

AMENDMENTS TO REGULATION 6.080(6)

Adopted: 9/21/2023

PURPOSE: To amend NGC Regulation 6.080(6) to eliminate the requirement for audited or reviewed financial statements covering the period since the previously submitted financial statements in the event of license terminations, unless requested by the Chair of the Board; to allow licenses to submit financial statements for a stub period in conjunction with the financial statements for the first full business year, not later than 120 days after the end of the first full business year; and to take such additional action as may be necessary and proper to effectuate these stated purposes.

REGULATION 6

ACCOUNTING REGULATIONS

EFFECTIVE DATE: September 21, 2023

Matter in *blue italics* is new language and matter in [red and bracketed] is material to be omitted.

6.080(6) Audited financial statements.

1. [No change]
2. [No change]
3. [No change]
4. [No change]
5. [No change]
6. Each licensee and operator shall submit to the Board one copy of its audited or reviewed financial statements not later than 120 days after the last day of the licensee's or operator's business year. [Unless the Chair approves otherwise in writing, in the event of a license or operator approval termination, change in business entity, or a change in the percentage of ownership of more than 20 percent, the licensee, former licensee, or operator shall, not later than 120 days after the event, submit to the Board one copy of audited or reviewed financial statements covering the period since the period covered by the previous financial

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statement. If a license or approval termination, change in business entity, or a change in the percentage of ownership of more than 20 percent occurs within 120 days after the end of a business year for which a financial statement has not been submitted, the licensee or operator may submit financial statements covering both the business year and the final period of business.] *In the event of a change in business entity or a change in the percentage of ownership of more than 20 percent, the licensee, former licensee, or operator shall, not later than 120 days after the event, submit to the Board one copy of audited or reviewed financial statements covering the period since the period covered by the previous financial statement. If a there is a change in a business entity or a change in the percentage of ownership of more than 20 percent occurs within 120 days after the end of a business year for which a financial statement has not been submitted, the licensee or operator may submit financial statements covering both the business year and the final period of business.*

7. In the event of a license or operator approval termination, the Chair may require the licensee, former licensee, or operator to submit to the Board one copy of audited or reviewed financial statements covering the period since the period covered by the previous financial statement.

[7.] 8. In the event a new license is granted within 120 days prior to the end of the business year, the licensee may submit financial statements for this period in conjunction with the financial statements for the first full business year, not later than 120 days after the end of the first full business year.

[8.] 9. If a licensee or operator changes its business year, the licensee or operator, as applicable, shall prepare and submit to the Board audited or reviewed financial statements covering the “stub” period from the end of the previous business year to the beginning of the new business year not later than 120 days after the end of the stub period or incorporate the financial results of the stub period in the financial statements for the new business year.

[9.] 10. Reports that communicate the results of the audit or review, including management advisory letters or activities not related to the gaming operation, must be submitted within 120 days after the end of the licensee's business year.

[10.] 11. The Chair may request additional information and documents from the licensee or the operator, as applicable, or the licensee's or operator's independent accountant, through the licensee or operator, as applicable, regarding the financial statements or the services performed by the accountant. Failure to submit the requested information or documents is an unsuitable method of operation.

[11.] 12. Upon written request and good cause shown, the Chair may waive one or more of the requirements of this section. If a waiver is granted, the Chair may impose alternative requirements.