

## CHAPTER 3

### GAMING OPERATIONS: GENERAL RULES

#### SECTION 1 MANNER OF GAMING CONDUCT; UNAUTHORIZED GAMES

- A. All gaming shall be conducted in a manner suitable to protect the public health, safety, morals, good order and general welfare of the Tribe and the general public. No person or entity may operate any “game” or “gambling game,” as defined in Chapter 1(HH) of these regulations, on Tribal Land unless that person or entity is a gaming operator within the meaning of Chapter 1(O) and has received permission from the Choctaw Gaming Commission specifically permitting the person or entity to do so.
  
- B. No gaming operator shall permit any game other than those specifically authorized by the Choctaw Gaming Commission as a “game” or “gambling game” to be operated without first applying for and receiving permission from the Commission to operate such game and, if permission is granted, thereafter obtaining any required licenses or approvals from the manufacturer and/or distributor for the same. In its discretion, the Gaming Commission, upon a gaming operator’s written request, may permit a gaming operator to operate a variation of an already approved game without the need for any amendment to the Licensed Games Rules of Play, contained in Chapter 4 of these Regulations.

## **SECTION 2 ACTIVITIES PROHIBITED**

A. The following activities are expressly prohibited:

1. Serving intoxicating beverages in the casino area to persons who, in the reasonable judgment of casino personnel, are visibly under the influence, or permitting persons who, in the reasonable judgment of casino personnel, are visibly under the influence, to participate in gaming activity. If any such person refuses to comply with the directives of casino personnel to cease participation in gaming or who, in the reasonable judgment of casino personnel, would constitute a hazard to himself or others if allowed to leave the casino premises, casino personnel shall immediately contact Choctaw Law Enforcement, and may detain such person for a reasonable time until he or she may be transferred to the custody of Choctaw Law Enforcement.

For purposes of these regulations, “under the influence” means the condition of being under the effects of alcohol and/or drugs (both illegal and prescription) or the combination of the two, causing a person to conduct himself or herself in such a way as to cause a threat to the safety of the guests of the tribal gaming operations, or when such conduct could be offensive and/or disruptive to a reasonable person.

2. Possessing, using or permitting to remain in or upon the casino premises any gambling equipment (including, but not limited to, cards or dice), either knowingly or unknowingly, which may have in any manner been marked, tampered with or otherwise placed in a condition or operated in a manner which might make the game more liable to win or lose.
3. Permitting, either knowingly or unknowingly, any cheating whatsoever, or any violation of Chapter 11, Title III of the Choctaw Tribal Code.
4. Possessing, using or permitting to remain in or upon any licensed premises, either knowingly or unknowingly, any cheating device of any kind; or conducting, carrying on, operating or dealing in any cheating or thieving device on the premises.
5. Possessing, using or permitting to remain in or upon any licensed premises, whether knowingly or unknowingly, any gaming device which tends to alter the normal random selection of criteria which determines the results of the game, or deceives the public in any way.
6. Failing to conduct gaming operations in accordance with proper standards of custom, decorum and decency, or permitting any type of conduct which reflects negatively on the repute of the Tribe or acts as a detriment to the gaming industry.

7. Allowing any person under the age of twenty-one (21) to participate in any gaming activity or have access to the Class II or Class III gaming portion of the premises, except that employees of the gaming operator under the age of twenty-one (21) may, when escorted by security personnel, access the gaming portion of the premises in the performance of their non-gaming job duties.
  8. Failing to reimburse to any person under the age of twenty-one (21) who plays any game and otherwise qualifies to win, the estimated amount of his wager, as required by the Tribal-State Compact.
  9. Allowing any person, other than on-duty law enforcement personnel, to carry or possess a firearm in the casino.
- B. The Commission shall have authority to prohibit activities not addressed herein that the Commission determines to be detrimental to the gaming environment at any gaming facility and/or to address specific issues which from time to time arise in regard to prohibited activities, and the casino shall be expected to comply with the Commission's directives in that regard. Further, the Commission confers broad authority on the casino management to prohibit any person from participating in gaming activity, and/or being on the casino premises if casino management determines that such person's participation in gaming activities, or being on the casino premises, is detrimental to the operation of the casino or the reputation of the casino.
- C. Consistent with the authority granted it by Title XV of the Choctaw Tribal Code, the Commission regulations, and the Tribal-State Compact, the Commission may issue orders to any licensee or gaming operator, and the licensee or gaming operator shall be required to comply with such orders.

**SECTION 3 GAMING AIDES PROHIBITED; CHANGING OF GAME OR LOCATION OF GAMES**

- A. No person shall use, or possess with the intent to use, any calculator, computer or other electronic, electrical or mechanical device at any table that: assists in projecting the outcome of a game; keeps track of cards that have been dealt; keeps track of changing probabilities; or keeps track of playing strategies being utilized.
  
- B. The Gaming Commission will issue to any gaming operator an approval indicating the actual games and slot machines authorized to be exposed for play and the location of such games in the gaming premises. No game or slot machine shall be played or used without such approval. When a gaming operator wishes to change games or slot machines, or the location of games or slot machines, the gaming operator shall request permission of the Gaming Commission and obtain an amended approval from the Gaming Commission prior to exposing such game or slot machine for play, as changed or at a different location.

Any request by the gaming operator to change the location of a game or slot machine must be accompanied by a schematic of the change to the Gaming Commission for approval. The schematic must include how the game in its new location will be covered by the surveillance system.

- C. Failure to comply with the above requirement constitutes a substantial violation.

#### **SECTION 4 UNLICENSED GAMES OR DEVICES**

- A. No unlicensed game or gaming device shall be operated upon the licensed premises, nor shall a gaming operator expose in an area accessible to the public any game, or gaming device which may be used in the operation of a game, without first having obtained authority from the Gaming Commission to operate the game or gaming device.
  
- B. Whenever a gaming operator desires to temporarily remove or suspend a game from a licensed status, the gaming operator shall provide advanced written notice to the Gaming Commission stating the type and number of games sought to be suspended, the initial date and duration of the proposed suspension, and in addition to such notice, the gaming operator shall thereafter physically remove the game or gaming device from any area exposed to the public; provided, however, a game or gaming device may remain in a public area while in an unlicensed status if the gaming operator, in addition to the foregoing written notification, removes from the game or gaming device all detachable fixtures such as drop boxes, chip racks, wheel-heads, cages, and other similarly removable items, and also covers any non-detachable chip rack and chip rack space with a device capable of being locked and sealed in place; thereafter, the game or gaming device shall be inspected and sealed by the Gaming Commission and allowed to remain in the public area.
  
- C. Before any game or gaming device suspended from a licensed status in accordance with the foregoing procedure may be reactivated and placed in play, the gaming operator shall advise the Gaming Commission in writing of its intention and date to reactivate such game, and shall not reactivate or allow play or use of the game or gaming device without approval of the Chairman of the Commission or the Chairman's designated representative.

## **SECTION 5 POSTING OF RULES**

- A. Each gaming operator shall conspicuously display the rules of each game it exposes for play. This section may be satisfied if published rules are maintained in a location readily accessible to players and notice of the location of such rules is posted conspicuously in the licensed premises. The display, depending on the type of game, must list:
1. The maximum rake-off percentage, time buy-in, or other fee charges;
  2. The number of raises allowed;
  3. The monetary limit of each raise;
  4. The amount of ante; and
  5. Other rules as may be deemed necessary by the gaming operator or the Gaming Commission.

## **SECTION 6 PUBLICATION OF PAYOFFS**

- A. Payoff schedules or award cards applicable to every licensed game or slot machine shall be displayed at all times either on the table or machine or in a conspicuous place immediately adjacent thereto. In the case of craps, keno and faro games, the foregoing requirement will be satisfied if published payoff schedules are maintained in a location readily accessible to players and notice of the location of such schedule is posted on or adjacent to the game.
- B. Payoff schedules or award cards must accurately state actual payoffs or awards applicable to the particular game or device and shall not be worded in such a manner as to mislead or deceive the public. Maintenance of any misleading or deceptive matter on any payoff schedule or award card, or failure on the part of a gaming operator to make payment in strict accordance with posted payoff schedules or award cards, constitutes a substantial violation.
- C. The gaming operator may change payoff schedules and odds for gambling games as long as the Gaming Commission is provided a written copy of the new schedule and signs reflecting the payoff and odds are placed on the tables before the new payoffs and odds take effect.

**SECTION 7 GAMING BY OWNERS, DIRECTORS, OFFICERS, LICENSEES AND EMPLOYEES, AND TRIBAL OFFICIALS, DEPARTMENT HEADS, AND ENTERPRISE MANAGERS**

- A. The following persons shall not play or be permitted to play, either directly or indirectly, or through another person, any gambling game, including slot machines, in the licensed premises:
1. An owner, director, officer, management official or party in interest of any management contractor, and any member of that individual's immediate family;
  2. An employee of a manufacturer holding a license issued by the Choctaw Gaming Commission, and any member of that employee's immediate family;
  3. An employee of a distributor holding a license issued by the Choctaw Gaming Commission, and any member of that employee's immediate family;
  4. An employee of a licensed contractor of the Choctaw Gaming Commission, and any member of that employee's immediate family;
  5. An officer, director, financial analyst, slot and gaming revenue auditor, or key employee who works in information technology (IT), surveillance, database management, legal and/or player development departments of a gaming operator and any member of that individual's immediate family;
  6. Choctaw Resort Development Enterprise Board members;
  7. Employees of the Tribe's Office of Internal Audit and members of their immediate families;
  8. Gaming Commissioners and Gaming Commission employees and members of their immediate families for the duration of their term or period of employment with the Gaming Commission.
- B. The following restrictions apply to persons holding a work permit or license from the casino with respect to such persons engaging in gaming activities or being on the premises:
1. An employee of a casino who is on-duty or in uniform or wearing a gaming badge is not allowed to participate in gaming activities. "On duty" means assigned shift, including breaks;
  2. An employee of a casino who works in the slot department is limited to playing table games, poker, bingo, and participating in sports betting;



3. An employee of a casino who works in the table games department is limited to playing slots, poker, bingo, and participating in sports betting;
  4. An employee of a casino who works in the poker department is limited to playing slots, table games, bingo, and participating in sports betting;
  5. An employee of a casino who works in the bingo department is limited to playing slots, poker, table games, and participating in sports betting.;
  6. An employee of a casino who works in the sports betting department is limited to playing slots, poker, table games, and bingo;
  7. The foregoing provisions (B1-B6) apply separately and independently (*e.g.*, an employee who sometimes works in the slots department and sometimes works in the sports betting department may not play slots or participate in sports betting);
  8. Any employees that are considered to have a conflict of interest as determined by the casino management or the Gaming Commission are prohibited from gambling at games where conflict occurs;
  9. Casino management may promulgate written internal policies prohibiting off-duty casino employees or other persons from gaming in other particular areas or on other particular games if casino management believes such is necessary and appropriate. Casino management shall be responsible for providing notice of and enforcing said prohibition relative to employees and such other persons;
  10. As it deems appropriate, the Commission may, by order, further restrict the gaming activities of casino employees and/or members of their immediate families.
- C. Elected officials of the Tribe, persons who are Division or Department Directors in the Government Services Division of the Tribe, and Ordinance 56 Tribal Enterprise Presidents or Managers are prohibited from receiving comps or other gaming incentives from the casino if the receipt of such is based on their status as an elected official, Division or Department Director in the Government Services Division, or Ordinance 56 Tribal Enterprise President or Manager. Provided, however, such persons may receive comps or other gaming incentives from the casino if such receipt is based on actual gaming activity and participation in the player's club program and the comp and or other gaming incentive would have been received by any other guest with such actual gaming activity and player's club membership.

- D. For purposes of this section, a “party in interest” includes any natural person or corporate entity having a direct financial interest in or responsibility for the management of a casino pursuant to management contract, including investors, lenders, general and limited partners, beneficiaries or trustees of a trust acting as a party, corporate officers and directors, and all stockholders who hold (alone or in combination with a spouse, parent, child or sibling of a stockholder) at least ten percent (10%) of the stock or ownership of any corporate entity which is a party to the contract.
  
- E. For purposes of this section “immediate family” is defined as provided in Chapter 1(R) of these Regulations.

## **SECTION 8 PERIODIC PAYMENTS**

- A. Except as provided in this section, a gaming operator shall remit the total winnings and non-cash prizes awarded to a patron as the result of any licensed game, tournament, contest, or promotional activity upon validation of the win.
- B. For the purpose of this section, the following words have the following meaning:
1. “Periodic payments” means a series of payments that are paid at least annually and includes annuities;
  2. “Trust” means an irrevocable fiduciary relationship in which one person is the holder of the title to property subject to an equitable obligation to keep or use the property for the benefit of another;
  3. “Independent financial institution” means:
    - a. A bank authorized and licensed by the laws of the United States; or
    - b. An insurance company admitted to transact insurance in the State of Mississippi or any other state with an A.M. Best Insurance rating of “A+” or such other equivalent rating; and
    - c. One which is not affiliated through common ownership with a gaming licensee.
- C. Periodic payments of winnings and non-cash prizes awarded to a patron as a result of any licensed game tournament, contest, or promotional activity may be made if the methods of funding the periodic payments provide such payments to a winning patron by establishing:
1. An irrevocable surety bond or an irrevocable letter of credit with an independent financial institution which provides periodic payments to a winner should the gaming operator default for any reason. The written agreement establishing an irrevocable surety bond or the irrevocable letter of credit shall be submitted to the Gaming Commission for approval; or
  2. An irrevocable trust with an independent financial institution in accordance with a written trust agreement approved by the Gaming Commission, which provides periodic payments from an unallocated pool of assets to winning patrons which must expressly prohibit the winners from encumbering, assigning or otherwise transferring in any way their rights to receive the deferred portion of the winnings except to their estates. The assets of the trust must consist of federal government securities including but not limited to treasury bills, treasury bonds, savings

bonds, or other federally guaranteed securities in an amount sufficient to meet the periodic payment(s) as required; or

3. Another irrevocable method of providing the periodic payments to a winning patron consistent with the purpose of this regulation and which is approved by the Gaming Commission.
- D. The funding of the periodic payments must be completed within thirty (30) days of the date the patron wins or is awarded a prize.
- E. Periodic payments must not be used for winnings of or non-cash prizes worth \$100,000.00 or less. Periodic payments for total amounts won greater than \$100,000.00 shall be paid as follows:
1. For amounts won greater than \$100,000.00, but less than \$200,000.00, payments must be at least \$10,000.00 annually;
  2. For amounts won of \$200,000.00 or more, payments must be no less than 1/20th of the total amount annually;
  3. For amounts won equal to or in excess of \$5,000,000.00, payments must be made in the manner set forth in (2) above, or in such manner as approved by the Gaming Commission upon application by the gaming operator; and
  4. The first payment must be made upon validation of the win.
- F. Periodic payments of non-cash prizes may only be offered if the patron shall have the right to elect whether to receive the non-cash prize or cash equivalent of the non-cash prize each time a periodic payment is to be made. The cash equivalent shall be the actual cost to the gaming operator of the non-cash prize on the day such prize is won. The amount of the periodic payments to be funded shall be determined by the present value of the cash equivalent of the noncash prize.
- G. For any licensed game, tournament, contest, or promotional activity for which periodic payments are utilized, the gaming operator must display signs on each gaming device or, if no gaming device is used, then in each gaming, promotional, tournament, or contest area specifically setting forth either the amount or terms of how the payment is to be made and include in all radio, television, or print advertising regarding the foregoing, the fact that periodic payments are utilized for total amounts offered as a prize to a patron.

- H. Whenever winnings and non-cash prizes are awarded that shall be made by periodic payments, and the gaming operator fails to fund the periodic payments as required by this regulation, the gaming operator shall immediately notify the Gaming Commission in writing and shall immediately cease offering any licensed game, tournament, contest, or promotional activity for which periodic payments are utilized.
- I. The Gaming Commission may waive one or more of the requirements of this regulation if it makes a written finding that such a waiver is consistent with the public policy.

## **SECTION 9 FINDER'S FEES**

- A. Except as limited by subsection B, the term “finder’s fee” means any compensation in money in excess of the sum of \$10,000.00, or real or personal property valued in excess of the sum of \$10,000.00 which is paid or transferred or agreed to be paid or transferred to any person in consideration for the arranging or negotiation of an extension of credit to a licensee, or applicant for licensing if the proceeds of such extension of credit are intended to be used for any of the following purposes:
1. The acquisition of an interest in a gaming license or licensed entity;
  2. To finance the gaming operations of a licensee.
- B. The term “finder’s fee” shall not include:
1. Compensation to the person who extends the credit;
  2. Normal and customary payments to employees of the person to whom the credit is extended if the arranging or negotiation of credit is part of their normal duties;
  3. Normal and customary payments for bona fide professional services rendered by lawyers, accountants, engineers and appraisers; and
  4. Underwriting discounts paid to a member of the National Association of Securities Dealers, Inc.
- C. It is prohibited for any licensee, or applicant for licensing to pay a finder’s fee without the prior approval of the Gaming Commission. An application for approval of payment of a finder’s fee shall make a full disclosure of all material facts. The Gaming Commission may disapprove any such application if the person to whom the finder’s fee is proposed to be paid does not demonstrate that he is suitable to hold a Choctaw gaming license.

**SECTION 10     COLLECTION OF GAMING CREDIT**

- A.     Only bonded, duly licensed collection agencies, a gaming operator's employees, junket representatives, attorneys, or an affiliated or wholly-owned corporation and their employees may collect, on the gaming operator's behalf, and for any consideration, gaming credit extended by the gaming operator.
  
- B.     Notwithstanding the provisions of subsection A, no gaming operator shall permit any person who has been denied a gaming license or work permit, or who has had a gaming license or work permit revoked, to collect, on the gaming operator's behalf and for any consideration, gaming credit extended by the gaming operator.
  
- C.     Each gaming operator shall maintain for the Gaming Commission's inspection records that describe credit collection arrangements and that include any written contracts entered into with the persons described in subsection A.

**SECTION 11      REPORTS OF VIOLATIONS; MINIMUM BANKROLL**  
**REQUIREMENTS**

- A. Each gaming operator shall immediately notify the Chairman by telephone or in a manner so directed by the Chairman of the discovery of any violation or suspected violation of any criminal statute or of Title XV of the Choctaw Tribal Code, the Tribal-State Compact, the Indian Gaming Regulatory Act or any regulation promulgated thereunder.
- B. Each gaming operator shall maintain, in such manner and amount as the Gaming Commission may approve or require, cash or cash equivalents in an amount sufficient to reasonably protect the gaming operator's patrons against defaults in gaming debts owed by the gaming operator. The Gaming Commission shall distribute to gaming operators and make available to all interested persons a formula approved by the Gaming Commission by which the gaming operator may determine the minimum requirements of this section. If at any time the gaming operator's available cash or cash equivalents should be less than the amount required by this section, the licensee must immediately notify the Gaming Commission of this deficiency.
- C. The gaming operator shall maintain written normal drop procedures to avoid the gaming operator's cash or cash equivalents from going below the amounts required by Section 11(B) above. Normal drop procedures shall be approved by the Gaming Commission. In addition, the gaming operator shall adopt written emergency drop procedures to be used when it is reasonably anticipated that the normal drop procedures may not avoid, in particular situation, the gaming operator's cash or cash equivalents going below the amounts required by Section 11(B). Such emergency drop procedures shall be approved by the Commission. Emergency drops shall not be done without prior notification to an on-duty Gaming Commission agent. No later than the close of business the next business day following an emergency drop the gaming operator shall provide to the Gaming Commission a report setting forth the date and time that an emergency drop was performed, the circumstances necessitating the emergency drop, and the games/machines upon which emergency drops were performed.
- D. Failure of the gaming operator to maintain the amounts required by Section 11(B), or any higher amount if required by order of the Gaming Commission, may be considered a substantial violation. Failure of a gaming operator to comply with its written normal and/or emergency drop procedures may be considered a substantial violation.



**SECTION 12     POSTING OF ADDRESS OF GAMING COMMISSION; HEALTH AND SAFETY STANDARDS**

- A. Each gaming operator shall conspicuously post on the premises the address of the Gaming Commission.
  
- B. The construction, operation and maintenance of the licensed premises in regard to design, physical hazards, handicapped access, fire, capacity limits, physical comfort and first aid must meet all applicable codes and procedures. The gaming operator shall develop and convey to the Gaming Commission for approval plans for the following:
  - 1. Fire emergency;
  - 2. Crowd control;
  - 3. Building evacuation;
  - 4. Alarm systems;
  - 5. Hold-up and robbery;
  - 6. Tornado and Severe Storm emergencies;
  - 7. Elevator emergencies;
  - 8. Deaths on premises;
  - 9. Casino camera outage;
  - 10. Bomb threats; and
  - 11. Medical emergencies.

### **SECTION 13     NEW GAMES; APPROVAL APPLICATIONS & PROCEDURES**

- A.     A gaming operator shall not offer a new game for play unless the new game has been approved by the Gaming Commission.
  
- B.     Applications for approval of a new game must be made and processed in such a manner and using such forms as the Gaming Commission may approve or prescribe. Each application must include, in addition to such other items or information as the Gaming Commission may require:
  - 1.     The source (including the address and telephone number), from which the applicant discovered the game. If possible, the name, permanent address, social security number, and driver's license number of the person developing the new game. If the person developing the new game does not have a social security number or a driver's license number, his birth date may be substituted;
  - 2.     The name of the game which must be different from the name of a game currently approved by the Gaming Commission;
  - 3.     A complete description of the new game, including the rules of play, the proposed schedule of payouts, and a statistical evaluation of the theoretical percentages of the game; and
  - 4.     A statement under the penalty of perjury that to the best of the manufacturer's knowledge, the gaming device meets the standards of these regulations relating to such device.

**SECTION 14    APPROVAL OF GAMING DEVICES; APPLICATIONS AND PROCEDURES**

- A.    A manufacturer or distributor shall not distribute a gaming device to a gaming operator and a gaming operator shall not offer a gaming device for play unless it has been approved by the Gaming Commission.
  
- B.    Application for approval of a new gaming device must be made and processed in such manner and using such forms as the Gaming Commission may approve or prescribe. Only licensed manufacturers may apply for approval of a new gaming device. Each application must include, in addition to such other items or information as the Gaming Commission may require:
  - 1.    A complete, comprehensive, and technically accurate description and explanation in both technical and lay language of the manner in which the device operates, signed under penalty of perjury; and
  
  - 2.    A statement under penalty of perjury that to the best of the manufacturer's knowledge, the gaming device meets the standards of these regulations relating to such device.

## **SECTION 15      FIELD TEST OF NEW GAMING DEVICES**

- A.     The Gaming Commission shall make a preliminary, nonbinding determination whether a new gaming device meets the standards of this section or other standards as may be approved by the Gaming Commission. If the Gaming Commission makes a preliminary determination that a new gaming device has met these standards, it may allow or require that one or more models of the gaming device be tested at a licensed gaming establishment for not less than sixty (60) nor more than one hundred eighty (180) days under terms and conditions that it may approve or require. Upon written request of the manufacturer or distributor, the Gaming Commission may, by written agreement, allow the test period to be continued an additional ninety (90) days beyond the one hundred eighty (180) day maximum field test period, for the purpose of allowing the application for approval of the new gaming device to be acted upon by the Gaming Commission. The Chairman shall report all field tests on the agenda of the next regularly scheduled meeting of the Gaming Commission.
  
- B.     A manufacturer shall not modify a gaming device during the test period without the prior or written approval of the Gaming Commission Chairman.
  
- C.     The Chairman may order termination of the test period, if he determines, in his sole and absolute discretion, the manufacturer or licensed gaming establishment has not complied with the terms and conditions of the order allowing or requiring a test period, or if the new gaming device fails to meet the standards of this section or other standards as may be approved by the Gaming Commission.
  
- D.     A manufacturer may object to the termination of the test period by filing a written objection with the Gaming Commission. The filing of an objection shall not stay the order terminating the test. If the Gaming Commission fails to order resumption of the test within sixty (60) days of the written objection, the testing may be resumed under the terms that may be approved or required by the Gaming Commission.
  
- E.     A licensee or manufacturer, or their agent shall not play a new gaming device during a test period.
  
- F.     If the Gaming Commission has made a determination that a new gaming device is not eligible for testing at a licensed gaming establishment because the new device does not meet the standards of this section, it shall notify the manufacturer in writing. Not later than ten (10) days after receipt of such notification, the manufacturer may object to such a determination by filing written objection with the Gaming Commission.

- G. If the Gaming Commission fails to order a test period within sixty (60) days of the written objection, the objection will be deemed denied. If the Gaming Commission sustains the objection, the new gaming device may be tested at a licensed gaming establishment under terms and conditions that may be approved and required by the Gaming Commission.
  
- H. The Gaming Commission may approve results and approvals of new gaming devices from the Nevada Gaming Commission or the Mississippi Gaming Commission and may do so subject to such other requirements as may be established by the Gaming Commission upon the submission of any such documents.

**SECTION 16      FINAL APPROVAL OF NEW GAMES; SALE OR DISPOSAL OF GAMING DEVICES**

- A. The Gaming Commission shall determine whether the application for approval of the new game should be granted. In considering whether a new game will be given final approval, the Gaming Commission shall consider whether approval is consistent with applicable federal law and regulations, Title XV of the Choctaw Tribal Code, the Tribal-State Compact and the Regulations of the Gaming Commission.
  
- B. A licensee, other than a manufacturer and distributor, shall not dispose of gaming devices without the prior written approval of the Gaming Commission, unless the devices are sold or delivered to its affiliated companies or a licensed manufacturer or distributor, in which case approval is deemed granted. Automatic approval still requires the reporting to the Gaming Commission of the information required in Part D of this Section prior to removal of the machines.
  
- C. A licensee shall not request approval to sell or deliver gaming devices to a person other than its affiliated companies or a licensed manufacturer or distributor unless the devices have been marked as follows:
  - 1. A permanent serial number which must be the same number as given the device pursuant to the provisions of the Gaming Device Act of 1962, 15 U.S.C. 1173, permanently stamped or engraved in lettering no smaller than five (5) millimeters on the metal frame or other permanent component of the device and on a non-removable plate attached to the cabinet of the device; and
  - 2. For devices distributed on the Choctaw Indian Reservation, the Gaming Commission approval number or, if the device has been modified since initial approval of the device, the modifications approval number affixed on all program storage media placed in the device.
  
- D. Applications for approval to sell gaming devices must be made, processed, and determined in such a manner and using such forms as the Gaming Commission may approve or prescribe.
  
- E. Each application must include the following information:
  - 1. The full name, state of residence, address, telephone number, social security number, federal tax id, and driver's license number of both the purchaser and the person to whom the shipment is being made. If the purchaser or person to whom the shipment is being made does not have a social security number or driver's license number, the birth date of the purchaser or person to whom the shipment is being made may be substituted

2. The destination, including the port of exit if the destination is outside the continental United States;
  3. The number of devices to be shipped;
  4. The serial number of each device;
  5. The model number of each device and year each device was manufactured, if known;
  6. The expected date and time of shipment;
  7. The method of shipment and name and address of carrier; and
  8. Such other items or information as the Gaming Commission may require.
- F. Applications for approval to dispose of gaming devices must be made, processed, and determined in such manner and using such forms as the Gaming Commission may approve or prescribe.