

1980

c 183 Gaming Act

Ontario

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CHAPTER 183

Gaming Act

1. Every agreement, note, bill, bond, confession of judgment, *cognovit actionem*, warrant of attorney to confess judgment, mortgage or other security, or conveyance, the consideration for which, or any part of it, is money or other valuable thing won by gaming, or by playing at cards, dice, tables, tennis, bowls or other game, or by betting on the sides or hands of the players, or for reimbursing or repaying any money knowingly lent or advanced for such gaming or betting, or lent or advanced at the time and place of the game or play to a person so gaming, playing, or betting, or who, during the game or play, so plays, games or bets, shall be deemed to have been made, drawn, accepted, given or executed for an illegal consideration. R.S.O. 1970, c. 187, s. 1.

Gaming transactions illegal

2. If any person makes, draws, gives or executes any note, bill or mortgage for any consideration that is declared to be illegal by section 1 and actually pays to an endorsee, holder or assignee of the note, bill or mortgage the amount of the money thereby secured or any part thereof, such money shall be deemed to have been paid for and on account of the person to whom the note, bill or mortgage was originally given and to be a debt due and owing from such last named person to the person who paid the money, and accordingly is recoverable by action. R.S.O. 1970, c. 187, s. 2.

Recovery of money paid on gaming transaction

3. Any person who, at any time or sitting, by playing at cards, dice, tables or other game, or by betting on the sides or hands of the players, loses to any person so playing or betting, in the whole, the sum or value of \$40 or upwards, and pays or delivers the same or any part thereof, may, within three months thereafter, sue for and recover the money or thing so lost and paid or delivered. R.S.O. 1970, c. 187, s. 3.

Recovery of money lost at one sitting to the extent of \$40 or more

4. Every contract or agreement by way of gaming or wagering is void, and no suit shall be brought or maintained for recovering any sum of money or valuable thing alleged to be won upon a wager, or that has been deposited in the hands of any person to abide the event on which a wager has been made, but this section does not apply to a subscription or contribution, or agreement to subscribe or con-

Payment of wagers not enforceable

tribute for or towards any plate, prize, or sum of money to be awarded to the winner of any lawful game, sport, pastime or exercise. R.S.O. 1970, c. 187, s. 4.

Promises to
repay sums
paid under
contract
void by
section 4

5. Any promise, express or implied, to pay any person a sum of money paid by him under or in respect of a contract or agreement rendered void by section 4, or to pay a sum of money by way of commission, fee, reward or otherwise in respect of such a contract or agreement, or of any services in relation thereto or in connection therewith, is void, and no action shall be brought or maintained to recover any such sum of money. R.S.O. 1970, c. 187, s. 5.