

The Gambling (Gaming and Betting) Control Act, 2015

REGULATIONS

Made by the Minister under section 95 of the Gambling (Gaming and Betting) Control Act, 2015

The Gambling (Gaming and Betting) Control (Accounting and Internal Control) Regulations, 2015

PART ONE – PRELIMINARY

Citation 1. These regulations may be cited as the Gambling (Gaming and Betting) Control (Accounting and Internal Control) Regulations, 2015.

Interpretation 2. In these Regulations,

"Asset Number" means a unique number assigned to gaming device by a gaming operator licensee or applicant for the purpose of tracking the gaming device.

"Bill validator" means an electronic device designed to interface with an electronic gaming machine for the purpose of accepting and validating any combination of currency, gaming tickets, coupons, or other instruments authorized by the commission for incrementing credits on an electronic gaming machine.

"Bill validator canister" means a mechanical or electronic device designed to interface with an electronic gaming machine for the purpose of storing any combination of currency, gaming tickets, coupons, or other instruments authorized by the commission for recording credits on an electronic gaming machine.

"Business Year" means the annual period used by a licensee for internal accounting purposes;

"Cash equivalents" means instruments with a value equal to in currency or coin, including certified checks, cashier's checks, traveler's checks, money orders, gaming tickets, and coupons.

"Cashier's booth" means an area from which a cashier conducts transactions associated with gaming cashiers or window cashiers.

"Change person" means a person who exchanges coins, currency, and coupons with patrons.

"Complimentary" means any lodging, service, or item that is provided directly or indirectly to an individual at no cost or at a reduced cost and that is not generally available to the public. This term shall include lodging provided to a person at a reduced price due to the anticipated or actual gaming activities of that person. Group rates, including convention and government rates, shall be deemed generally available to the public.

"Count room" means a room secured by keys controlled by two separate gaming operator departments with limited access, where the contents, including currency, gaming tickets, and coupons, of bill validator canisters are counted by the count team.

"Currency counters" means a device that counts currency and tickets.

"Critical program storage media" and "CPSM" mean any media storage device that contains data, files, or programs and is determined by the commission to be capable of affecting the integrity of gambling.

"Drop" means the total amount of money, tickets, and coupons removed from any slot, table or kiosk.

"Drop team" means the group of employees of a gaming operator licensee who participate in the transportation of the drop.

"Examination" or "Examine" means an audit, review, or other Commission examination procedures;

"Fiscal Year" means a period beginning on *[Insert date for the beginning of the government year such as January 1st]* and ending *[Insert date for the ending of the government year such as December 31st]* of the following year;

"Imprest" means the basis on which the operating funds of cashiers are maintained. The opening and closing values shall be equal, and any difference shall result in a variance. The funds may be replenished as needed in exactly the value of the net of expenditures made from the funds for value received.

"Incompatible functions" means functions or duties that place any person or department in a position to perpetuate and conceal errors, fraudulent or otherwise.

"Main bank" means the location in the gaming facility where acts that include the following are performed:

- (1) Transactions for recording currency, coin, tokens, cash equivalents, and negotiable instruments;
- (2) Preparation of bank deposits;
- (3) Acceptance of currency from the count room; and
- (4) Reconciliation of all cage transactions.

"Slot Route Operator" means a licensed operator who places slot machines on another licensed retailer's property.

"Unclaimed winnings" means gaming winnings that are held by the gaming operator licensee as a liability to a patron until that patron is paid.

(S) "Unredeemed ticket" means a ticket issued from a slot containing value that has not been presented for payment or accepted by a bill acceptor at a gaming machine and has not been marked as paid in the ticket file.

(T) "Weigh scale" means a scale that is used to weigh coins and tokens and that converts the weight to dollar values in the count process.

PART TWO – ACCOUNTING PROCEDURES

Accounting
and financial
records

3. (1) Each licensee shall keep accurate, complete, legible and permanent records of all transactions pertaining to revenue that is taxable or subject to fees under the Act and related regulations.

(2) A licensee shall keep permanent records in computerized form and, shall provide the Commission upon its request, with such records.

(3) Each licensee shall keep general accounting records on a double entry system of accounting, maintaining necessary detailed, supporting, subsidiary records, including:

- (a) detailed records identifying revenues, expenses, assets, liabilities, and equity for each establishment;
- (b) detailed records of all returned cheques and patron credit accounts, where applicable;

- (c) in the case of gaming establishments, slot and table game statistical reports as required by the mandatory internal control standards;
- (d) the records required by the mandatory internal standards, applicable to the licensee, as approved by the Commission;
- (e) journal entries prepared by the licensee and adjustments proposed by its independent accountant;
- (f) any other records that the Commission specifically requires to be maintained; and
- (g) records of all levies relating to the licensed establishment.

(4) In respect of gaming establishments, each licensee shall create and maintain detailed records sufficient to accurately reflect gross gaming winnings, and expenses relating to its operations on a monthly and year-to-date basis, as well as financial statements.

(5) If a licensee fails to keep the records used by it to calculate gross gaming revenue, the Commission may compute and determine the amount of such revenue based upon –

- (a) an audit conducted by the Commission;
- (b) any information within the Commission’s possession;
- (c) statistical analysis or projections; or
- (d) any other reasonable means as determined by the Commission.

Gaming device tax (2) Subject to this section, there shall, commencing the enactment of the Gambling (Gaming and Betting) Control Act, be charged on all gaming tables and other gaming devices used or to be used on the premises of the holder of an operating license issued by the Commission, a levy to be known as a gaming device tax at the rates as specified in the Schedule in the Act.

Gross Gaming Revenue 4. (1) Subject to this section, holders of operating license shall comply with all requirements in respect of the gross gaming revenue regardless of the method of calculation of taxes/fees required by law.

Revenue

(2) For each table game, gross gaming revenue equals the closing bankroll plus credit slips for cash, chips or tokens returned to the casino cashier cage, plus drop, less opening bankroll and fills to the table.

(3) For each slot machine, gross gaming revenue equals drop less fills to the machine, and hand pay jackpot payouts.

(4) The difference between the initial hopper load (or the amount in the hopper at the time of the previous hopper count if the coins/tokens counted were returned to the hopper) or bankroll and the total amount that is in the hopper at the time the hopper is counted shall be adjusted accordingly as additional revenues or a credit adjustment when calculating gross gaming revenues.

(5) This amount shall be reported on the monthly gaming levy return for the month in which the hopper count was conducted, and shall be reflected in the hopper adjustment column for the corresponding denomination.

(6) Hoppers shall also be counted and the corresponding adjustment reflected on the gaming levy returns at other times as specified in the mandatory internal control standards.

(7) The Commission may compute an estimated total and may make reasonable adjustments to adjusted gross gaming revenue during the course of an audit, review, or other examination procedures where it is aware of inaccurate additions or subtractions made by the Licensee in the calculation of gross gaming revenue.

(8) For each player banked poker game, gross gaming revenue equals all money received by the licensee as compensation through the rake process, for conducting the game, plus any accounting or administrative fee for offering poker jackpots.

(9) For each house banked poker game, gross gaming revenue equals the closing bankroll plus credit slips for cash, chips, or tokens returned to the casino cashier cage, plus drop, less opening bankroll, fills to the table, and hand-paid jackpots or awards.

(10) A licensee shall not exclude from gross gaming revenue money paid out on wagers that are knowingly accepted by the licensee in violation of the Act and regulations made thereunder.

(11) Returned and uncollectable cheques or uncollected credit are not allowed as a deduction from gross gaming winnings.

Records of
ownership

-5. (1) Each corporate licensee shall keep on the premises of its gaming establishment, or shall provide to the Commission, upon its request, the following documents pertaining to the corporation:

(a) a certified copy of the articles of incorporation and any amendments;

- (b) a copy of the bylaws and any amendments;
- (c) a copy of the certificate issued by the relevant authority permitting the corporation to transact business;
- (d) minutes of all meetings of the stockholders;
- (e) A list of all stockholders listing each stockholder's name, address, the number of shares held, and the date the shares were acquired;
- (f) the stock certificate ledger;
- (g) a record of all transfers of the corporation's stock; and
- (h) a record of amounts paid to the corporation for issuance of stock and other capital contributions.

Partnership
or association
records

6. (1) Each partnership or association licensee shall maintain the following for information of the Commission, to be provided upon request:

- (a) a copy of the partnership or association agreement and, if applicable, the certificate of limited partnership;
- (b) a list of the general and limited partners, or associates, including their names and addresses, the percentage of interest held by each, the amount and date of each capital contribution of each partner or associate, the date the interest was acquired, and the salary paid by the partnership or association; and
- (c) a record of all withdrawals of partnership or association funds or assets.

Sole proprietor
records

7. Each sole proprietorship licensee shall keep on the premises of its gambling establishment, or provide to the Commission, upon its request, a schedule showing the name and address of the proprietor and the amount and date of the proprietor's original investment and of any additions and withdrawals.

Records retention

8. (1) Each licensee shall provide the Commission, upon its request, with the records required to be maintained.

(2) Licensees shall maintain accurate and complete records as required by these regulations.

(3) Each licensee shall be responsible for the acts and omissions of its agents, employees, and contractors in complying with all obligations imposed by the Act and these regulations.

(4) Each licensee shall retain all such records for at least seven years after they are made and the related levy return is filed.

(5) Failure to keep and provide such records shall constitute a breach of the licence and the licensee shall be subject to a criminal penalty for breach of same or an administrative fine, as the Commission determines.

Commission
examination
procedures

9. (1) The Commission shall:

- (a) conduct periodic examinations of the accounting and financial records of licensee, including but not limited to revenue and compliance audits;
- (b) review the accounting principles and procedures used by licensees;
- (c) review and observe methods and procedures used by licensees to count and handle cash, chips, tokens, gaming coupons, hopper tickets, credit documents, and negotiable instruments;
- (d) examine licensee's internal control procedures;
- (e) examine accounting and financial records of the licensee or a person controlling, controlled by, or under common control with the licensee, within the licensee's establishment or licensee's other establishments located in Trinidad and Tobago;
- (f) examine the accounting and financial records of any licensee when conditions indicate the need for such action or upon the request of the Commission;
- (g) investigate each licensee's compliance with the Act, the regulations and the mandatory internal control standards procedures as directed by the Commission; and
- (h) review levy returns, fees and penalties.

(2) The Commission may conduct an audit, review, or other examination at its discretion and shall prepare a report for the examination of the licensee.

(3) Where the licensee disagrees with the Commission's report, the licensee may, within ten (10) days of the examination, submit its objections to the Commission and the Commission shall consider such objections and respond within a further ten (10) days giving its final decision and reasons therefor.

Mandatory drop
-and count

10. (1) In the case of gaming establishments, the times when drop boxes shall be removed and the contents counted for table games, card games, and slot machines

procedure

shall be at times which have been previously submitted to the Commission or at such other times as the Commission requires.

(2) Removal and counting of drop box contents at other than the designated times shall be conducted and reported to the Commission in accordance with mandatory internal control standards.

PART THREE- INTERNAL CONTROL PROCEDURES

Internal controls

11. (1) Each applicant for a gaming operator license must submit written internal control plans for commission approval at least sixty days before the applicant's license application can be considered by the commission. No gaming operator licensee may be open to the public after December 31, 2017 without the commission's approval of these plans and without the chief executive officer or his/her designee's final approval of each conditional licensing item as directed by the commission.

(2) Each gaming operator's internal control system shall include organization charts depicting the segregation of functions and describing the duties for each position shown. Each gaming operator licensee or applicant may tailor organizational structures to meet its management needs or policies so long as it does not conflict with the Act and the rules adopted thereunder. Each gaming operator licensee's or applicant's organization charts shall provide for the following, unless determined by the commission to be inapplicable due to the nature of the gaming facility:

- (a) assets are safeguarded and accountability over assets is maintained;
- (b) liabilities are properly recorded and contingent liabilities are properly disclosed;
- (c) financial records including revenue, expenses, assets, liability, and equity are accurate and reliable;
- (d) transactions are performed only in accordance with Generally Accepted Accounting Standards, the Commission's rules and regulations, and management's stated policies which cannot be inconsistent with such standards, rules, and regulations;
- (e) transactions are recorded adequately to permit proper reporting of gaming revenue and of fees and levies;
- (f) access to assets is permitted only in accordance with management's specific authorization;

- (g) recorded accountability for assets is compared with actual assets at reasonable intervals and appropriate action is taken with respect to any discrepancies; and
- (h) a system of personnel and chain of command that permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility;
- (i) the segregation of incompatible functions, duties, and responsibilities so that no employee is in a position both to commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties;
- (j) the performance of all functions, duties, and responsibilities in accordance with legitimate financial practices by trained personnel;
- (k) the areas of responsibility that are not so extensive as to be impractical for one person to monitor; and
- (l) separate departments and supervisors for surveillance, security, accounting, internal auditing, slots, table games, and cage.

(3) Each licensee shall describe its administrative, accounting, reporting, and personnel procedures in detail in a written system of internal control and at all times follow and comply with its written system of internal control.

(4) Each licensee shall submit a copy of its written system to the Commission at least 30 days prior to conducting or offering gaming to the public.

(5) Each written system shall include:

- (a) an organizational chart depicting appropriate segregation of functions and responsibilities;
- (b) a description of the duties and responsibilities of each position shown on the organizational chart;
- (c) a detailed, narrative description of the administrative and accounting procedures designed to satisfy the requirements of subsection (2);
- (d) a written statement signed by the licensee's chief financial officer and either the licensee's chief executive officer or a licensed owner attesting that the system satisfies the requirements of this section;

(e) such other items as the Commission may require.

(6) The licensee shall not implement a system of internal controls that does not satisfy the mandatory internal control standards policy published by the Commission.

(7) The Commission may require a licensee to engage an independent accountant to prepare a report on the licensee's compliance with their written procedures on the system of internal controls.

(8) Using the criteria established by the Commission, the independent accountant shall report each material event and procedure discovered by or brought to the accountant's attention during the course of the examination, that the accountant believes does not satisfy the mandatory procedures or variations from the procedures that have been approved by the Commission.

(9) The licensee shall prepare a letter addressing each item of noncompliance noted by the accountant and describing the corrective measures taken and the licensee shall provide to the Commission, within thirty (30) days after the completion of the engagement, two copies of the accountant's written report on internal controls and any other information provided to the licensee relating to accounting or internal controls, such as a management letter, along with the licensee's response letter.

(10) Before upgrading any computerized system that affects the proper reporting of gaming revenues, the licensee shall:

- (a) amend its written system of internal controls to comply with the mandatory procedures, or with alternatives approved for that licensee by the Commission;
- (b) submit to the Commission a copy of the written system as amended, and a written description of the amendments signed by the licensee's chief financial officer and either the licensee's chief executive officer or a licensed owner;
- (c) comply with any written requirements imposed by the Commission regarding administrative approval of computerized systems and associated equipment;
- (d) after paragraphs (a) through (c) have been complied with, implement the procedures and written system as amended.

(11) Licensees requesting a variance to its approved internal control standards shall submit a written request for variance to the Commission and receive written approval from the Commission prior to implementing the variance.

(12) If the Commission determines at any time that a licensee's procedures or its written system does not comply with the requirements of this section, the Commission shall notify the licensee in writing.

(13) Within ten (10) days after receiving the notification, the licensee shall amend its procedures and written system accordingly, and shall submit a copy of the written system as amended and a description of any other remedial measures taken.

(14) Failure to comply with the requirements for internal control standards pursuant to this section may result in a fine, penalty, or revocation of license.

Handling of
cash

12. Every gaming employee, owner, or licensee who receives Trinidad and Tobago currency or currency of a foreign country (other than tips or gratuities) from a patron in the gaming area of a gaming establishment shall promptly place the currency in the locked box in the table, in an appropriate place on the table, in the cash register, in an appropriate place in the cashiers' cage or in another repository approved by the Commission.

Minimum
may bankroll
requirements

13. (1) Each licensee shall maintain, in such manner and amount as the Commission approve or require, cash or cash equivalents in an amount sufficient to protect the licensee against defaults in gaming debts owed by the licensee.

(2) The Commission shall distribute to licensees a formula by which licensees determine the minimum bankroll requirements of this regulation.

(3) If at any time the licensee's available cash or cash equivalents should be less than the amount required by this regulation, the licensee shall immediately notify the Commission of this deficiency.

(4) Failure to maintain the minimum bankroll or a higher bankroll, as required by the Commission pursuant to this regulation, or failure to notify the Commission of any deficiencies may result in a fine, penalty, or revocation of license.

(5) Any licensee who makes payment of a gaming award to a patron by cheque shall report to the Commission any payment which has been dishonored, within 24 hours of receiving actual notice that the cheque was dishonored.

Promotional

14. (1) Each gaming operator's internal control system shall include internal controls for the authorization, issuance, recording, and auditing of complimentary, including cash and non-cash gifts. These internal controls shall include the delegation of authority to approve the issuance of complimentary and the limits that apply to this authority, including limits based on proper separation of duties and limits based on relationships between the authorizer and recipient.

(2) For the purposes of this rule, "guest" shall mean any person who receives complimentary as a result of that person's relationship with the patron receiving the primary complimentary.

(3) All complimentary shall be valued and recorded as follows:

- (a) At full retail price normally charged by the gaming operator if the complimentary is provided directly to the patrons in the normal course of the gaming operator's business, including rooms, food, and beverages;
- (b) At an amount based upon the actual cost to the gaming operator of providing the service or item, if the complimentary is not offered for sale to the patrons in the normal course of the gaming operator's business;
- (c) At an amount based upon the actual cost to the gaming operator of having a third party who is not affiliated with the gaming operator provide service or item directly or indirectly to patrons by the third party; or
- (d) If provided directly or indirectly to a patron on behalf of a gaming operator by a third party who is affiliated with the gaming operator, in accordance with the provisions of this rule as if the affiliated third party were the gaming operator

(4) The gaming operator shall complete the following requirements when a patron and patron's guest are provided with complimentaries that are valued at ten-thousand dollars or more over a twenty-four hour gaming date as established in the gaming operator's internal controls:

- (a) Verify the patron's identity;
- (b) Record the name and address of each patron;
- (c) Record the unique identification number from the recipient's government-issued photo identification card;
- (d) Record the category of service or item;
- (e) Record the value of the services or items provided to each patron or that patron's guests as calculated in accordance this rule; and
- (f) Record the unique identifier of the employee authorizing the issuance of the services or items.

(5) Complimentaries that are cash gifts shall include the following:

- (a) Payments made for the purpose of resolving complaints or disputes ;
- (b) Travel payments ;
- (c) Coupons and vouchers issued and redeemed as part of a promotion; and

(d) Any other cash gifts issued to patrons.

(6) All cash complimentaries shall be disbursed directly to the patron by a gaming cashier at the cage after receipt of appropriate documentation .

(7) The issuance of complimentary cash or non-cash gifts with a total value of ten-thousand dollars or more over a twenty-four hour gaming date must be authorized by a licensed key employee and cosigned by a second licensed key employee.

(8) Each gaming operator shall submit to the commission a report listing the name of each person who has received total of ten- thousand dollars or more in complimentary cash and non-cash gifts within a rolling five-day period during the preceding month end. The report shall be filed by the last business day of the following month and shall include the total amount of complimentary cash or non-cash gifts provided to each person.

(9) Each gaming operator shall submit procedures for auditing complimentary transactions, which shall include:

(a) Control of inventory of pre-numbered forms;

(b) Accounting for all copies of multiple part forms issued;

(c) Signatures of individuals authorizing complimentaries are compared to signature cards on a test basis; and

(d) The establishment of sufficient categories.

Procedure
for reporting
and paying
gambling
taxes
and fees

15. (1) Levies and fees required to be paid under the Act and regulations shall be received by the Commission not later than the due date except that the levies and fees shall deemed to be filed if the licensee demonstrates to the satisfaction of the Commission that they were deposited within the time allowed for payment of the levy or fees.

(2) All gaming levies and fees are the responsibility of, and shall be paid by, the person to whom an owner's licence was granted.

(3) All required reports relating to paying gaming levies and fees shall be received by the Commission not later than the due date specified by law.

(4) Reports shall be deemed filed if the licensee demonstrates to the satisfaction of the Commission that they were filed and transmitted electronically, or in another manner approved by the Commission, within the time allowed for filing such reports.

(5) With respect to gaming establishments, all monthly gaming levy returns filed with the Commission shall reflect all gross gaming winnings received by the licensee for the period of the return.

(6) With respect to betting establishments all tax returns filed with the Commission shall reflect total revenue received by the licensee, including telephone bets, for the period of the return.

Petitions
for
redetermination

16. (1) A licensee may file a petition for redetermination to dispute the payment or collection of gaming levies.

(2) A licensee filing a petition for redetermination with the Commission shall within sixty days after the petition is filed:

(a) pay all levies, fees, penalties or interest not disputed in the petition and submit a schedule to the Commission that contains its calculation of the interest due on non-disputed assessments;

b) file with the Commission a memorandum of points and authorities in support of a redetermination, and serve a copy of the memorandum on the Commission; and

(c) file with the Commission a certification that it has complied with the requirements of paragraphs (a) and (b).

(3) The Commission may, within 60 days after service of the licensee's memorandum, file a memorandum of points and authorities in opposition to the licensee's petition and shall serve a copy on the licensee.

(4) The licensee may, within 10 days after service of the Commission's memorandum, file a reply memorandum.

(5) The Commission may agree to extend the time periods specified in this regulation if the Licensee's request to that effect is filed with the Commission before the expiration of the time period.

(6) The Commission may extend the time periods specified in this regulation upon motion and for good cause shown.

(7) The Commission may, at its discretion, deny a petition for redetermination.

Claims for
refunds

17. (1) To file a claim for a refund, a licensee shall complete the claim for refund on the form provided by the Commission and file such form with the Commission.

(2) After reviewing the claim the Commission will approve or deny the claim.

(3) If the Commission denies the claim, the licensee may, within sixty (60) days after the claim is filed, file with the Commission a memorandum of points and authorities in support of the claim, setting forth the legal basis and the licensee's

calculations of the amount of the refund and any interest due thereon, and serve a copy of the memorandum on the Commission.

(4) The Commission shall, within sixty (60) days after service of the licensee's memorandum, file a memorandum of points and authorities in opposition to the licensee's claim and shall serve a copy on the licensee. The licensee may, within ten (10) days after service of the Commission's memorandum, file a reply memorandum.

(5) The Commission and the licensee may mutually agree to extend the time periods specified in this regulation before the expiration of the time period.

(6) The Commission will review the memorandums of points and authorities and other documents filed.

(7) After the review of all information submitted, including information submitted at any hearing, the Commission shall issue a written decision.

(8) Where the licensee is aggrieved by a decision of the Commission, the licensee may appeal the decision at the High Court.

Standard financial
statements
the
the

18. (1) Each licensee, in such manner and using such forms as required by the Commission, shall prepare a financial statement covering all financial activities of licensee's establishment for each calendar year and provide other data relevant to consideration of the gaming levy.

(2) If the licensee or a person controlling, controlled by, or under common control with the licensee owns or operates room, food, or beverage facilities at the establishment, the financial statement shall cover those operations as well as gaming operations, in which case the gaming operations shall be presented separately.

(3) Licensees shall submit the financial statements to the Commissions not later than March 31 following the end of each calendar year.

(4) Each financial statement shall be signed by the licensee who thereby attests to the completeness and accuracy of the statement.

(5) In the event of a license termination, change in the business entity or a change in control of ownership, the licensee or former licensee shall, not later than 75 days after the event, submit to the Commission a financial statement covering the period from the last statement to the date of termination or change.

(6) The Commission may waive this requirement for good cause shown.

(7) Licensees shall submit financial statements on forms provided by the Commission.

19. (1) All licensees shall prepare financial statements covering all financial activities of the licensee for that business year and to engage an independent accountant to audit the statements in accordance with Generally Accepted Auditing Standards or other International Accounting Standards.

(2) Statements shall be presented on a comparative basis after the first period of operation.

(3) Consolidated financial statements may be filed by commonly owned or operated establishments, but the consolidated statements shall include consolidating financial information or consolidating schedules presenting separate financial statements for each establishment.

(4) The accountant must issue a report on the financial statements that express an opinion, whether it is unqualified, qualified, adverse, or a disclaimer of opinion.

(5) The accountant shall also include any necessary explanatory or emphasis paragraph to the standard report, as may be required by standards generally followed by certified public accountants.

(6) The accountant shall include in the report on the consolidated financial statements an appropriate opinion on the consolidating financial information, if any.

(7) Each licensee shall submit to the Commission two copies of its audited or reviewed statements not later than one hundred and twenty (120) days after the last day of the licensee's business year.

(8) In the event of a license termination, change in business entity, or a change in control of ownership, the licensee or former licensee must, not later than one hundred and twenty (120) days after the event, submit to the Commission two copies of audited or reviewed statements covering the period since the previous statement.

(9) If a license termination, change in business entity, or a change in control of ownership occurs within one hundred and twenty days (120) days after the end of the business year for which a statement has not been submitted, the licensee may submit statements covering both the business year and the final period of business.

(10) If a licensee, who is required to submit audited or reviewed financial statements, changes its business year, the licensee shall prepare and submit to the Commission audited or reviewed financial statements covering the "intermediate" period from the end of the previous business year to the beginning of the new business year not later than one hundred and twenty (120) days after the end of the

intermediate period or incorporate the financial results of the intermediate period in the statements for the new business year.

(11) The Commission may waive this requirement or grant an extension of the deadline for good cause shown.

(12) Any licensee who engages an independent accountant to perform a financial statement audit not required by this regulation must provide two copies of the audited financial statements to the Commission within one hundred and twenty (120) days after the last day of the licensee's business year under audit.

(13) The Commission may request additional information and documents from either the licensee or the licensee's independent accountant, through the licensee, regarding the financial statements or the services performed by the accountant. Failure to submit the requested information or documents is an unsuitable method of operation and subject to a fine, penalty, or revocation of license.

Altering or falsifying gaming Commission. 20. (1) Any person who alters or falsifies information recorded on gaming documents, at the time of the transaction or after the fact, for the purpose of concealment, deception, or circumvention of mandatory internal control standards, documents or for any other purpose, may be subject to a fine, penalty or revocation of license by the Commission.

(2).Each gaming operator licensee's internal control system shall include internal controls for the acceptance, verification, accounting for, and sending of wire transfers. The internal controls shall include the following:

- (a) Requirements that a cage log record detailed information with regard to wire transfers accepted;
- (b) Requirements that cage personnel verify the identity of the patron;
- (c) Requirements detailing how a cage supervisor other than the cage employee who initially documented receipt of the wire transfer will verify receipt of the wire transfer and the identity of the patron using the wire transfer; and
- (d) Requirements for returning residual balances of wire transfers if the patron does not use the balance within a set amount of time.

21. Each gaming operator licensee's internal control system shall include internal controls for the acceptance and verification of cash equivalents. The internal controls developed and implemented by the gaming operator licensee shall include the following:

- (a) A requirement that cage employees perform the specific verification procedures required by the issuer of each cash equivalent accepted. The gaming operator licensee shall retain adequate documentation evidencing the verification of each cash equivalent;
- (b) A requirement that cage employees examine each cash equivalent for counterfeiting, forgery or alteration;
- (c) If a gaming operator licensee elects to incorporate in its verification procedures a level of reliance on previously accepted cash equivalents, a description of the general parameters governing the reliance;
- (d) The criteria for cage supervisor involvement in the verification process;
- (e) The procedures for verifying any patron signature on the cash equivalent. The gaming operator licensee shall retain adequate documentation evidencing how each signature was verified; and
- (f) For cash equivalents equaling or exceeding ten-thousand dollars, verification of the validity of the cash equivalent with the financial institution upon which it is drawn. The gaming cashier shall document how the verification was performed in connection with the acceptance of each cash equivalent.

22. Each gaming operator licensee's internal control system shall include internal controls for the receipt and withdrawal of patron deposits. The internal controls developed and implemented by the gaming operator licensee shall include the following:

- (a) Requirements detailing the processes that patron deposits can be accepted at the cage;
- (b) Requirements detailing the processes that patron deposits be withdrawn by the patron at the cage or upon receipt by the gaming operator licensee of a written request for withdrawal whose validity has been established;
- (c) Requirements that the patron receive a receipt for any patron deposit accepted reflecting the total amount deposited, the date of the deposit, and the signature of the cage employee accepting the patron deposit; and
- (d) Requirements on logging patron deposits.

23. (1) When the commission determines such requirements are applicable, each gaming operator's internal control system shall include internal controls for information technology standards.

(2) The management information systems ("MIS") department shall be responsible for the quality, reliability, and accuracy of all slot computer systems used by the gaming operator licensee regardless of whether data, software, or systems are located within or outside the casino facility. The MIS department shall be responsible also for the security and physical integrity of, and the accountability and maintenance of, the following:

- (a) Access codes and other security controls used to ensure limited access to computer software and the system-wide reliability of data;
- (b) Computer tapes, disks, or other electronic storage media containing data relevant to the gaming operator licensee's operations;
- (c) Computer hardware, communications equipment, and software used in the conduct of the gaming operator licensee's operations; and
- (d) The computerized slot monitoring system utilized by the gaming operator licensee.

(3) The technology standards shall include general controls for gaming hardware and software, including:

- (a) Procedures for the control and installation of software by the MIS department;
- ~~(b)~~ (c) The creation of a software control log by the MIS department evidencing all authorized changes to software;
- ~~(b)~~(c) The review and comparison of the report and log required by the internal audit department for any deviations and investigation;
- ~~(e)~~(d) Methods for detecting software changes, whether authorized or not; and
- ~~(d)~~(e) Methods for generating reports from all computer systems.

(4) These general controls shall include all of the following requirements:

- (a) The gaming operator licensee's management shall ensure that physical and logical security measures are implemented, maintained, and adhered to by personnel to prevent unauthorized access that could cause errors or compromise data or processing integrity;
- (b) The casino operator licensee's management shall ensure that all new gaming vendor hardware and software agreements and contracts contain language requiring the vendor to adhere to internal control standards applicable to the goods and services the vendor is providing;

- (c) Physical security measures shall exist over computers, computer terminals, data lines, and storage media to prevent unauthorized access and loss of integrity of data and processing; and

(5) The requirements in paragraph (4)(c) of this rule shall apply to each applicable department within the casino facility. Only authorized personnel shall have access to the following:

- (a) Systems software and application programs;
- (b) Computer data;
- (c) Computer communications facilities;
- (d) The computer system; and
- (e) Information transmissions.

(6) (1) The main computers for each gaming application shall be located in a secured area with access restricted to authorized persons, including vendors. Non-MIS department personnel shall be precluded from having unrestricted access to the secured computer areas.

- (a) Access to computer operations shall be restricted to authorized personnel.
- (b) Incompatible functions shall be adequately segregated and monitored to prevent lapses in general information technology procedures that could allow errors to go undetected or fraud to be concealed.
- (c) The computer systems, including application software, shall be secured through the use of passwords or other means approved by the commission, if applicable. MIS department personnel shall assign and control the access to system functions.
- (d) Passwords shall be controlled.
- (e) Data backup and recovery procedures shall be established and followed.

(7) Information technology system documentation shall be maintained, including descriptions of hardware and software, including current version numbers of approved software and licensee manuals.

- (8) MIS department personnel shall meet the following requirements:
 - (1) Be precluded from unauthorized access to the following:

- (a) Computers and terminals located in gaming areas;
 - (b) Source documents; and
 - (c) Live data files, which shall not contain test data; and
- (2) Be restricted from the following:
- (a) Having unauthorized access to cash or other liquid assets; and
 - (b) Initiating general or subsidiary ledger entries.
- (9) All program changes for in-house developed systems shall be documented and controlled in the manner established by the MIS department.

(10) The MIS department shall maintain computer security logs. If computer security logs are generated by the system, the logs shall be reviewed by MIS department personnel for evidence of unauthorized access or irregularities.

(11) The MIS department shall create controls for remotely accessing and logging changes to the casino's computer systems.

(12) If a casino operator licensee employs computer applications to replace or to supplement manual procedures, the computer application procedures implemented shall provide the same level of documentation or procedures, or both, that manual procedures approved by the commission require.

PART FOUR – TAXES & TAGS

1. The gaming taxes imposed shall be returned and remitted through the Commission in accordance with the Act.
2. As a condition of its license, each licensee shall establish and, after that, maintain an operating account at a designated financial institution capable of handling electronic fund transfers. The licensee must notify the commission of the financial institution where funds are deposited. No change of financial institution may be made without prior commission approval.
3. Each gaming operator licensee, as a condition of licensure, shall deposit into one (1) account an amount sufficient to cover its estimated liability for the gaming tax imposed by the Act. This account shall be designated, in substance, by the following language: "Name of licensee, for the benefit of the Trinidad and Tobago Gambling Control Commission."
4. Beginning in the first month, second day of operation, each gaming operator licensee, as a condition of its license, shall deposit annually into the operating account an amount sufficient to cover the estimated tax liabilities for the gaming tables and other gaming devices used or to be used on the premises of a gaming establishment desiring to carry on gaming activities therein, a tax to be known as a gaming device tax at the rates specified in the schedule. The licensee then shall timely remit from the operating account to the commission the gaming device levy for the period.

- a. Deposits will be deemed timely when made no later than 12:00 p.m. Atlantic Standard Time on the first day financial institutions are open for business after the close of the business day on which the estimated liabilities were established.
- b. The licensee, by applicable agreement with the financial institution, shall provide for the automatic withdrawal or transfer of funds for payment of the levies and fees.
- c. The operating license holder, shall submit a return as to the number of tables and devices used or to be used on the premises of the club in such form as may be approved by the Commission. The total gaming device tax remitted to the Commission shall correspond with the return as submitted by the operating licence holder.
- d. Where the gaming operator licensee fails, neglects or refuses to submit the correctly calculated taxes as computed by the Commission, its licence shall be revoked.
- e. With the granting of a licence, the Commission shall cause to be issued in respect of each table or device, a tag for which gaming tax is paid.
- f. Every tag issued under this section shall be in a form approved by the Commission and shall be valid from the date on which it is issued until the time in the ensuing year when the gaming tax becomes payable.
- g. The operating licence holder shall cause to be displayed on each table or device, the relevant tag for which the tax was paid, in sequence with the corresponding serial number or unique identifier as submitted by the licensee on a form approved by the commission, failing which the licence shall be liable to cancellation by the Commission
- h. The Claim for Refund or Credit Form shall be made available on the commission's website at [commission web address] and may be requested by writing to: [commission address].
- a. Every Claim for Refund or Credit Form must be in writing under oath and must state the specific grounds upon which the claim is founded.

PART FIVE – INTERNAL CONTROLS & ACCOUNTING SYSTEMS

Contents of System (2) A system of internal controls and administrative and accounting procedure installed by the holder of the owners licence shall include (but is not limited to) the following:

- 1) Accounting controls and procedures, including the standardization of forms and the definition of terms, to be used in operations in the gaming premises, include but are not limited to the following:
 - (a) Hold percentages and their calculation,
 - (b) Revenue Handle,
 - (c) Expense and overhead schedules,
 - (d) Complimentary services,
 - (e) Salary arrangements,
 - (f) Personnel practices,
 - (g) Junkets,
 - (h) Cash equivalent transactions
- 2) Procedures for the conduct and playing of all games on/in the gaming premises;
- 3) Procedures and standards for the security of gaming machines and for the payment and recording of gaming machine prizes;
- 4) Procedures within a cashier's cage for the receipt, storage and disbursement of chips and cash, the cashing of cheques, the redemption of chips and the recording of all transactions pertaining to gaming operations;
- 5) Procedures for the collection and security of money at the table games and other places on/in the gaming premises where games are conducted;
- 6) Procedures and forms for the transfer of chips to and from the gaming tables and other places on/in the gaming premises where games are conducted and to and from a cashier's cage;
- 7) Procedures for the transfer of money from the table games and other places on/in the gaming premises where games are conducted to other areas of the gaming premises for counting;
- 8) Procedures and forms for the transfer of money or chips from and to a gaming area;
- 9) Procedures and security for the counting and recording of revenue;
- 10) Procedures and security for the transfer of money from the gaming premises to a bank, building society or credit union and from a bank, building society or credit union to the gaming premises;

- 11) Procedures for the security, storage and recording of chips utilized in the gaming operations in the gaming premises;
- 12) Procedures and standards for the maintenance, security and storage of gaming equipment;
- 13) Procedures for the payment and recording of prizes associated with games where the prizes are paid by cash, cheque or in a non-monetary form (other than chips);
- 14) Procedures for the issue of chip purchase vouchers and the recording of transactions in connection therewith;
- 15) Procedures for the cashing of cheques and recording of transactions by cheque;
- 16) Procedures for the establishment and use of deposit accounts, procedure for the use and maintenance of security and surveillance facilities, including closed circuit television systems;
- 17) Procedures governing the utilization of security personnel within the gaming premises; and
- 18) Procedures for the control of keys used or for use in operations on/in the gaming premises

(3) For the purposes of an approval or amendment of an approval, controls and procedures may be described by way of narrative or represented diagrammatically, or by a combination of both methods.

Banking

(4) (1) It is a condition that the holder of an owners licence must:

- 1) Keep and maintain separate bank accounts at a bank, building society or credit union in Trinidad and Tobago for use for all banking transactions arising in relation to the licence operation, and
- 2) From time to time provide the financial institution, as required, and in a form approved by the institution, with a written notice addressed to that bank, building society or credit union authorizing the bank, building society or credit union to comply with any requirements of an Inspector exercising the powers conferred to them.

Accounts to be kept

(5) (1) It is a condition that the holder of an owners licence must keep such accounting records as correctly recorded and explain the transactions and financial position of the operations of the gaming premises.

(2) The accounting records must be kept in such a manner as will enable true and fair financial statements and accounts to be prepared on a period as stipulated by the commission.

Statements of
Accounts

(6) It is a condition that a licensee must, as soon as practicable after the end of the financial year determined for the gaming premises prepare financial statements and accounts, including:

- (a) Trading accounts, where applicable, for the financial year;
- (b) Profit and loss accounts for the financial year; and
- (c) A balance-sheet as at the end of the financial year.

Books and other
Records to be kept
on gaming premises

(7) It is a condition that a licensee must ensure that all books, records and documents relating to the operations the gaming premises are:

- (a) Kept at the gaming premises, and
- (b) Retained for not less than seven years after the completion of the transactions to which they relate.

Submission of
Reports

(9) (1) It is a condition that licensee must submit to the respective authority an accounting and administrative records and reports relating to the operations of the gaming premises.

(2) The gaming premises accounting and administrative records and reports are to be submitted at such times and are to contain such information, as is specified by order in writing given to the financial institution as required.

Made thisday of2017.

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Name:
Minister of Finance

DRAFT