



CHAPTER 12

An Act to amend the Quebec License Act respecting automatic distributors

[Assented to, the 20th of April, 1934]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The title of Division xv of the Quebec License Act (Revised Statutes, 1925, chapter 25) is replaced by the following: "AUTOMATIC DISTRIBUTORS".

R. S., c. 25,
Div. xv,
title re-
placed.

2. Section 123 of the said act is replaced by the following sections:

Id., s. 123,
replaced.

"123. The words "automatic distributor" mean any apparatus, mechanical or otherwise, or any other article or collection of articles, in whatever form or under whatever name the same is commonly known, the make or the arrangement of which indicates that it is intended for the operation or for a use capable, whether automatically or through a choice made by the operator or through the skill of the latter, of delivering an object or a sum of money, or of giving the right to receive delivery of, or to retain an object or a sum of money.

"Automatic distributor".

"123a. No person shall have an automatic distributor in his possession or under his control, under any title and in any place whatsoever, whether use be made thereof or not:

Keeper, etc.,
of automatic
distributor
must:

1. Without obtaining an annual license for such purpose, issued upon payment of a duty of twenty dollars for each automatic distributor; and

Obtain
license;

Affix, etc.,
certificate. 2. Without affixing and keeping on each automatic distributor, for which a license has been so issued, a certificate establishing the issuing of the license.

Issuing of
license, etc. “**123b.** The license and the certificate provided for in section 123*a* shall be issued by the collector of provincial revenue for the district in which is situated the automatic distributor for which the license is required.

Removal,
etc., of cer-
tificate. “**123c.** The person obtaining a license for an automatic distributor must, on the first of May following the date of the issuing of such license, remove from the automatic distributor and destroy the certificate which he was obliged to attach thereto under section 123*a*, and must attach thereto a new certificate.

Offences and
penalties. “**123d.** Every person who,

1. has in his possession or under his control an automatic distributor without a license in force to that effect; or
2. fails to affix and keep on each automatic distributor, for which a license has been issued, the certificate provided for in section 123*a*; or
3. fails to comply with the provisions of section 123*c*; or
4. infringes in any other manner the provisions of this division or of the regulations made thereunder,—

shall be guilty of an offence and liable, for each offence and for each automatic distributor, to a fine equal to double the amount of the duties payable under this division, and the costs, and, in default of payment of the fine and costs, to an imprisonment of not more than two months, or to both penalties.

Powers of
Provincial
police. “**123e.** Any officer of the Provincial police may, even by force if entrance be refused him, go on board any boat or vehicle, and enter upon any land or in any place or building in the Province, in which there is reason to suspect that one or more automatic distributors is or are possessed or under control in contravention of this division, make any search and open, with all the necessary aid and even by force, in case of refusal to do so, any building and receptacle in which he thinks that such automatic distributor or distributors is or are contained; and, if he discover any automatic distributor, he must, without a warrant being required, seize it, as well as the boxes or other containers and their contents and hand over the whole to his chief or sub-chief who shall keep them in custody until the court has disposed of them by a judgment.

Confisca-
tion of
seized
apparatus. “**123f.** Whenever any automatic distributor is seized under this division, it must be declared by the court to be

confiscated, upon proof of any contravention of this division or of the regulations made thereunder.

The confiscation of an automatic distributor shall also carry with it the confiscation of the box or other receptacle containing it and of the contents of the said automatic distributor. What confiscation entails.

If the name as well as the address in this Province of the person, at whose place or in whose possession an automatic distributor has been seized, be unknown to the Comptroller of Provincial Revenue, such automatic distributor, the box or other receptacle containing it and the contents of the said automatic distributor, shall be deemed confiscated at the expiry of two months from the date of seizure. If owner of seized apparatus unknown.

“**123g.** The issuing of an automatic distributor license under this division shall not be considered as indicating that the Government, or any of the officials thereof, is or are of the opinion that such automatic distributor is one that is not prohibited by law as a gambling device or otherwise; and should the person possessing or having control of the same be convicted in the courts of criminal jurisdiction of an offence, in respect of such automatic distributor, then his license for the same shall become null and void. Nullity of license in certain case.”

“**123h.** The Lieutenant-Governor in Council may make, amend, replace and repeal such regulations as he may deem necessary for the carrying out of this division. Regulations by Lt.-Gov. in C.”

“**123i.** This division shall not apply to: Exemptions from application of division.

- a. A meter for gas, water or electricity;
- b. A weighing-machine which indicates only the weight of a person or thing;
- c. A storing-place for personal baggage only, in a station or hotel;
- d. Any automatic unlocking or releasing device used in connection with pay toilets, sanitary towels, or drinking cups commonly found in railway stations, railway coaches, hotels, restaurants, bus stations, theatres, merchandising establishments, offices or public buildings;
- e. Any automatic device for the use of a telephone;
- f. An automatic distributor in a private house;
- g. Any other kind or class of automatic distributor exempted from the application of this division by the Lieutenant Governor in Council.”

3. This act shall come into force on the 1st of May, 1934. Coming into force.

