

Part 3 Chapter 7: JUNKET REPRESENTATIVES

Rule 7.1 Definitions.

- (a) "Collection representative" means any person who may approve or extend gaming credit or collects gaming credit instruments negotiated by a preferred guest. The term does not include:
1. Persons holding a Mississippi gaming license or their employees, or
 2. A bonded collection agency licensed by local government authorities in the jurisdiction where it has its principal place of business, or
 3. Any licensed attorney.
- (b) "Complimentary" means a service, item, or accommodation provided to a person at no cost, or at a reduced price not generally available to the public under similar circumstances; that term shall include any service, item, or accommodation provided at no cost, or at a reduced price due to the anticipated or actual gaming activities of that person.
- (c) "Junket representative" means any person who contracts with a gaming licensee or its affiliate to provide services consisting of arranging transportation or lodging for preferred guests at a licensed gaming establishment. It also means any person who contracts with a gaming licensee or its affiliate to provide services as a collection representative. The term does not include travel agencies that receive compensation based solely on the price of the transportation or lodging, or permanent full-time employees of a gaming licensee or its affiliates.
- (d) "Preferred guest" means any person, 21 years of age or older, who receives complimentary transportation, food, lodging, entertainment or other consideration with a retail price in excess of \$200 from a licensed establishment in a twenty four hour period as an inducement to gamble.
- (e) "Secondary representative" means any person other than clerical personnel or ticket takers not otherwise exempt under subsections (a) or (b) who receives compensation in any form from a junket representative for assisting a junket representative.
- (Adopted: 09/25/1991; Amended: 10/22/1998.)

Source: *Miss. Code Ann. § 75-76-33*

Rule 7.2 Filing And Determination Of Suitability.

- (a) A licensee shall not enter into a contract with a junket representative for services until the junket representative has been investigated and issued a junket representative permit from the Commission. No contract may be entered into between any licensee and junket representative that would exceed the expiration date of the junket representative permit.
- (b) A filing for junket representative must include the following:
1. The name, address, tax identification number, and type of organization of the junket representative.
 2. A copy of any proposed agreement between the licensee and the junket representative.
 3. If the junket representative is to guarantee any payment due to a licensee from any preferred guest, a personal financial questionnaire.
 4. The designation of persons whom the junket representative may use as a secondary representative.
 5. A statement on a form approved by the Commission that the junket representative:
 - i. Submits to the jurisdiction of the State of Mississippi and the Commission;

ii. Designates the Secretary of State as its representative upon whom service of process may be made; and

iii. Agrees to be governed and bound by the laws of the State of Mississippi and the regulations of the Commission.

6. Such additional information as the Executive Director or Commission may request. In the event the junket representative is not an individual, all officers and principals of the junket representative shall supply the required information. All information required by this section shall be supplied on forms furnished or approved by the Executive Director.

(c) An application to receive a junket representative permit shall not be granted unless the Commission is satisfied that the applicant is 1) a person of good character, honesty and integrity; 2) a person whose prior activities, criminal record, if any, reputation, habits and associations do not pose a threat to the public interest of this State or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices, methods and activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental thereto; and 3) in all other respects qualified to be permitted consistent with the declared laws of this State.

(d) A licensee may only compensate a junket representative that holds a valid junket representative permit from the Commission, provided that the licensee receives written notification from the Executive Director that the junket representative is in good standing with the Commission and has:

1. Submitted a copy of the signed agreement between the licensee and the junket representative and such additional information as the Executive Director or Commission may request; and

2. A current filing with the Executive Director and is in compliance with the requirements of this Chapter.

(e) A licensee may not compensate a junket representative on the basis of theoretical or actual win attributed to a preferred guest unless such junket representative holds a junket representative permit issued by the Commission. Such permit qualifications are those imposed on applicants and holders of a work permit. A junket representative permit is valid for a period of three years. Nothing in this section shall prevent the Executive Director from requiring a finding of suitability from the Commission of any junket representative.

(f) The Commission may require at any time a finding of suitability of a junket representative. The Commission shall give written notice to the junket representative and any licensee having an agreement with the junket representative on file with the Executive Director that the junket representative will be required to file an application for finding of suitability. The Commission retains jurisdiction to determine the suitability of a junket representative even if the licensee terminates its relationship with the junket representative or the junket representative is otherwise no longer functioning as a junket representative.

(g) If the Commission finds a junket representative to be unsuitable, the filing of such junket representative is thereupon canceled. A licensee or junket representative shall, upon written notification of a finding of unsuitability, immediately terminate all relationship, direct or indirect, with such junket representative. Failure to terminate such relationship constitutes reasonable cause for disciplinary action. No determination of suitability of a junket representative shall preclude a later determination by the Commission of unsuitability. (Adopted: 09/25/1991; Amended: 10/22/1998.)

Source: *Miss. Code Ann. § 75-76-33*

Rule 7.3 Required Reports And Record Keeping.

(a) Each licensee shall provide to the Executive Director within one month following each calendar quarter, separate lists of junket representatives, which shall include:

1. Status of current relationship with the licensee;
2. Compensation in that quarter paid to a junket representative for each service provided to a licensee;
3. The number of preferred guests attributed to each junket; and
4. The arrival time and date of each junket;
5. The departure time and date of the junket; and
6. Such other information as required by the Executive Director.

(b) The licensee shall retain in its files for a three-year period and make available for inspection by the Executive Director, and upon request, the following information:

1. The origin and dates of stays by preferred guests arranged by a junket representative;
2. The total amount of gaming credit extended to such preferred guests, which remains unpaid following their departure;
3. The name and address of each preferred guest;
4. Complimentary services, items or accommodations provided to preferred guests;
5. The amount of gaming credit owed by such preferred guest prior to arrival; and
6. Such other information as required by the Executive Director regarding any business arrangement between the licensee and the junket representative.

(Adopted: 09/25/1991; Amended: 10/22/1998.)

Source: *Miss. Code Ann. § 75-76-33*

Rule 7.4 Mandatory Requirements.

(a) Every agreement, including any agreement of employment, entered into by a licensee and a junket representative shall be conditioned as follows:

1. If the Commission determines the junket representative is unsuitable, the agreement shall thereupon terminate unless otherwise ordered by the Commission.
2. The agreement is not effective and the junket representative is not entitled to and may not be paid any compensation until the licensee receives notice that the Executive Director has granted a junket representative permit to the junket representative.

(b) Annually, on or before July 15, each junket representative shall file a list of all secondary representatives on a form furnished or approved by the Executive Director. Each licensee shall send a notice annually, on or before June 1, to each junket representative under contract with it, advising the junket representative of the requirements of this section.

(c) Any changes in the junket representative's address, telephone number, officers, directors, shareholders or partners and any changes, additions, or deletions to the list of secondary representatives or arrests or convictions of any junket representative, its officers, directors, shareholders, partners or secondary representatives contained within the annual report or the initial submission required under section 2 of this regulation shall be reported by the junket representative to the Executive Director within thirty days thereof. (Adopted: 09/25/1991; Amended: 10/22/1998.)

Source: *Miss. Code Ann.* § 75-76-33

Part 3 Chapter 7: JUNKET REPRESENTATIVES

Rule 7.1 Definitions.

(a) "Collection representative" means any person who may approve or extend gaming credit or collects gaming credit instruments negotiated by a preferred guest. The term does not include:

1. Persons holding a Mississippi gaming license or their employees, or
2. A bonded collection agency licensed by local government authorities in the jurisdiction where it has its principal place of business, or
3. Any licensed attorney.

(b) "Complimentary" means a service, item, or accommodation provided to a person at no cost, or at a reduced price not generally available to the public under similar circumstances; **however,** that term shall include any service, item, or accommodation provided at **no cost, or at** a reduced price due to the anticipated or actual gaming activities of that person.

(c) "Junket representative" means any person who contracts with a gaming licensee or its affiliate to provide services consisting of arranging transportation or lodging for preferred guests at a licensed gaming establishment. It also means any person who contracts with a gaming licensee or its affiliate to provide services as a collection representative. The term does not include travel agencies that receive compensation based solely on the price of the transportation or lodging, or permanent full-time employees of a gaming licensee or its affiliates.

(d) "Preferred guest" means any person, 21 years of age or older, who receives complimentary transportation, food, lodging, entertainment or other consideration with a retail price in excess of \$200 from a licensed establishment **in a twenty four hour period** as an inducement to gamble.

(e) "Secondary representative" means any person other than clerical personnel or ticket takers not otherwise exempt under subsections (a) or (b) who receives compensation in any form from a junket representative for assisting a junket representative.

(Adopted: 09/25/1991; Amended: 10/22/1998.)

Source: *Miss. Code Ann.* § 75-76-33

Rule 7.2 Filing And Determination Of Suitability.

(a) ~~Except as provided in subsection (c), a~~ licensee shall not ~~compensate~~ enter into a contract with a junket representative for services ~~rendered~~ until the junket representative has ~~filed the information required by this regulation with the Executive Director and the licensee receives written notification from the Executive Director that this information has been submitted in conformity with this regulation~~ been investigated and issued a junket representative permit from the Commission. No contract may be entered into between any licensee and junket representative that would exceed the expiration date of the junket representative permit.

(b) A filing for junket representative must include the following:

1. The name, address, tax identification number, and type of organization of the junket representative.
2. A copy of any proposed agreement between the licensee and the junket representative.
3. If the junket representative is to guarantee any payment due to a licensee from any preferred guest, a personal financial questionnaire.
4. The designation of persons whom the junket representative may use as a secondary representative.

5. A statement on a form ~~furnished or~~ approved by the Commission that the junket representative:

- i. Submits to the jurisdiction of the State of Mississippi and the Commission;
- ii. Designates the Secretary of State as its representative upon whom service of process may be made; and
- iii. Agrees to be governed and bound by the laws of the State of Mississippi and the regulations of the Commission.

6. Such additional information as the Executive Director or Commission may request. In the event the junket representative is not an individual, ~~such all~~ officers and principals of the junket representative ~~as the Executive Director may designate~~ shall supply the required information. All information required by this section shall be supplied on forms furnished or approved by the Executive Director.

~~(c) The junket representative shall provide its filing to the licensee for transmittal to the Executive Director. The Executive Director may reject filings made directly by a junket representative. An application to receive a junket representative permit shall not be granted unless the Commission is satisfied that the applicant is 1) a person of good character, honesty and integrity; 2) a person whose prior activities, criminal record, if any, reputation, habits and associations do not pose a threat to the public interest of this State or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices, methods and activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental thereto; and 3) in all other respects qualified to be permitted consistent with the declared laws of this State.~~

(d) A licensee may only compensate a junket representative that ~~has filed with the Executive Director pursuant to arrangements with another licensee~~ holds a valid junket representative permit from the Commission, provided that the licensee receives written notification from the Executive Director that the junket representative is in good standing with the Commission and has:

1. Submitted a copy of the ~~proposed signed~~ agreement between the licensee and the junket representative and such additional information as the Executive Director or Commission may request; and
2. A current filing with the Executive Director and is in compliance with the requirements of ~~section 4~~ this Chapter.

(e) A licensee may not compensate a junket representative on the basis of theoretical or actual win attributed to a preferred guest unless such junket representative holds a junket representative permit issued by the Commission. Such permit qualifications are those imposed on applicants and holders of a work permit. A junket representative permit is valid for a period of three years. Nothing in this section shall prevent the Executive Director from requiring a finding of suitability from the Commission of any junket representative.

(f) The Commission may require at any time a finding of suitability of a junket representative. The Commission shall give written notice to the junket representative and any licensee having an agreement with the junket representative on file with the Executive Director that the junket representative will be required to file an application for finding of suitability. The Commission retains jurisdiction to determine the suitability of a junket representative even if the licensee terminates its relationship with the junket representative or the junket representative is otherwise no longer functioning as a junket representative.

(g) If the Commission finds a junket representative to be unsuitable, the filing of such junket representative is thereupon canceled. A licensee or junket representative shall, upon written notification of a finding of unsuitability, immediately terminate all relationship, direct or indirect, with such junket representative. Failure to terminate such relationship constitutes reasonable cause for disciplinary action. No determination of suitability of a junket representative shall preclude a later determination by the Commission of unsuitability. (Adopted: 09/25/1991; Amended: 10/22/1998.)

Source: *Miss. Code Ann. § 75-76-33*

Rule 7.3 Required Reports And Record Keeping.

(a) Each licensee shall provide to the Executive Director within one month following each calendar quarter, separate lists of junket representatives, which shall include:

1. Status of current relationship with the licensee;
2. Compensation in that quarter paid to a junket representative for each service provided to a licensee;
3. The number of preferred guests attributed to each junket; and
4. The arrival time and date of each junket;
5. The departure time and date of the junket; and
6. Such other information as required by the Executive Director.

(b) The licensee shall retain in its files for a ~~five~~three-year period and make available for inspection by the Executive Director, and upon request, the following information:

1. The origin and dates of stays by preferred guests arranged by a junket representative;
2. The total amount of gaming credit extended to such preferred guests, which remains unpaid following their departure;
3. The name and address of each preferred guest;
4. Complimentary services, items or accommodations provided to preferred guests;
5. The amount of gaming credit owed by such preferred guest prior to arrival; and
6. Such other information as required by the Executive Director regarding any business arrangement between the licensee and the junket representative.

(Adopted: 09/25/1991; Amended: 10/22/1998.)

Source: *Miss. Code Ann. § 75-76-33*

Rule 7.4 Mandatory Requirements.

(a) Every agreement, including any agreement of employment, entered into by a licensee and a junket representative shall be conditioned as follows:

1. If the Commission determines the junket representative is unsuitable, the agreement shall thereupon terminate unless otherwise ordered by the Commission.
2. The agreement is not effective and the junket representative is not entitled to and may not be paid any compensation until the licensee receives notice that the Executive Director has ~~approved the filing by~~granted a junket representative permit to the junket representative.

(b) Annually, on or before July 15, each junket representative shall file a list of all secondary representatives on a form furnished or approved by the Executive Director. Each licensee shall

send a notice annually, on or before June 1, to each junket representative under contract with it, advising the junket representative of the requirements of this section.

(c) Any changes in the junket representative's address, telephone number, officers, directors, shareholders or partners and any changes, additions, or deletions to the list of secondary representatives or arrests or convictions of any junket representative, its officers, directors, shareholders, partners or secondary representatives contained within the annual report or the initial submission required under section 2 of this regulation shall be reported by the junket representative to the Executive Director within thirty days thereof. (Adopted: 09/25/1991; Amended: 10/22/1998.)

Source: *Miss. Code Ann.* § 75-76-33