

SUBCHAPTER 1. GENERAL PROVISIONS

19:42A-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Act” shall mean the Casino Control Act, N.J.S.A. 5:12-1 et seq.

“Appeal” means a review by the Commission of any final action of the Director, or his or her designee, as set forth in N.J.S.A. 5:12-63(1)(b).

“Appeal hearing” means the formal proceeding during which the Commission receives written and/or oral arguments related to an appeal.

“Appellant” means the party who files with the Commission a written request to appeal from a final action.

“Case Information Statement” means a form that provides the Commission with a brief summary of the underlying matter being appealed.

“Commission” shall mean the Casino Control Commission.

“Director” means the Director of the Division of Gaming Enforcement.

“Division” shall mean the Division of Gaming Enforcement, within the Department of Law and Public Safety.

“Exclusion list” means a list of persons who, pursuant to N.J.S.A. 5:12-71, and as defined at N.J.A.C. 13:69G-1.1, are required to be excluded or ejected from casino hotel facilities.

“Final action” means a decision or order issued by the Director, which may be appealed to the Commission pursuant to N.J.S.A. 5:12-63(1)(b).

“Hearing examiner” is the “judge” as defined in the UAPR, and shall also include the Commission, the Chair, a member of the Commission, or any other qualified person, other than

an employee of the Commission, designated to hear facts and issues pertaining to a particular matter.

“OAL” means the Office of Administrative Law.

“Party” means any person or entity directly involved in a contested case, including petitioner, respondent, intervenor, or State agency proceeding in any such capacity.

“Report” means a written report from the Division setting forth its position on an initial or resubmission casino key employee license application.

“UAPR” means the Uniform Administrative Procedure Rules, as set forth at N.J.A.C. 1:1.

19:42A-1.2 Applicability of rules

(a) Any contested case or appeal hearing before the Commission initiated pursuant to the Casino Control Act shall be conducted pursuant to the UAPR, the special hearing rules, N.J.A.C. 1:19, the provisions of the Act, and this chapter.

(b) To the extent that the Casino Control Act and the rules contained in this chapter, which implement the Casino Control Act, are inconsistent with the UAPR, this chapter shall apply.