

ORDER 2010-155
WAIVING THE APPLICATION OF 68 IAC 5-2 TO THE TRANSFER OF OWNERSHIP
IN ELEKTRONCEK d.d.

Under 68 IAC 5-2, supplier licensees who are not publicly traded companies must comply with certain requirements before transferring an ownership interest, including a suitability investigation, in order to protect the Commission's interest in the suitability of its licensees.

On July 2, 2010 Elektroncek d.d. ("Elektroncek"), a supplier licensee, notified the Commission that its parent company, Elektroncek Group B.V. entered into a conditional Share Sale Agreement with Aristocrat Leisure Ltd. and its affiliates ("Aristocrat"), whereby Elektroncek Group B.V. would purchase all of Aristocrat's interests in Elektroncek. Currently, Aristocrat holds 50% and Elektroncek Group B.V. holds 50% of the shares in Elektroncek.

Compliance with the requirements of 68 IAC 5-2 is time-consuming and costly for both the applicant and for the Commission. The policy goal of the transfer application requirements in 68 IAC 5-2 is to ensure that the party seeking an ownership interest is suitable under the supplier licensing standards.

The Commission has already investigated Elektroncek Group B.V. in conjunction with its ongoing ownership of 50% of the shares of Elektroncek, and, as the parent company of a supplier licensee, Elektroncek Group B.V. is under an ongoing duty to remain suitable under the supplier licensing standards. For these reasons, the Commission has determined that the requirements of 68 IAC 5-2 are impractical and burdensome and that waiver of those requirements is in the best interest of the public and the gaming industry and is not outside the technical requirements necessary to serve the purpose of the transfer regulations.

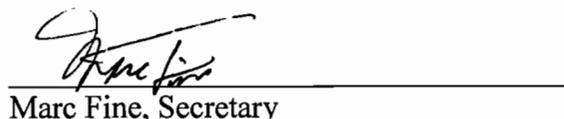
Based on the foregoing, the Commission hereby APPROVES the waiver of 68 IAC 5-2 for purposes of Elektroncek Group B.V. acquiring Aristocrat's 50% of the shares of Elektroncek d.d.

IT IS SO ORDERED THIS THE 16TH DAY OF SEPTEMBER, 2010.

THE INDIANA GAMING COMMISSION:


Timothy Murphy, Chair

ATTEST:


Marc Fine, Secretary