemed to be approved.

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### **19:48-2.5 Removal from self-exclusion list**

(a) Except for those persons choosing a life-time self-exclusion, any self-excluded person may, upon the expiration of the period of self-exclusion requested pursuant to N.J.A.C. 19:48-2.2(c)2, request removal of his or her name from the self-exclusion list by submitting, in person, a completed request for removal as required in (b) below. The request shall be delivered to either the Employee License Information Unit of the Commission located at the Arcade Building, Tennessee Avenue and the Boardwalk, in Atlantic City, or to the Trenton office of the Division of Gaming Enforcement located at 140 East Front Street. Any person submitting a request for removal from the list shall be required to present valid identification credentials containing his or her signature and either a photograph or a general physical description.

(b) A request for removal from the self-exclusion list shall be in a form prescribed by the Commission, which form shall include:

1. The identifying information specified in N.J.A.C. 19:48-2.2(c)1i through iv;
2. The signature of the person requesting removal from the self-exclusion list indicating acknowledgment of the following statement: "I certify that the information that I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for self-exclusion, and I authorize the Commission to permit all New Jersey casino licensees to reinstate my gaming privileges at licensed casinos and simulcasting facilities.";
3. The type of identification credentials examined containing the signature of the person requesting removal from the self-exclusion list, and whether said credentials included a photograph or general physical description of the person; and
4. The signature of a Commission or Division employee authorized to accept such request, indicating that the signature of the person on the request for removal from the self-exclusion list appears to agree with that

contained on his or her identification credentials and that any photograph or physical description of the person appears to agree with his or her actual appearance.

(c) The Commission shall, by the end of the fifth business day following receipt of the request, delete the name of the person requesting removal from the self-exclusion list and notify each casino licensee of such removal by depositing a notice in the mail slot of each casino licensee in accordance with the provisions of N.J.A.C. 19:40-3.3(d).

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