

ORDER 2013-100
WAIVING THE APPLICATION OF 68 IAC 5-1 TO A TRANSFER OF OWNERSHIP IN
AINSWORTH GAME TECHNOLOGY LIMITED

Under 68 IAC 5-1, supplier licensees that are 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. Under 68 IAC 5-1-8, the Commission may waive a requirement or procedure set forth in 68 IAC 5 if the Commission determines that it is impractical or burdensome and the waiver is in the best interests of the public and the gaming industry and is not outside the technical requirements necessary to serve the purpose of the requirement or procedure.

Votrait No. 1019 Pty Ltd, as trustee for the Braesyde Superannuation Fund, previously ultimately wholly owned Ainsworth Game Technology Limited ("Ainsworth"), an Indiana supplier licensee. Ms. MC Ainsworth was the sole director, secretary, and shareholder of Votrait No. 1019 Pty Ltd, and the sole member and beneficiary of the Braesyde Superannuation Fund.

On March 26, 2013, the Commission received notice that Ms. MC Ainsworth had transferred her individual shareholdings in Ainsworth to the MCA Private Investment Fund in order to ensure compliance with Australian superannuation regulations. Following the transfer, Votrait No. 1019 Pty Ltd, as trustee for the MCA Private Investment Fund, ultimately wholly owns Ainsworth. Ms. MC Ainsworth is the sole member and beneficiary of the MCA Private Investment Fund, and remains the sole director, secretary, and shareholder of Votrait No. 1019 Pty Ltd.

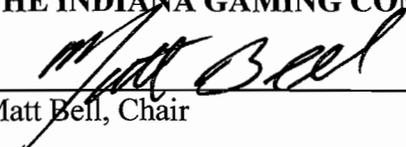
Compliance with the requirements of 68 IAC 5-1 is time consuming and costly for both the applicant and the Commission. The policy goal of 68 IAC 5-1 is to ensure that a party seeking an ownership interest is suitable under the Commission's licensing standards.

The Commission previously investigated Ms. MC Ainsworth. Her licensure is in good standing and she is under an ongoing duty to remain suitable for licensure. For this reason, the Commission has determined that there is little to gain from applying the requirements of 68 IAC 5-1 to the present transaction. The requirements of 68 IAC 5-1 are impractical and burdensome to this transfer, and waiver 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 WAIVES 68 IAC 5-1 as necessary to allow the proposed transfer of an ownership interest in Ainsworth to Votrait No. 1019 Pty Ltd and Ms. MC Ainsworth.

IT IS SO ORDERED ON THIS THE 27TH DAY OF JUNE, 2013.

THE INDIANA GAMING COMMISSION:



Matt Bell, Chair

ATTEST:



Marc Fine, Vice-Chair