

REPRINTED BILL

Bill No. 20 of 1952.

A BILL TO AMEND THE SLOT MACHINE ACT.

NOTE.

This Bill amends *The Slot Machine Act*, being chapter 333 of the Revised Statutes of Alberta, 1942.

Section 2 is amended by striking out the present clause (b) defining the expression "slot machine" and by substituting a new clause. Subclauses (i) and (ii) are substantially the same as the former subclauses (i), (ii) and (iii), but new subclauses (iii), (iv) and (v) are added. The effect of this amendment is to widen the definition of slot machine so as to exclude from the definition those types of coin operated machines that are not considered by the public to be gambling or gaming devices. The definition as amended excludes machines, contrivances or devices which sell goods or services other than entertainment or amusement. Record playing, which can be considered entertainment, is specifically excluded from the definition of slot machine, as is a cashier's change making device.

Sections 4, 5 and 7 are amended to give jurisdiction to judges of the District Court in addition to justices of the peace. Formerly all proceedings were before a justice of the peace and some doubt has been raised as to the propriety of giving jurisdiction to justices of the peace.

This Bill comes into force on the 1st day of July, 1952.

J. W. RYAN,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

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No. 20 of 1952.

An Act to amend The Slot Machine Act.

(Assented to , 1952.)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Slot Machine Act*, being chapter 333 of the Revised Statutes of Alberta, 1942, is hereby amended.

Section 2
amended

2. Section 2 is amended by striking out clause (b) and substituting the following:

"slot
machine"

"(b) 'slot machine' means,—

"(i) a machine, contrivance or device which, under section 986, subsection (4) of the Criminal Code, is deemed to be a means or contrivance for playing a game of chance;

"(ii) a machine, contrivance or device the result of one of any number of operations of which is, as regards the operator, a matter of chance or uncertainty or which as a consequence of any given number of successive operations yields different results to the operator notwithstanding that the result of some one or more or all of such operations may be known to the operator in advance;

but does not include,—

"(iii) a machine, contrivance or device which upon the insertion of a coin or coins,—

"(A) vends goods or services other than entertainment or amusement at the normal price thereof, or delivers with the goods or services vended, 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) returns such coin or coins upon failure to supply such goods or services;

"(iv) a machine, contrivance or device used by a cashier for facilitating the making of change;

"(v) a machine, contrivance or device used for the playing of recordings.".

3. Sections 4 and 5 are struck out and the following are substituted: Sections 4 and 5 amended

"4. Upon information on oath by any peace officer that there is reasonable grounds for believing that any slot machine is kept in any building or premises, any,— Search warrant for slot machines

"(a) justice of the peace;

"(b) District Court judge;

by warrant under his hand may authorize and empower the peace officer to enter and search the building or premises and every part thereof; and for that purpose to break open any door, lock or fastening of the building or premises or any part thereof; and it shall not be necessary for any peace officer to set out in the information any reason or grounds for his suspicion or belief.

"5. (1) A peace officer executing or assisting in the execution of any warrant issued pursuant to section 4 who finds upon the premises mentioned in the warrant any machine or device which he believes to be a slot machine,— Procedure on seizure of slot machine under search warrant

"(a) shall forthwith seize and remove it; and

"(b) shall bring it before,—

"(i) a justice of the peace, where the warrant was issued under the hand of a justice of the peace; or

"(ii) a District Court judge, where the warrant was issued under the hand of a District Court judge.

"(2) Immediately after bringing the slot machine before a justice or judge pursuant to subsection (1), the peace officer shall immediately thereafter serve upon the occupant of the premises or the person in whose possession the slot machine was at the time of the seizure, a notice requiring the person so served to appear at a time not sooner than the seventh day after the date of service and at a place named therein before any,—

"(a) justice of the peace, where the warrant was issued under the hand of a justice of the peace; or

"(b) a District Court judge where the warrant was issued under the hand of a District Court judge;

who shall then be there to show cause why the slot machine so seized should not be confiscated."

4. Section 7 is amended by adding immediately after the word "justice" the words "or judge". Section 7 amended

5. This Act shall come into force on the first day of July, 1952. Coming into force

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**FIFTH SESSION
ELEVENTH LEGISLATURE**

1 Elizabeth II

1952

BILL

An Act to amend The Slot
Machine Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. MAYNARD.
