

TITLE 10: LOCAL LAWS
DIVISION 2: SECOND SENATORIAL DISTRICT (TINIAN, ETC.)

§ 2557. Other Powers of Inspectors.

(a) An inspector may:

(1) Require any person who has in his possession or under his control any gaming equipment or chips or any books, accounts, records or documents (which books, accounts, records or documents are hereafter in this article referred to as records) related to the operation of a casino or otherwise relevant to the administration of this chapter to:

(i) Produce for his inspection any such gaming equipment or chips or records;

(ii) Attend before him at a time and place named and then and there to answer any questions or supply any information with respect to any gaming equipment or chips or any records referred to in this paragraph or any entry therein.

(2) Inspect any gaming equipment or chips or records referred to in subsection (1) of this subsection and take such notes or copies of or in relation to such records or extracts therefrom as he deems necessary.

(3) Where he deems it necessary so to do for the purpose of obtaining evidence for production in possible subsequent proceedings against any person for an offense committed against this chapter or any other chapter or law, impound or retain any gaming equipment or chips or records inspected by him pursuant to subsection (2) of this subsection, provided that the person entitled thereto in the case of records shall, in lieu thereof, be entitled within a reasonable time to a copy certified as correct by the inspector, and such certified copy shall be received in all courts as evidence of and as of equal validity to the original.

(4) With the prior approval in writing of the commission and subject to subsection (c) of this section, enter any premises or place in or at which he believes on reasonable grounds any gaming equipment or chips or records as aforesaid is or are present in order to search for such equipment, chips or records.

(5) In a casino or other premises or place, search for and seize and retain any gaming equipment or chips or records as aforesaid that he considers will afford evidence to the commission of an offense against this chapter or any other chapter or law suspected by him on reasonable grounds to have been committed.

(6) Require any casino licensee, lessee under a casino lease, casino operator under a casino management agreement, casino key employee, casino employee or any other person associated with the operation or management of a casino to attend before him at a time and place named and then and there to answer any questions or supply any information with respect to the operation of a casino.

(7) Examine and test any gaming equipment or chips and order the destruction of gaming equipment or chips considered by him to be unsatisfactory for use.

TITLE 10: LOCAL LAWS
DIVISION 2: SECOND SENATORIAL DISTRICT (TINIAN, ETC.)

(8) Receive and investigate complaints from casino patrons with respect to any aspect of the operation of a casino and advise such patrons the results of his investigations.

(9) Call to his aid:

(i) Another inspector or a member of the police force where he is obstructed or believes on reasonable grounds that he will be obstructed in the exercise of his powers or performance of his duties;

(ii) A person who he thinks is competent to assist him in the exercise of his powers or performance of his duties.

(b) Any gaming equipment or chips or records impounded or retained pursuant to the subsection (a)(3) of this section or seized and retained pursuant to subsection (a)(5) of this section may be detained for such period as the inspector thinks fit and, where any proceedings are commenced for the purpose of which the equipment, chips or records was or were retained, shall be detained until the final determination of those proceedings including any appeal in the matter of those proceedings.

(c)(1) Before an inspector enters any premises that are used or any part of premises that is used exclusively as a dwelling-house, he shall, save where he has the permission of the occupant thereof to his entry, obtain from a Commonwealth court judge a warrant to enter, in the prescribed form.

(2) For the purposes of this subsection, premises used as a dwelling-house do not include the curtilage of those premises.

(3) A Commonwealth court judge who is satisfied upon the complaint of an inspector that there is reasonable cause to suspect that any gaming equipment or chips or records related to the operation of a casino or otherwise relevant to the administration of this chapter is or are on premises or part of premises used exclusively as a dwelling-house and that:

(i) In respect thereof an offense against this chapter or any other chapter or law has been, is being or is likely to be committed; or

(ii) It or they are likely to be or provide or provide evidence for production in possible subsequent proceedings against any person for an offense committed against this chapter or any other chapter or law may issue a warrant, directed to the inspector, to enter the premises or part of the premises specified in the warrant for the purpose of exercising therein the powers conferred upon an inspector under this chapter.

(4) For one month from the date of its issue, a warrant shall be sufficient authority for the inspector and any person acting in aid of him:

(i) To enter the premises or part of the premises specified in the warrant; and

(ii) To exercise therein the powers conferred upon an inspector under this chapter.

(d) For the purpose of gaining entry to any place that he is authorized under this chapter to enter, an inspector and all persons acting in aid of him may use such force as is necessary.

(e) A person who is acting in aid of an inspector under this chapter shall have and may exercise all or any of the powers conferred upon an inspector under this chapter.

TITLE 10: LOCAL LAWS
DIVISION 2: SECOND SENATORIAL DISTRICT (TINIAN, ETC.)

(f) Any requirement under this section may be made:

(1) Verbally; or

(2) By writing addressed to the person to or on whom it is made and delivered to him personally or sent by mail to his address last known to the inspector.

(g) A person is not required, in respect of any matter within the application of this chapter, to answer any question or give any information tending to incriminate himself.

Source: Tinian Local Initiative 1, § 87, modified.

Commission Comment: To enhance clarity, in subsection (c)(4)(i), following “warrant; and,” the Commission deleted “the final determination of those proceedings including any appeal in the matter of those proceedings.”