25 CFR 543.12 Toolkit

Gaming Promotions and Player Tracking Systems



NIGC Training Division

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Introduction

In 1988, Congress adopted the Indian Gaming Regulatory Act (IGRA) to provide a statutory basis for gaming by Indian Tribes. The National Indian Gaming Commission (NIGC) was created by IGRA to regulate gaming activities conducted by sovereign Indian Tribes on Indian lands. The mission of NIGC is to fully realize IGRA's goals of: (1) promoting Tribal economic development, self-sufficiency, and strong Tribal governments; (2) maintaining the integrity of the Indian gaming industry; and (3) ensuring that Tribes are the primary beneficiaries of their gaming activities. One of the primary ways NIGC does this is by providing training and technical assistance to Indian Tribes and their gaming regulators.

NIGC is pleased to present this toolkit to all compliance and auditing staff. This reference guide is intended to assist auditor(s), gaming commissioner(s), and operations' personnel in measuring compliance of their operation(s) with 25 CFR § 543.12. The toolkit provides each standard of § 543.12, the intent of the standard, and suggested minimum testing steps. Auditing to the intent and following the suggested testing steps will help reach regulatory compliance.

This toolkit is designed to meet the NIGC Minimum Internal Control Standards (MICS) and does not account for the operations' Tribal Internal Control Standards (TICS) and/or System of Internal Control Standards (SICS), which may require further testing. NIGC encourages operations to develop standards that exceed the MICS because each operation is unique; therefore, a robust set of controls is warranted.

If you have questions or comments about this guide, please contact the NIGC Compliance Division at TrainingInfo@nigc.gov. For more information, visit the NIGC website at http://www.nigc.gov.

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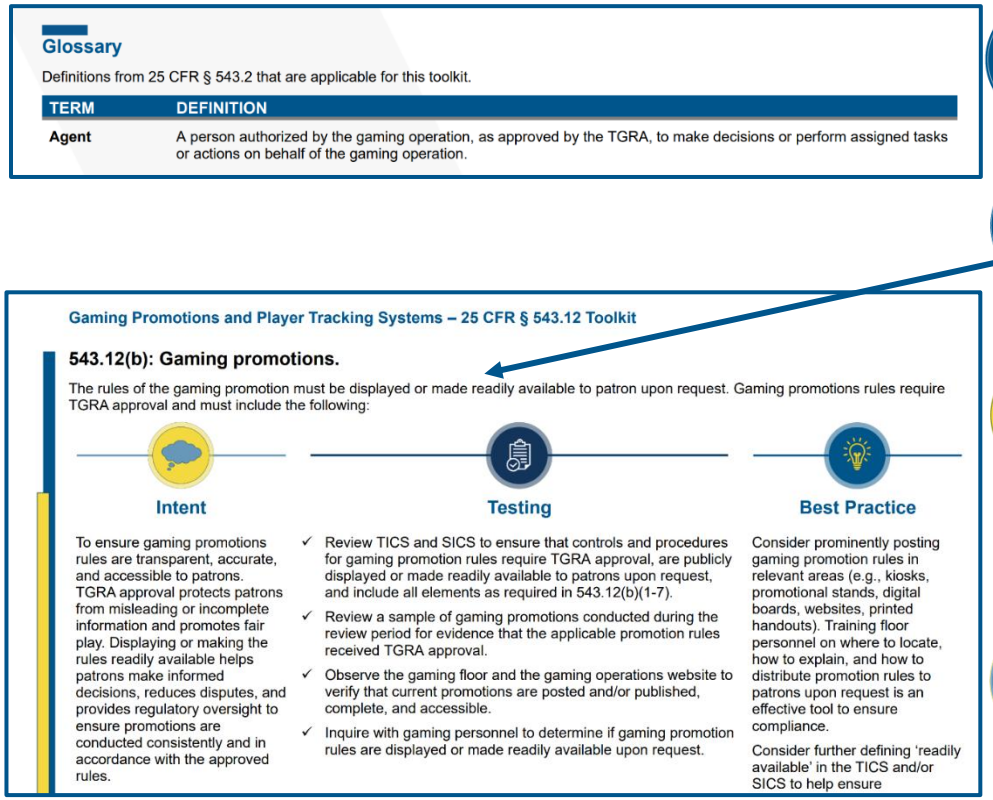
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How to use this Toolkit

The NIGC Training Program has designed this toolkit as a resource for understanding 25 CFR § 543.12 Gaming Promotions and Player Tracking Systems Minimum Internal Control Standards (MICS). It can be used as a tool when conducting an audit of the gaming promotions and player tracking systems standards of all gaming departments in determining compliance with the Class II regulation. The toolkit provides many practical and concrete suggestions for understanding and evaluating compliance for the regulation both for experienced and new auditors during any stage of the auditing process.

See the call outs below for what can be found in each section of the toolkit.



Glossary

Clarify the meaning of terms used in this Toolkit.

Regulation

The verbatim language of each section in the 25 CFR 543.12 Gaming Promotions and Player Tracking Systems Minimum Internal Control Standards.

Intent

The purpose of the regulation and the importance of the control.

Testing

Minimum testing to evaluate compliance.

Best Practice

Commonly observed industry procedures.

Glossary

Definitions from 25 CFR § 543.2 that are applicable for this toolkit.

TERM	DEFINITION
Agent	A person authorized by the gaming operation, as approved by the TGRA, to make decisions or perform assigned tasks or actions on behalf of the gaming operation.
Class II gaming	Class II gaming has the same meaning as defined in 25 U.S.C. 2703(7)(A). Games of chance such as bingo (whether or not electronic, computer, or other technological aids are used in connection therewith in), pull tabs, and non-banked card games (poker).
Class II gaming system	All components, whether or not technologic aids in electronic, computer, mechanical, or other technologic form, that function together to aid the play of one or more Class II games, including accounting functions mandated by these regulations or part 547 of this chapter.
Coupon	A financial instrument of fixed wagering value, that can only be used to acquire non-cashable credits through interaction with a voucher system. This does not include instruments such as printed advertising material that cannot be validated directly by a voucher system.
Gaming promotion	Any promotional activity or award that requires game play as a condition of eligibility.
Independent	The separation of functions to ensure that the agent or process monitoring, reviewing, or authorizing the controlled activity, function, or transaction is separate from the agents or process performing the controlled activity, function, or transaction.
Kiosk	A device capable of redeeming vouchers and/or wagering credits or initiating electronic transfers of money to or from a patron deposit account.
MICS	Minimum internal control standards in this part.
Patron	A person who is a customer or guest of the gaming operation and may interact with a Class II game. May also be referred to as a “player".

TERM	DEFINITION
SICS	System of internal control standards; an overall operational framework for a gaming operation that incorporates principles of independence and segregation of function, and is comprised of written policies, procedures, and standard practices based on overarching regulatory standards specifically designed to create a system of checks and balances to safeguard the integrity of a gaming operation and protect its assets from unauthorized access, misappropriation, forgery, theft, or fraud.
TGRA	Tribal gaming regulatory authority, which is the entity authorized by tribal law to regulate gaming conducted pursuant to the Indian Gaming Regulatory Act.
TICS	Tribal Internal Control Standards established by the TGRA that are at least as stringent as the standards set forth in this part.
Voucher	A financial instrument of fixed wagering value, usually paper, that can be used only to acquire an equivalent value of cashable credits or cash through interaction with a voucher system.
Voucher system	A system that securely maintains records of vouchers and coupons; validates payment of vouchers; records successful or failed payments of vouchers and coupons; and controls the purging of expired vouchers and coupons.

Gaming Promotions and Player Tracking Systems – 25 CFR § 543.12 Toolkit

543.12(a): Supervision.

Supervision must be provided as needed for gaming promotions and player tracking by an agent(s) with authority equal to or greater than those being supervised.



Intent

To ensure the integrity of gaming promotions and player tracking activities through adequate supervision by personnel with sufficient authority to oversee and correct actions as needed. Effective supervision promotes accountability, adherence to approved procedures, and helps prevent errors, fraud, or unauthorized activity. Supervision by agents with authority equal to or greater than those being monitored ensures consistent application of rules, internal controls, and regulatory compliance.



Testing

- ✓ Review TICS and SICS to ensure controls and procedures require proper supervision of gaming promotions and player tracking activities by an agent(s) with authority equal to or greater than those being supervised.
- ✓ Review organization charts, department schedules, and job descriptions for personnel involved in gaming promotions and player tracking to confirm supervisory roles are clearly defined and possess authority equal to or greater than the staff they oversee.
- ✓ Observe the supervision of gaming promotion and player tracking activities to assess whether oversight is effective and aligned with regulatory requirements.
- ✓ Inquire with supervisory personnel to determine what tasks are performed, and verify responsibilities are being carried out.



Best Practice

If supervision is provided by an agent(s) of equal authority, consider additional controls for sensitive reviews such as those that may detect possible incidents of collusion, theft or fraud. Supervisory responsibilities may include monitoring the integrity of promotions, verifying point accruals and redemptions, reviewing variances, managing system access, scheduling staff, and ensuring compliance with established procedures.

543.12(b): Gaming promotions.

The rules of the gaming promotion must be displayed or made readily available to patron upon request. Gaming promotions rules require TGRA approval and must include the following:

Intent

To ensure gaming promotions rules are transparent, accurate, and accessible to patrons. TGRA approval protects patrons from misleading or incomplete information and promotes fair play. Displaying or making the rules readily available helps patrons make informed decisions, reduces disputes, and provides regulatory oversight to ensure promotions are conducted consistently and in accordance with the approved rules.

Testing

- ✓ Review TICS and SICS to ensure that controls and procedures for gaming promotion rules require TGRA approval, are publicly displayed or made readily available to patrons upon request, and include all elements as required in 543.12(b)(1-7).
- ✓ Review a sample of gaming promotions conducted during the review period for evidence that the applicable promotion rules received TGRA approval.
- ✓ Observe the gaming floor and the gaming operations website to verify that current promotions are posted and/or published, complete, and accessible.
- ✓ Inquire with gaming personnel to determine if gaming promotion rules are displayed or made readily available upon request.

Best Practice

Consider prominently posting gaming promotion rules in relevant areas (e.g., kiosks, promotional stands, digital boards, websites, printed handouts). Training floor personnel on where to locate, how to explain, and how to distribute promotion rules to patrons upon request is an effective tool to ensure compliance.

Consider further defining ‘readily available’ in the TICS and/or SICS to help ensure expectations are met. Consider alternative approval processes for changes such as how approvals are requested/received (e.g. email, phone, or text).

543.12(b): Gaming promotions.

The rules of the gaming promotion must be displayed or made readily available to patron upon request. Gaming promotions rules require TGRA approval and must include the following:

(1) The rules of play;

Intent

To ensure that gaming promotion rules are clearly written, approved by the TGRA, and readily available to patrons, promoting transparency, regulatory oversight, and equitable treatment of all participants. Proper documentation and consistent communication of promotion rules across all platforms reduce patron confusion, prevent disputes, and support compliance monitoring.

Testing

- ✓ Review a sample of gaming promotion rules conducted during the review period to verify that the rules of play are clearly stated in the documentation.
- ✓ Confirm that the rules of play provided to patrons are consistent across all platforms and match the TGRA-approved rules.

Best Practice

To improve compliance, make sure gaming promotion rules are written in plain, easy-to-understand language and presented consistently across all platforms (e.g., signage, kiosks, promotional stands, digital boards, websites, or printed handouts).

543.12(b): Gaming promotions.

The rules of the gaming promotion must be displayed or made readily available to patron upon request. Gaming promotions rules require TGRA approval and must include the following:

(2) The nature and value of the associated prize(s) or cash award(s);



Intent

To ensure that the nature and value of all prizes or cash awards are clearly documented and communicated to patrons, promoting transparency and protecting participants from misleading or incomplete information. Proper documentation and communication reduce the risk of disputes regarding promotional awards and support regulatory oversight.



Testing

- ✓ Review a sample of gaming promotion rules conducted during the review period to verify that the rules include the nature and value of each prize or cash award (e.g., merchandise, free play, cash, etc.). For merchandise (e.g., vehicles or vacation packages), confirm that an approximate retail value is provided.
- ✓ Confirm that the rules provided to patrons include the nature and values of the prize or cash award(s), are consistent across all platforms, and match the TGRA-approved rules.



Best Practice

For transparency of prize value determination, consider maintaining an electronic record or log that documents prize valuations. This can support timely resolution of patron inquiries or disputes.

Consider expanding the TICS and/or SICS to clarify how situations involving a cash option versus prize acceptance should be handled. Ensure controls address disposal or return of items not chosen (e.g. returning to dealer/manufacturer, continuing part of casino inventory, or use for future promotions.)

543.12(b): Gaming promotions.

The rules of the gaming promotion must be displayed or made readily available to patron upon request. Gaming promotions rules require TGRA approval and must include the following:

(3) Any restrictions or limitations on participant eligibility;



Intent

To ensure that any restrictions or limitations on participant eligibility are clearly defined, documented, and communicated to patrons, promoting transparency and equitable treatment. Clear eligibility rules help prevent patron confusion, disputes, and support regulatory oversight.



Testing

- ✓ Review a sample of gaming promotion rules conducted during the review period to verify that the rules include any restrictions or limitations on participant eligibility.
- ✓ Confirm that the rules provided to patrons include any restrictions or limitations (e.g., age limits, player's club membership requirements, vendor and employee exclusions) on participant eligibility, are consistent across all platforms, and match the TGRA-approved rules.



Best Practice

Consider establishing system-based controls (e.g., player tracking system blocks) or adding targeted manual oversight to help ensure individuals who are not eligible are appropriately excluded from promotions.

Consider expanding TICS and/or SICS by identifying individuals restricted from participating in promotions (e.g. family members of employee, employees). Ensure controls identify any prohibitions for transfers of prizes to employees.

543.12(b): Gaming promotions.

The rules of the gaming promotion must be displayed or made readily available to patron upon request. Gaming promotions rules require TGRA approval and must include the following:

(4) The date(s), time(s), and location(s) for the associated promotional activity or activities;



Intent

To ensure that the date(s), time(s), and location(s) of promotional activities are clearly documented and communicated to patrons, promoting transparency and enabling informed participation. Accurate scheduling and communication prevent misunderstandings and disputes, while also support regulatory oversight.



Testing

- ✓ Review a sample of gaming promotion rules conducted during the review period to verify that the rules include the date(s), time(s), and location(s) of promotional activities.
- ✓ Confirm that the rules provided to patrons include the date(s), time(s), and location(s) of promotional activities, are consistent across all platforms, and match the TGRA-approved rules.



Best Practice

Implementing a centralized process for approving and distributing promotional information is an effective tool for preventing conflicting or inaccurate postings.

Additionally, procedures should be implemented to ensure that any changes to TGRA-approved promotions are promptly communicated across all platforms.

543.12(b): Gaming promotions.

The rules of the gaming promotion must be displayed or made readily available to patron upon request. Gaming promotions rules require TGRA approval and must include the following:

(5) Any other restrictions or limitations, including any related to the claim of prizes or cash awards;



Intent

To ensure that any other restrictions or limitations, including procedures and timeframes for claiming prizes or cash awards, are clearly documented and communicated to patrons. Clear documentation and communication promote transparency, help patrons understand their responsibilities, prevent disputes or misunderstandings, and support consistent and fair application of promotion rules.



Testing

- ✓ Review a sample of gaming promotion rules conducted during the review period to verify that any restrictions or limitations are clearly stated, including those related to how, when, and where prizes or cash awards may be claimed.
- ✓ Confirm that the same restrictions or limitations are disclosed in the rules provided to patrons, are consistent across all platforms, and match the TGRA-approved rules.



Best Practice

Training staff on how to apply these requirements consistently is an effective tool to eliminate confusion and patron disputes.

Consider expanding TICS and/or SICS to address methods the gaming operation uses to verify identify to avoid misappropriate or collusion between guest and staff of promotional prizes.

543.12(b): Gaming promotions.

The rules of the gaming promotion must be displayed or made readily available to patron upon request. Gaming promotions rules require TGRA approval and must include the following:

(6) The announcement date(s), time(s), and location(s) for the winning entry or entries; and



Intent

To ensure that the announcement date(s), time(s), and location(s) for winning entries are clearly documented and communicated to patrons. Clear documentation and communication promote transparency, help patrons understand when and where winners are announced, prevent disputes or misunderstandings, and support consistent and fair application of promotion rules.



Testing

- ✓ Review a sample of gaming promotion rules conducted during the review period to verify that rules include the announcement date(s), time(s), and location(s) for the winning entry or entries.
- ✓ Confirm that the same information is disclosed in the rules provided to patrons and is consistent across all platforms and matches the TGRA-approved rules.



Best Practice

Gaming operations must have procedures to ensure winner announcements occur as scheduled, winners are notified in a timely manner, and all announcements are documented. Any changes to announcement dates, times, or locations are promptly communicated across all platforms to prevent confusion or disputes.

Consider selection of winners or promotional activity to have adequate camera coverage or include two people for processes of selection of winners. Ensure controls are in place for documenting winners for audit trail purposes.

543.12(b): Gaming promotions.

The rules of the gaming promotion must be displayed or made readily available to patron upon request. Gaming promotions rules require TGRA approval and must include the following:

(7) Rules governing promotions offered across multiple gaming operations, third party sponsored promotions, and joint promotions involving third parties.



Intent

To ensure that rules governing promotions offered across multiple gaming operations, third party sponsored promotions, and joint promotions involving third parties are clearly documented and communicated to patrons. Clear documentation and communication promote transparency, help patrons make informed decisions about participation, prevent misunderstandings or disputes, and support consistent and fair application of promotion rules.



Testing

- ✓ Review a sample of gaming promotion rules conducted during the review period to verify that rules governing promotions offered across multiple gaming operations, third-party-sponsored promotions, and joint promotions involving third parties are included.
- ✓ Confirm that the same information is disclosed in the rules provided to patrons, is consistent across all platforms and matches the TGRA-approved rules.
- ✓ Review third-party contracts to ensure the party is prohibited from management activity over the promotion to specifically ensure compliance with IGRA.



Best Practice

Gaming operations maintain a centralized process to manage all multi-location, third-party, and joint promotions, ensuring consistent procedures and effective communication. Ensure written agreements with third parties clearly outline their responsibilities, including compliance with TGRA-approved promotion rules.

Consider expanding TICS and/or SICS to identify prohibitions for any third parties. Expand controls to identify eligibility requirements or require at a minimum that all third parties must be eligible to hold a license by the TGRA.

543.12(c): Player tracking systems and gaming promotions.

(1) Changes to the player tracking systems, promotion and external bonusing system parameters, which control features such as the awarding of bonuses, the issuance of cashable credits, non-cashable credits, coupons and vouchers, must be performed under the authority of supervisory agents, independent of the department initiating the change. Alternatively, the changes may be performed by supervisory agents of the department initiating the change if sufficient documentation is generated and the propriety of the changes are randomly verified by supervisory agents independent of the department initiating the change on a monthly basis.

Intent

To ensure that changes to player tracking systems, promotion systems, and external bonusing system parameters are properly authorized, documented, and independently verified. This helps maintain the integrity of system controls that govern the awarding of bonuses, cashable and non-cashable credits, coupons, and vouchers. Segregation of duties or independent verification prevents unauthorized or improper changes, reduces the risk of errors or fraud, and ensures that system functionality aligns with approved policies and regulatory requirements.

Testing

- ✓ Review TICS and SICS to ensure that controls and procedures require changes to the player tracking systems, promotion and external bonusing system parameters (e.g., the awarding of bonuses, issuance of cashable credits and non-cashable credits, coupons or vouchers) are performed under the authority of supervisory agents, independent of the department initiating the change. If changes are made by supervisory agents of the department initiating the change, sufficient documentation is generated, and the propriety of the changes is randomly verified by supervisory agents independent of the department initiating the change monthly.
- ✓ Review a sample of recent changes to player tracking, promotion, and external bonusing system parameters to verify that each change was performed under the authority of a supervisory agent independent of the department initiating the change, or, if performed by the department's supervisory agent, that sufficient documentation exists.

(Continued)

Best Practice

Consider implementing audit logs and tracking to monitor changes and provide training to staff to ensure consistent application of procedures and adherence to segregation of duties.

543.12(c): Player tracking systems and gaming promotions.

(continued)

(1) Changes to the player tracking systems, promotion and external bonusing system parameters, which control features such as the awarding of bonuses, the issuance of cashable credits, non-cashable credits, coupons and vouchers, must be performed under the authority of supervisory agents, independent of the department initiating the change. Alternatively, the changes may be performed by supervisory agents of the department initiating the change if sufficient documentation is generated and the propriety of the changes are randomly verified by supervisory agents independent of the department initiating the change on a monthly basis.



Intent

See above



Testing

- ✓ Confirm that independent supervisory verification of changes was performed monthly, as required.
- ✓ Review supporting documentation for each change (e.g., authorization forms, change logs, and verification records) to ensure accuracy and propriety.
- ✓ Test a sample of system parameters to confirm that the changes align with approved policies and intended system functionality.



Best Practice

Expand TICS and/or SICS to include prohibitions for promotional credit such not allowing it to be a form of vendor compensation, employees not eligible, etc.

Consider developing a player tracking point matrix to establish limits, approved formulas, issuances, and approvals of changes.

Ensure controls identify reasonable levels for awarding bonuses, issuance of cashable credits, non-cashable credits, coupons, and vouchers.

(2) All other changes to the player tracking system must be appropriately documented.



Intent

To ensure that all changes to the player tracking system are properly documented, creating a clear record of what modifications were made, by whom, and when. Adequate documentation provides accountability, supports audit and regulatory review, and helps maintain the integrity of the system by enabling verification that changes are appropriate, authorized, and accurately implemented.



Testing

- ✓ Review TICS and SICS to ensure that controls and procedures require all changes to the player tracking system to be appropriately documented.
- ✓ Review a sample of recent changes to the player tracking system not covered under supervisory change requirements, ensuring the inclusion of the nature of the change, the date it was made, and the individual who performed or approved of the change.
- ✓ Verify that documentation is complete and stored appropriately for audit and regulatory purposes.
- ✓ Test a sample of changes to confirm that the documented modifications align with the actual system configuration and intended functionality.



Best Practice

Electronic logs and records are effective tools for tracking and documenting changes to the player tracking system by capturing key information (e.g., the date and time of the change, system version, description of the modification, individuals initiating and verifying the change, effective date). Gaming operations often maintain documentation of changes in a secure, centralized location and retain it according to the record retention policy.

543.12(d): Variances

The operation must establish, as approved by the TGRA, the threshold level at which a variance must be reviewed to determine the cause. Any such review must be documented.

Intent

To ensure that the gaming operation establishes an approved threshold for variances and investigates any deviations that exceed this threshold. Reviewing and documenting variances promotes accountability, helps identify potential errors or irregularities, ensures corrective action is taken when necessary, and provides an auditable trail to demonstrate compliance with TGRA-approved procedures.

Testing

- ✓ Review TICS and SICS to ensure that controls and procedures require the operation, with TGRA approval, to establish a threshold level for variance reviews, and that reviews are supported with proper documentation.
- ✓ Review documentation to verify that a variance threshold is established and TGRA approval was obtained.
- ✓ Review a sample of variances recorded during the review period that exceeded the established threshold to verify that each variance exceeding the threshold was reviewed to determine the cause.
- ✓ Confirm that the results of each review are documented thoroughly (e.g., the individual who detected the variance, the amount, circumstances, review steps, conclusions, corrective actions, and dates of detection, review, follow-up, and closure for each incident) and stored in accordance with the operation's procedures.

Best Practice

Gaming operations should consider establishing quantifiable variance thresholds, such as dollar amounts, percentage deviations, or point discrepancies. Variance thresholds are periodically reviewed and updated based on trends or system changes to identify recurring issues or potential risks.

To ensure all identified issues are addressed, it is recommended auditors and/or operations check for evidence of corrective action or follow-up.