

# Gaming and Betting

## Keeping gaming or betting house

- **201** (1) Every one who keeps a common gaming house or common betting house is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.
- **Marginal note:** Person found in or owner permitting use

(2) Every one who

- (a) is found, without lawful excuse, in a common gaming house or common betting house, or
- (b) as owner, landlord, lessor, tenant, occupier or agent, knowingly permits a place to be let or used for the purposes of a common gaming house or common betting house,

is guilty of an offence punishable on summary conviction.

- R.S., c. C-34, s. 185.

## Betting, pool-selling, book-making, etc.

- **202** (1) Every one commits an offence who
  - (a) uses or knowingly allows a place under his control to be used for the purpose of recording or registering bets or selling a pool;
  - (b) imports, makes, buys, sells, rents, leases, hires or keeps, exhibits, employs or knowingly allows to be kept, exhibited or employed in any place under his control any device or apparatus for the purpose of recording or registering bets or selling a pool, or any machine or device for gambling or betting;
  - (c) has under his control any money or other property relating to a transaction that is an offence under this section;
  - (d) records or registers bets or sells a pool;
  - (e) engages in book-making or pool-selling, or in the business or occupation of betting, or makes any agreement for the purchase or sale of betting or gaming privileges, or for the purchase or sale of information that is intended to assist in book-making, pool-selling or betting;
  - (f) prints, provides or offers to print or provide information intended for use in connection with book-making, pool-selling or betting on any horse-race, fight, game or sport, whether or not it takes place in or outside Canada or has or has not taken place;
  - (g) imports or brings into Canada any information or writing that is intended or is likely to promote or be of use in gambling, book-making, pool-selling or betting on a horse-race, fight, game or sport, and where this paragraph applies it is immaterial
    - (i) whether the information is published before, during or after the race, fight game or sport, or

- (ii) whether the race, fight, game or sport takes place in Canada or elsewhere,

but this paragraph does not apply to a newspaper, magazine or other periodical published in good faith primarily for a purpose other than the publication of such information;

- (h) advertises, prints, publishes, exhibits, posts up, or otherwise gives notice of any offer, invitation or inducement to bet on, to guess or to foretell the result of a contest, or a result of or contingency relating to any contest;
- (i) wilfully and knowingly sends, transmits, delivers or receives any message that conveys any information relating to book-making, pool-selling, betting or wagering, or that is intended to assist in book-making, pool-selling, betting or wagering; or
- (j) aids or assists in any manner in anything that is an offence under this section.

#### **Punishment**

(2) Every one who commits an offence under this section is guilty of an indictable offence and liable

- (a) for a first offence, to imprisonment for not more than two years;
- (b) for a second offence, to imprisonment for not more than two years and not less than fourteen days; and
- (c) for each subsequent offence, to imprisonment for not more than two years and not less than three months.

- R.S., 1985, c. C-46, s. 202;
- 2008, c. 18, s. 5.