

**TITLE 170: LOCAL RULES AND REGULATIONS; TINIAN AND AGUIGUAN
(SECOND SENATORIAL DISTRICT)**

**SUBCHAPTER 170-30.8
REGULATIONS FOR INTERNET GAMING OPERATIONS**

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Subchapter Authority: Revised Tinian Gaming Control Act of 1989.

Subchapter History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 001 - General Provisions

§ 170-30.8-001 Authority

This regulation on “Internet Gaming Operations” is promulgated pursuant to the Revised Tinian Casino Gaming Control Act of 1989 (“Act”) and all subsequent amendments, as well as the regulations (“Regulations”) promulgated by the Tinian Gaming Control Commission (“Commission”).

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History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-002 Purpose of Regulation

The Commission is mandated under the Act to regulate all forms of Internet Gaming, as defined therein, and in order to satisfy its regulatory duties, the Commission finds it necessary to promulgate regulations governing the operation of Internet Gaming, with the following objectives:

- (a) Ensure that Internet Gaming is properly regulated and monitored;
- (b) Ensure that Internet Gaming is conducted in a responsible manner with appropriate safeguards for those who engage in Internet Gaming; and
- (c) Ensure that Internet Gaming is conducted lawfully.

Modified, 1 CMC § 3806(a).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-003 Nature of Internet Gaming License

An Internet Gaming license may be issued as provided in the Act, and an Internet Gaming Operator shall be subject to the Act and all Regulations thereunder that apply to a Casino Licensee.

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-004 Incorporation of Act and Regulations

Unless defined in § 170-30.8-005 herein, all terms identified in this regulation shall have the meanings as set forth in the Act and Regulations, which are incorporated herein by reference.

Modified, 1 CMC § 3806(g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-005 Definition of Terms

When used in these regulations, unless the context otherwise requires, the terms defined in this section shall have the meaning stated herein:

- (a) “Account” means an electronic ledger operated and maintained by an Internet Gaming Operator wherein information relative to Internet Gaming is recorded on behalf of an Authorized Player, including the following types of transactions:
 - (1) Deposits;
 - (2) Withdrawals;

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- (3) Amounts wagered;
 - (4) Amounts paid on winnings; and
 - (5) Adjustments to the Account.
- (b) “Authorized Game” means any gambling game authorized by the Commission for use with an Internet Gaming System.
- (c) “Authorized Player” means an individual who has opened an Account with the Internet Gaming Operator.
- (d) “Communications Technology” means Communications Technology, as defined in the Act.
- (e) “Critical Components” means the hardware, software, technology, or other equipment of any kind determined by the Commission to be necessary for the conduct of Internet Gaming, and located within the Second Senatorial District.
- (f) “Internet Gaming” means Internet Gaming, as defined in the Act.
- (g) “Internet Gaming Junket Operator” means an individual or business entity other than an Internet Gaming Operator licensee who has been licensed by the Commission under this Act and has a junket agreement with an Internet Gaming Operator to extend a line of credit to Authorized Players.
- (h) “Internet Gaming Licensee” means an Internet Gaming Operator and all other persons required to be licensed or registered under this regulation, the Act, or the Regulations.
- (i) “Internet Gaming Operator” means Internet Gaming Operator, as defined in the Act.
- (j) “Internet Gaming Service Provider” means a person who acts on behalf of an Internet Gaming Operator, and:
- (1) Manages, administers, or controls wagers that are initiated, received, or made on an Internet Gaming System;
 - (2) Manages, administers, or controls the Games with which wagers that are initiated, received, or made on an Internet Gaming System are associated;
 - (3) Provides, maintains, or operates the software or hardware of an Internet Gaming System;
 - (4) Provides the trademarks, trade names, service marks, or similar intellectual property under which an Internet Gaming Operator identifies its Internet Gaming System to patrons;
 - (5) Provides products, services, information, or assets to an Internet Gaming Operator and receives a percentage of gaming revenue from the Internet Gaming Operator;
 - (6) Verifies the geographic location of Authorized Players;
 - (7) Verifies, or provides information for the verification of, the identification of individuals;
 - (8) Directly facilitates the depositing of funds into or withdrawing of funds from an Account;
 - (9) Provides management, support, security, or disaster recovery services for Commission

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regulated hardware or software; or

(10) Provides services in relation to the Internet Gaming System that the Commission determines, in its absolute discretion, requires licensure as an Internet Gaming Service Provider.

(k) “Internet Gaming System” means all hardware, software, and Communications Technology used by an Internet Gaming Operator to conduct Internet Gaming, including a Table Game Simulcasting System.

(l) “Live Dealer” means a casino employee authorized to deal or conduct Live Dealer Games.

(m) “Live Dealer Games” means Internet Gaming offered to Authorized Players via an Internet Gaming System and Table Game Simulcasting System and dealt or conducted by a Live Dealer.

(n) “Personally Identifiable Information” means any information about an individual maintained by an Internet Gaming Operator or an Internet Gaming Service Provide including:

(1) Any information that can be used to distinguish or trace an individual’s identity, such as name, social security number, date and place of birth, mother’s maiden name, or biometric records; and

(2) Any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.

(o) “Table Game Simulcasting System” means all hardware, software, and communications that comprise a system used to simulcast Live Dealer Games.

Modified, 1 CMC § 3806(a), (f), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 100 - Licensing

§ 170-30.8-101 Provisions of the Act and Regulations Applicable to Internet Gaming

The requirements, obligations, criteria, and standards identified in the Act and Regulations for eligibility, required approval, qualification, suitability, and conducting operations related in any way to gaming (“Licensing Criteria”) shall apply as follows:

(a) Internet Gaming Operators shall be subject to the Licensing Criteria of Casino Licensees;

(b) Internet Gaming Service Providers shall be subject to the Licensing Criteria of Casino Service Providers;

(c) A Lessee of an Internet Gaming Licensee shall be subject to the Licensing Criteria of a Lessee Under a Casino Lease;

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(d) A party to an Internet Gaming Management Agreement shall be subject to the Licensing Criteria of a Casino Management Agreement;

(e) An Internet Gaming Junket Operator shall be subject to the Licensing Criteria of a Junket Operator; and

(f) Any other person who would provide services to the Internet Gaming Operator that would require licensing, registration, and/or qualification under the Act or Regulations, including, but not limited to, Casino Service Industries and Casino Vendor Licensees, or under the absolute discretion of the Commission, shall be subject to the Licensing Criteria for the same.

Modified, 1 CMC § 3806(a), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-102 Employees

Employees of internet Gaming Licensees referenced in § 170-30.8-101, will be subject to the licensing and approval requirements identified in the Act and Regulations, as applicable.

Modified, 1 CMC § 3806(g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-103 Fees

The following are the applicable fees to be assessed from applicants of licenses:

(a) Internet Gaming License Fees

(1) In addition to the costs associated with acquiring an annual conditional or plenary casino license fee pursuant to the Act, a casino licensee may opt to pay an additional annual fee of \$300,000 for the operation of Internet Gaming. The annual internet license fee may be waived for a casino licensee who opts to pay an annual plenary or conditional casino license fee of two million dollars but may not waive payment of internet gambling tax.

(2) A casino licensee shall renew a license upon its expiration by the payment of the annual license fee of \$500,000 pursuant to the Act.

(b) License Fees. Upon approval of the license, the applicant shall pay the corresponding fees prior to the issuance of the license pursuant to the Act and under these regulations.

(c) Internet Gaming Operators and service providers shall be subject to the same fee requirements under Part 800.

Modified, 1 CMC § 3806(a), (f), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

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Part 200 - Accounts

§ 170-30.8-201 Registration of Players

(a) An Internet Gaming Operator shall not permit an individual to participate in Internet Gaming unless that individual is an Authorized Player and holds an Account with the Internet Gaming Operator.

(b) An Internet Gaming Operator may allow an individual to register as an Authorized Player either remotely or in person, so long as the Authorized Player meets the requirements hereunder.

(c) To register as an Authorized Player:

(1) The individual must be located within the intra-island borders of the Second Senatorial District, unless the conduct of such Internet Gaming is not inconsistent with federal law, law of the jurisdiction, including any foreign nation, in which the individual is located, or such Internet Gaming is conducted pursuant to a reciprocal agreement to which the Second Senatorial District is a party that is not inconsistent with federal law; and

(2) Must provide to the Internet Gaming Operator:

(i) The individual's full legal name;

(ii) The individual's date of birth showing that the individual is 21 years of age or older;

(iii) The physical address where the individual resides;

(iv) The individual's social security number or equivalent identification number for a foreign individual such as a passport or taxpayer identification number;

(v) The individual's valid email address.

(d) Before registering an individual as an Authorized Player, the Internet Gaming Operator must have the individual affirm the following:

(1) That the information provided to the Internet Gaming Operator by the individual is accurate;

(2) That the individual has reviewed and acknowledged access to the house rules and pay tables;

(3) That the individual has reviewed and agrees to the Internet Gaming Operator's Terms and Conditions of Service and Privacy Policy;

(4) That the individual has been informed and understands that, as an Authorized Player, they are prohibited from allowing any other individual access to or use of their Account;

(5) That the individual has been informed and understands that, as an Authorized Player, they are prohibited from engaging in Internet Gaming from any prohibited jurisdiction and, if found to be playing from a prohibited jurisdiction, may be subject to criminal prosecution;

(6) That the individual has been informed and understands that, if the Internet Gaming Operator is unable to verify the information provided by the individual pursuant to subsection (c) within 30 days of registration, any winnings attributable to the individual will be retained by the Internet Gaming Operator and the individual shall have no right to such winnings;

(7) That the individual consents to the jurisdiction of the Commission to resolve disputes arising out of Internet Gaming;

(8) That the individual consents to the monitoring and recording by the Internet Gaming

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Operator and the Commission of any wagers or activities;

- (9) That the individual is not on the Commission's self-exclusion list; and
- (10) That the individual has not been permanently banned from gambling in any jurisdiction.

(e) If the Internet Gaming Operator is aware that an individual has provided false information, the Internet Gaming Operator shall not register such individual.

(f) Within 30 days of the registration of the Authorized Player, the Internet Gaming Operator shall verify the information provided by the individual pursuant to subsection (c). Until such verification has occurred:

- (1) The Authorized Player may not deposit more than \$5,000 in their Account; and
- (2) The Authorized Player may not withdraw any funds from their Account.

(g) If verification of the information provided pursuant to subsection (c) has not occurred within 30 days or the Internet Gaming Operator becomes aware that such information is false, the Internet Gaming Operator shall:

- (1) Immediately terminate the Account;
- (2) Retain any winnings attributable to the individual; and
- (3) Refund the balance of deposits made to the Account to the source of such deposit or by issuance of a check and then permanently close the Account.

(h) If Internet Gaming Operator becomes aware that a permanently banned individual has registered for an Account or a previously Authorized Player has been listed on the self-exclusion list, the Internet Gaming Operator shall:

- (1) Terminate the Account;
- (2) Distribute any winnings attributable to the individual to the Commission; and
- (3) Refund the balance of deposits made to the Account to the source of such deposit or by issuance of a check and then permanently close the Account.

(i) Any winnings due to an Authorized Player prior to completion of the verification process shall be credited to their Account upon successful verification.

Modified, 1 CMC § 3806(a), (c), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-202 Authorized Player Account

(a) An Internet Gaming Operator shall record and maintain the following in relation to an Authorized Player's Account:

- (1) The date and time the Account is opened or terminated;
- (2) The date and time the Account is logged in to or is logged out of; and
- (3) The physical location, by state or foreign jurisdiction, of the Authorized Player while logged in to the Account.

(b) An Internet Gaming Operator shall ensure that an individual registered as an Authorized

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Player can only register and maintain a single, non-transferable Account with the Internet Gaming Operator.

(c) An Internet Gaming Operator shall at all times maintain a list of all Authorized Players and Accounts.

(d) An Internet Gaming Operator shall provide all Authorized Players with reasonable access to wagering information including, but not limited to, the following:

- (1) All credits and debits to the Account;
- (2) A complete history of the Authorized Player's gaming activity, including:
 - (i) The date and time of each session;
 - (ii) The games played;
 - (iii) The amounts wagered, and the net win/loss.

(e) An Internet Gaming Operator shall not allow or set up anonymous Accounts or Accounts in fictitious names.

(f) An Internet Gaming Operator shall not allow an Authorized Player to transfer funds to any other Authorized Player's Account.

(g) All Accounts shall require a password for logging in, which shall be changed periodically, as provided by the Commission.

Modified, 1 CMC § 3806(a), (f).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-203 Financial Stability and Funds Security

(a) Funds may only be deposited by an Authorized Player or an Internet Gaming Junket Operator into an Account assigned to that Authorized Player or that Internet Gaming Junket Operator that extends a line of credit to Authorized Player(s) through a mechanism that allows the Internet Gaming Operator to verify the age and identify of the Authorized Player(s) including, but not limited to, the following:

- (1) Cash or cash equivalents;
- (2) Checks;
- (3) ETF Transfers;
- (4) Wire Transfers;
- (5) Credit cards;
- (6) Debit cards; and
- (7) Any other instrumentality or means approved by the Commission.

(b) An Account may be credited by the following means:

- (1) Deposits made in accordance with subsection (a);
- (2) Amounts won by an Authorized Player;

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- (3) Promotional credits, or bonus credits provided by the Internet Gaming Operator and subject to the terms of use established by the Internet Gaming Operator and as long as such credits are clearly identified as such; and
 - (4) Adjustments made by the Internet Gaming Operator following the resolution of a dispute.
- (c) An Account may be debited by the following means:
- (1) Amounts wagered by an Authorized Player;
 - (2) Purchases of Internet Gaming related merchandize and services requested by an Authorized Player;
 - (3) Withdrawals;
 - (4) Transfers to safekeeping or front money accounts held by the Casino Licensee holding the Internet Gaming Operator's license;
 - (5) Adjustments made by the Internet Gaming Operator following the resolution of a dispute; and
 - (6) Debits as otherwise approved by the Commission.
- (d) Unless otherwise authorized by the Commission, funds deposited into an Account from a financial institution shall not be transferred out of the Account to a different financial institution.
- (e) Unless there is a pending unresolved Authorized Player dispute or investigation, an Internet Gaming Operator shall comply with a request for a withdrawal of funds by an Authorized Player from their Account within a reasonable amount of time. All applicable federal, state, and territorial laws shall apply to the processing payouts requiring reporting or any other form of notice under applicable law. Before remitting funds to an Authorized Player, an Internet Gaming Operator shall take such time as is reasonably necessary for the purposes of:
- (1) Verifying the individual's status as an Authorized Player in good standing;
 - (2) Conducting security and other internal control procedures in relation to the Authorized Player's Account; and
 - (3) Ensuring that the rules that are approved relating to the award of prizes to players have been complied with.
- (f) An Internet Gaming Operator shall not allow an Authorized Player to transfer funds to the Account of any other Authorized Player.
- (g) An Internet Gaming Operator shall not allow an Authorized Player's Account to be overdrawn unless caused by payment processing issues outside the control of the Internet Gaming Operator.
- (h) If an Account is inactive for 12 consecutive months or more, the Internet Gaming Operator reserves the right to charge a maintenance fee of \$100 per month. The monthly maintenance fee will be deducted from the Account each consecutive month thereafter if it remains inactive. The monthly maintenance fee will not be deducted from the Account if there are no funds in Account. However, if the Account has no funds and has been inactive for 12 or more consecutive months the Internet Gaming Operator reserves the right to close the Account.

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- (i) An Internet Gaming Operator shall keep the Authorized Player's funds separate from the Internet Gaming Operator's own funds in an account held with a financial institution approved by the Commission.
- (j) The Internet Gaming Operator shall instruct and authorize the financial institution at which Authorized Players' funds are held to disclose any information as may be requested by the Commission relating to Authorized Players funds.
- (k) Upon receipt of a formal request from an Authorized Player, the Internet Gaming Operator shall provide to such individual a statement of their Account detailing the amounts credited and/or debited.
- (l) The financial institution that is holding the Internet Gaming Operator's or an Authorized Players' funds shall be pre-approved by the Commission. The credit or financial institution shall be in good standing and use accounting standards and practices as is generally accepted in the industry.

Modified, 1 CMC § 3806(a), (c), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 300 - Conduct of Operations

§ 170-30.8-301 Internet Gaming System

- (a) An Internet Gaming Operator shall not operate an Internet Gaming System unless the Internet Gaming System has been approved by an endorsed independent testing lab and the Commission. The Internet Gaming System shall meet, at a minimum, industry standards verified by an endorsed independent testing lab or such technical standards that are set forth by the Commission. An Internet Gaming Operator shall make all endorsed independent testing lab certifications available in writing to the Commission upon request.
- (b) An Internet Gaming Operator shall not make modifications to the Critical Components of the Internet Gaming System unless the proposed Critical Component modification has been approved by the Commission.
- (c) An Internet Gaming Operator shall provide the Commission, prior to commencing operations of its Internet Gaming System, with a list of all individuals who may access the main computer or data communications components of their Internet Gaming System and any changes to that list shall be provided to the Commission within ten days.
- (d) The Commission may at any time inspect and test the Internet Gaming System or any component thereof to ensure it operates within the parameters certified by an endorsed independent testing lab and as accepted by the Commission.

Modified, 1 CMC § 3806(a), (e).

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History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-302 Acceptance of Wagers

(a) An Internet Gaming Operator shall not accept or facilitate a wager:

- (1) On any Game not approved by the Commission to be offered via an Internet Gaming System;
- (2) On any Game which the Internet Gaming Operator knows or reasonably should know is made by an individual who is not an Authorized Player or who is permanently banned or on the self-exclusion list; or
- (3) From an individual who the Internet Gaming Operator knows or reasonably should know is placing the wager in violation of the Act or Regulations.

(b) The Internet Gaming System shall employ a mechanism to detect the physical location of an Authorized Player upon logging into the Internet Gaming System and as frequently as specified in the Technical Standards provided by the Commission or consistent with industry standards endorsed by an independent testing lab. If the Internet Gaming System detects that the physical location of the Authorized Player is in an area unauthorized for Internet Gaming, the Internet Gaming System shall not accept wagers until such time that the Authorized Player is in an authorized location.

Modified, 1 CMC § 3806(a).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-303 Minimum Bankroll Requirements

In order to ensure the Internet Gaming Operator has sufficient funds on hand, the Internet Gaming Operator must provide proof, as required and determined by the Commission in its sole discretion, that the Internet Gaming Operator maintains an adequate amount of readily available funds to conduct Internet Gaming.

Modified, 1 CMC § 3806(a).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-304 Customer Disputes

Subject and in addition to the requirements, obligations, criteria, and standards governing customer disputes set forth within the Act and Regulations, as applicable:

- (a) An Internet Gaming Operator is required to promptly investigate any dispute about an Internet Gaming transaction;
- (b) In the event that an Authorized Player has a dispute with the Internet Gaming Operator

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regarding Internet Gaming, the Internet Gaming Operator may freeze the disbursement of all disputed amounts until resolution of the dispute;

(c) A complaint must be filed in writing with the Internet Gaming Operator evidencing the dispute and must contain clear and unequivocal information about the complainant's identity, and provide all relevant details that gave rise to the complaint. If the written communication is in electronic format, it must be sent with an electronic signature. Complaints must be made within three days of the event giving rise to the complaint;

(d) These regulations require that, wherever possible, complaints should be properly investigated by the Internet Gaming Operator and referred to the attention of the Commission only if the Internet Gaming Operator's complaint procedure has failed to resolve the issue. Exceptions to this would include very serious complaints involving monetary amounts in excess of \$5,000 or issues of public interest, which should be brought to the Commission's attention at the earliest opportunity;

(e) The Commission may dismiss a complaint without an inquiry or investigation if, in its sole discretion, it is satisfied that a complaint is unfounded, has been satisfactorily addressed, or does not fall within the Commission's scope of authority; and

(f) Determinations of the Commission shall be final.

Modified, 1 CMC § 3806(a), (e), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-305 House Rules

Each Internet Gaming Operator shall adopt and adhere to written house rules, subject to the prior review and approval by the Commission, governing wagers by Authorized Players that are available permanently through a conspicuously displayed link on the Internet Gaming Operator's website. Such house rules shall include, but not be limited to, specifying the following:

(a) Clear and concise explanation of all fees;

(b) The rules of play of a Game;

(c) Any monetary wagering limits; and

(d) Any time limits pertaining to the play of a game.

Modified, 1 CMC § 3806(a), (f).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

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§ 170-30.8-306 Information Displayed on Website

(a) Each Internet Gaming Operator must provide for the prominent display of the following information on a page which, by virtue of the construction of the website, an Authorized Player must access before beginning a gaming session:

- (1) The full name of the Internet Gaming Operator and address from which it carries on business;
- (2) A statement that the Internet Gaming Operator is licensed and regulated by the Commission;
- (3) The Internet Gaming Operator's license number and date of issuance of the license;
- (4) A statement that individuals under the age of 21 are not permitted to engage in Internet Gaming;
- (5) A statement that individuals located in a jurisdiction where the Internet Gaming Operator prohibits access are not permitted to engage in Internet Gaming and may be subject to criminal prosecution; and
- (6) Active links to the following:
 - (i) Information explaining dispute resolution as provided in the Act and Regulations;
 - (ii) Information on problem gambling, as required under this regulation, the Act and Regulations;
 - (iii) The Commission website;
 - (iv) A page that allows for an Authorized Player to choose to be excluded from engaging in Internet Gaming or to establish wagering and time limits;
 - (v) A link to the house rules adopted by the Internet Gaming Operator;
 - (vi) Terms and Conditions of Service and Privacy Policy.

(b) While an Authorized Player is logged into the Internet Gaming System, the Internet Gaming Operator must provide for the prominent display of the following information at all times:

- (1) A website clock that displays the current time in the Authorized Player's time zone; and
- (2) Real time information reflecting the Authorized Player's Account balance denominated in US dollars.

Modified, 1 CMC § 3806(a), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-307 Records

Subject and in addition to any other requirements, obligations, criteria, and standards governing record keeping as set forth within the Act and Regulations, as applicable:

(a) Internet Gaming Licensees shall keep, in respect of the transactions and affairs relating to the Internet Gaming activity, proper accounts and records which show a true, accurate, and fair view of the financial position and state of affairs of the Internet Gaming Licensee.

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(b) Internet Gaming Licensees shall maintain, as applicable, complete and accurate records of all matters related to their Internet Gaming activity, not limited to:

- (1) The identity of all current and prior Authorized Players;
- (2) All information used to register an Authorized Player;
- (3) A record of any changes made to an Authorized Player's Account;
- (4) A record and summary of all person-to-person contact, by telephone or otherwise, with an Authorized Player;
- (5) All deposits and withdrawals to an Authorized Player's Account;
- (6) A complete Game history for every Game played including the identification of all Authorized Players who participate in a game, the date and time a Game begins and ends, the outcome of every Game, the amounts wagered, and the amounts won or lost by each Authorized Player; and
- (7) Disputes arising between Authorized Players.

(c) Internet Gaming Operators shall provide an Account statement with Account details to an Authorized Player on demand, which shall include detailed Account activity for at least the six months preceding 24 hours prior to the request. In addition, upon request, the Internet Gaming Operator shall provide a summary statement of the Authorized Player activity during the past year. Information to be provided on the summary statement shall include at a minimum, the following:

- (a) Deposits;
- (b) Withdrawals;
- (c) Win or loss;
- (d) The beginning and ending financial balances; and
- (e) The self-imposed responsible gaming limit history, if applicable.

(4) Internet Gaming Licensees shall maintain and preserve all records required by this regulation for a minimum of five years after they are made, or an amount of time deemed appropriate by the Commission.

Modified, 1 CMC § 3806(a), (e), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

§ 170-30.8-308 Responsibility

(a) Any Internet Gaming Licensee who entered into any agreement, written or otherwise, with an Internet Gaming Operator to perform services subject to this regulation, the Act, or the Regulations, shall perform such services and be subject to disciplinary actions to the same extent as the Internet Gaming Operator.

(b) An Internet Gaming Operator may only use the services of an Internet Gaming Licensee to conduct such services.

(c) Notwithstanding the foregoing, the Internet Gaming Operator is ultimately responsible

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for the actions of any Internet Gaming Licensee and corresponding compliance obligation, and remains directly responsible for the services provided by any Internet Gaming Licensee pursuant to any such agreement.

Modified, 1 CMC § 3806(a).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 400 - Problem Gambling

§ 170-30.8-401 Problem Gambling

(a) Subject and in addition to the requirements, obligations, criteria, and standards governing problem gambling set forth within the Act and Regulations, as applicable, an Internet Gaming Operator must put into effect policies and procedures for self-exclusion and take all reasonable steps to immediately refuse service or to otherwise prevent an individual who has self-excluded from participating in Internet Gaming. These policies and procedures include without limitation the following:

- (1) The closing of the Account held by the individual who has self-excluded;
- (2) The maintenance of a register of those individuals who have self-excluded that includes the name, address, and Account details of self-excluded individuals;
- (3) Provisions precluding an individual who has self-excluded from being allowed to again engage in Internet Gaming until a reasonable amount of time of not less than 30 days has passed since the individual self-excluded;
- (4) Provisions that the self-excluded individuals do not receive, either from the Internet Gaming Operator or any agent thereof, including Internet Gaming Junket Operators, targeted mailings, telemarketing promotions, player club materials, or other promotional materials relating to Internet Gaming; and
- (5) Employee training to ensure enforcement of these policies and procedures.

(b) An Authorized Player may, by written notice to the Internet Gaming Operator, set a limit on his or her gambling activity in accordance with the following means:

- (1) The Authorized Player may limit the amount that can be deposited into their Account during a specific time;
- (2) The Authorized Player may limit how much they lose, by amount, in a specific time period;
- (3) The Authorized Player may limit the maximum amount of any wagers;
- (4) The Authorized Player may specify that they wish to be banned permanently, or for a specific period of time; and
- (5) The Internet Gaming Operator must have adequate controls to ensure a permanently banned individual cannot reestablish an Account.

(c) An Authorized Player may, by written notice to the Internet Gaming Operator, change or remove the limit on his or her gambling activity by further written notice to the Internet Gaming Operator. Written notice increasing or removing a limit shall not have effect until at least 24

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hours after the Internet Gaming Operator receives such notice.

(d) In the event that an Authorized Player self excludes or has been permanently banned, all funds held by the Internet Gaming Operator, prior to such occurrence, shall be returned to the individual and the Authorized Player's account closed within seven business days after the Internet Gaming Operator has received notice of the Authorized Player's self-exclusion or has issued a permanent ban.

Modified, 1 CMC § 3806(a), (e), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 500 - Internal Controls

§ 170-30.8-501 Internal Controls

(a) Each Internet Gaming Operator shall establish, maintain, and implement internal controls that comply with the standards implemented by the Commission. Compliance with such minimum standards shall be governed by the existing provisions in the Act and Regulations.

(b) Internal control submissions shall include detailed information of the following:

(1) The Internet Gaming System;

(2) Procedures and controls for the operation of the Internet Gaming System, including, but not limited to:

(i) Registering Authorized Players to engage in Internet Gaming;

(ii) Identifying and verifying Authorized Players to prevent those who are not Authorized Players from engaging in Internet Gaming. The procedures and controls must incorporate robust and redundant identification methods and measures in order to manage and mitigate the risks of non face-to-face transactions inherent in Internet Gaming;

(iii) Handling deposits, withdrawals, and all other wagering Account transactions;

(iv) Protecting and ensuring confidentiality of Accounts; and

(v) Recording, crediting, and debiting Authorized Player Accounts for amounts won and wagered in Internet Gaming.

(3) Procedures and controls for protecting an Authorized Player's Personally Identifiable Information, including, but not limited to:

(i) Identifying one or more senior officials of the Internet Gaming Operator who have primary responsibility for the design, implementation, and ongoing evaluation of such procedures and controls;

(ii) Determining the nature and scope of all Personally Identifiable Information collected, the locations in which such information is stored, and the devices or media on which such information may be recorded;

(iii) Protecting Personally Identifiable Information from unauthorized access;

(iv) Notifying Authorized Players of privacy policies;

(v) Procedures to be used in the event a data security breach occurs; and

(vi) Procedures for compliance with all tribal, state, and federal laws concerning privacy and

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security of Personally Identifiable Information.

- (4) Accounting systems and procedures that adhere to Generally Accepted Accounting Principles (“GAAP”);
- (5) Procedures to be followed to play a game;
- (6) Procedures for aborted or miscarried games;
- (7) Procedures and standards for the maintenance, security, and storage of Internet Gaming System equipment to be used in conjunction with Internet Gaming;
- (8) Procedures for establishing and maintaining security facilities including general compliance and internal controls to access critical systems;
- (9) A disaster recovery plan;
- (10) An adequate system of data backup;
- (11) Procedures for promoting responsible Internet Gaming, preventing individuals who have self-excluded from engaging in Internet Gaming, and permanently banning patrons from participating in Internet Gaming;
- (12) Procedures and controls designed to detect and prevent transactions that may be associated with money laundering, fraud, or other criminal activities and to ensure compliance with all laws applicable to money laundering;
- (13) Procedures outlining the policies and procedures for surveillance;
- (14) Procedures for calculating and submitting appropriate taxes or fees to the Commission; and
- (15) Any other information that the Commission may require.

(c) The Commission requires the Internet Gaming Operator to submit the financial accounting records, quarterly audits, and approved control system for an annual audit conducted by an independent, licensed, CPA firm.

(d) The costs incurred for such an audit shall be borne by the applicant or Internet Gaming Operator. A copy of the annual audits shall be provided to the Commission within 120 days of the end of the Internet Gaming Operator’s fiscal year.

(e) The Commission shall have the right to direct the applicant or Internet Gaming Operator to change or modify the approved control system in any manner whatsoever, within a period of time which shall not be less than 30 days from the date on which the directive is served on the applicant or Internet Gaming Operator.

(f) All Internet Gaming shall be conducted only under the control system which has been approved by the Commission.

Modified, 1 CMC § 3806(a), (f), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 600 - Technical Standards

§ 170-30.8-601 Technical Standards

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- (a) The Commission shall enact Technical Standards governing the conduct of Internet Gaming.

- (b) At a minimum, the Technical Standards will address:
 - (1) Communications standards for an Internet Gaming System and Table Game Simulcasting System, including encryption standards, data integrity safeguards, secure methods of transfer of Personally Identifiable Information;
 - (2) The Critical Components involved in Internet Gaming;
 - (3) Mandatory logging and backup protocols;
 - (4) The ability for the Commission to access, query, and export all Internet Gaming System data;
 - (5) Electronic logs of all installation/modification and/or service activity conducted on the Internet Gaming System;
 - (6) Date and time stamps for all material aspects, as identified by the Commission;
 - (7) Required Internet Gaming System reports, which shall include, at a minimum:
 - (i) The report file;
 - (ii) The version number of the current system software and report definition;
 - (iii) The date or time period of activity, or description “as of” a point of time;
 - (iv) The date and time the report was generated;
 - (v) Page numbering, indicating the current page and total number of pages;
 - (vi) Subtotals and grand totals, as required by the Commission;
 - (vii) Whether any filters have been applied to the data;
 - (viii) Column and row titles, if applicable; and
 - (ix) The name of the Internet Gaming Operator.

- (c) Additionally, an Internet Gaming System shall generate the following daily reports, at a minimum, for each gaming day in order to calculate the taxable revenue:
 - (1) An Authorized Player Account Summary Report, which shall include transaction information for each Account for the following categories as follows:
 - (i) Beginning balance;
 - (ii) Total amount of deposits;
 - (iii) Total amount of non-cashable bonuses deposited;
 - (iv) Total amount of non-cashable bonuses wagered;
 - (v) Total amount of non-cashable bonuses expired;
 - (vi) Total amount of transfers to games;
 - (vii) Total amount of transfers from games;
 - (viii) Total amount of withdrawals;
 - (ix) Total amount of funds on game at the beginning of the gaming day (the amount of pending wagers at the end of the prior gaming day);
 - (x) Total amount of funds on game at the end of the gaming day (the amount of pending wagers plus funds transferred to a game but not yet wagered);
 - (xi) Win or loss, calculated as the amount of transfers to games and beginning funds on game less the amount of transfers from games and ending funds on game; and
 - (xii) Ending balance.
 - (2) A Wagering Summary Report, which shall include the following game activity by

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Authorized Game, as applicable:

- (i) Total amounts wagered (coin in);
 - (ii) Total amounts won (coin out);
 - (iii) Total tournament entry or participation fees;
 - (iv) Rake or vigorish, if not included in subsection (c)(2)(ii); and
 - (v) Win/loss calculated as the net of the total amounts wagered and total amounts won plus tournament entry or participation fees and rake or vigorish.
- (3) A Non-cashable Promotional Account Balance Report which shall include the ending non-cashable promotional balance in each patron account.
- (d) An Internet Gaming Operator shall utilize the Wagering Summary Report to calculate Internet Gaming gross revenue on a daily basis for reporting purposes. In addition, the Internet Gaming Operator shall:
- (1) Prepare a Variance Report documenting the win/loss amounts from the Account and Wagering Summary Reports;
 - (2) Calculate the variance between the two amounts;
 - (3) Document the reason for the variance; and
 - (4) Report a manual adjustment to increase revenue by the amount of the variance whenever the total of the Account Summary Report is greater than the total of the Wagering Summary Report, unless the reason for the variance as documented in above is sufficient to support a determination that revenue was properly reported.
- (e) An Internet Gaming System shall generate, on a daily basis commencing one year after the creation of the first Account, a Dormant Account Report, which shall list all Accounts that have had no activity for a period of one year. The report shall include:
- (1) The name and account number of the Authorized Player;
 - (2) The date of the last transaction; and
 - (3) The account balance.
- (f) Internet Gaming Operator may void questionable bets and shall report voided transactions to the Commission immediately thereafter.
- (g) An Internet Gaming System shall generate a Performance Report, which compares the theoretical return to the Authorized Player to the actual return to the Authorized Player for each Authorized Game. The report shall also provide the total number of rounds of play for each game and shall be generated and reviewed monthly by the Internet Gaming Operator to evaluate the performance of all games offered to the public.

Modified, 1 CMC § 3806(a), (f), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 700 - Live Dealer Games

§ 170-30.8-701 Live Dealer Games

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(a) Subject and in addition to the requirements, obligations, criteria, and standards governing the conduct of Games set forth within the Act and Regulations, as applicable, the following requirements will apply to Live Dealer Games:

- (1) An Internet Gaming Operator shall obtain Commission approval to conduct Live Dealer Games;
- (2) Live Dealer Games shall be conducted using an Internet Gaming System and Table Game Simulcasting System, which shall comply with all applicable Technical Standards. These Technical Standards shall include, at a minimum:
 - (i) Provide the Authorized Player with an uninterrupted simulcast of the Live Dealer Game;
 - (ii) Meet or exceed the surveillance and security requirements for a live table game;
 - (iii) Prevent anyone from accessing the wagering outcome prior to finalizing a wager; and
 - (iv) Be equipped with a mechanism to void game results, if necessary.

(b) Information about wagering conducted during Live Dealer Games shall be provided to an Authorized Player in real time and shall include all game play information that would normally be available from the table game equivalent. Such information shall include at a minimum:

- (1) The table number and location;
- (2) The table minimum and maximum wagers;
- (3) The number of decks used, if applicable;
- (4) Dealer actions, if applicable;
- (5) The amount wagered;
- (6) The game outcome;
- (7) Vigorish amount, if applicable;
- (8) Payout odds, where applicable; and
- (9) The amount won or lost.

Modified, 1 CMC § 3806(a), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 800 - Disciplinary Actions

§ 170-30.8-801 Disciplinary Actions

(a) Failure to comply with the provisions of subchapter 170-30.8 shall be an unsuitable method of operation and grounds for disciplinary action.

(b) The Commission may limit, condition, suspend, revoke a license or fine any Internet Gaming Licensee for failing to comply with subchapter 170-30.8, subject to the Act and Regulations.

Modified, 1 CMC § 3806(a), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).

Part 900 - Waivers

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§ 170-30.8-901 Commission May Waive Requirements

Upon written request and good cause shown, the Commission may waive one or more of the requirements of subchapter 170-30.8 or may impose alternative requirements.

Modified, 1 CMC § 3806(a), (g).

History: Adopted 40 Com. Reg. 40893 (Aug. 28, 2018); Proposed 40 Com. Reg. 40782 (June 28, 2018).