

1950

c 365 Slot Machines Act

Ontario

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CHAPTER 365

The Slot Machines Act

1. In this Act, "slot machine" means any automatically or mechanically, or automatically and mechanically operated contrivance or device which, upon or subsequently to the insertion therein or in a slot or receptacle thereof of any money, coin, token, counter, disk, slug or other substance and upon or without the operation of any handle, lever, plunger or other attachment thereof delivers or returns or purports to deliver or return to any person, either with or without any article of merchandise or any goods, any money, premium, prize, reward, token, counter, disc, slug or anything which is capable of being exchanged for money or money's worth or which may be played or reinserted in such contrivance or device to again set it in operation, and includes any machine apparently designed for any such purpose, notwithstanding that the machine is for any reason incapable of being so operated but does not include,

- (a) a contrivance or device which vends goods or services at the normal price thereof upon the insertion of a coin or coins and which,
 - (i) upon failure to supply the goods or services returns such coin or coins, or
 - (ii) delivers with the goods or services a coin or coins representing the difference between the normal value of the goods or services and the value of the coin or coins inserted; or
- (b) a contrivance or device used by a cashier for facilitating the making of change. 1944, c. 57, s. 1.

2. No slot machine shall be capable of ownership or be the subject of property rights and no court of civil jurisdiction shall recognize or give effect to any alleged ownership of or property rights in any slot machine. 1944, c. 57, s. 2.

3.—(1) Any constable or other police officer may at any time without warrant enter and search in any premises or place, other than a dwelling house, in or on which he has reason to believe that a slot machine is kept or operated.

Search of
dwelling
house.

(2) Upon information on oath by a constable or other police officer that he has reasonable grounds for believing that a slot machine is kept in any dwelling house, any justice of the peace may by warrant under his hand authorize and empower the constable or other police officer to enter and search the dwelling house and every part thereof, and for that purpose to break down any door, lock or fastening, and it shall not be necessary to certify in the information the grounds for believing that a slot machine is being so kept. 1944, c. 57, s. 3.

Seizure.

4.—(1) Every constable or other police officer who finds a slot machine shall seize it and all money therein and bring it and the money before a justice of the peace who shall thereupon issue a summons addressed to the person in whose apparent possession the slot machine was at the time of the seizure, requiring him at the time and place named therein to appear before a magistrate and show cause why the slot machine should not be confiscated.

Order of
confiscation.

(2) Upon the return of the summons and,

- (a) upon hearing such representations as may be made and such evidence as he may deem proper; or
- (b) upon the default of appearance of the person summoned,

unless the magistrate is satisfied that the machine is not a slot machine, he shall order that it and all money therein be confiscated to the Crown in right of Ontario.

Disposal.

(3) Any slot machine and the money therein confiscated under this Act shall be disposed of as the Attorney-General may direct. 1944, c. 57, s. 4.

Appeal.

5. A constable or other police officer who has seized any machine pursuant to this Act or any person who claims to be the owner of a machine which a magistrate has ordered to be confiscated under this Act may appeal from the decision or order of the magistrate made with regard to the machine to the county or district court of the county or district in which the machine was seized and the provisions of *The Summary Convictions Act* relating to appeals shall apply *mutatis mutandis*. 1944, c. 57, s. 5.

Rev. Stat.,
c. 379.