

POLICE.

10° Elizabeth II., No. LXXI.

No. 71 of 1961.

AN ACT to amend the Police Act, 1892-1960.

[Assented to 28th November, 1961.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Police Act Amendment Act, 1961*. Short title and citation.

(2) In this Act the Police Act, 1892-1960, is referred to as the principal Act. Vol. 6 of the Reprinted Acts, approved for reprint 23rd March, 1953, and amended by Acts Nos. 28 of 1953, 6, 25 and 63 of 1954, 8 of 1955, 20 of 1956, 40 of 1958, 10 of 1959, and 50 of 1960.

(3) The principal Act as amended by this Act may be cited as the Police Act, 1892-1961.

S. 89A added.

2. The principal Act is amended by adding, immediately after section eighty-nine, the following section—

Prohibition
of certain
slot
machines.

89A. (1) The Governor may, subject to subsection (3) of this section, from time to time, on the recommendation of the Commissioner of Police, by proclamation prohibit—

- (a) the use or possession of any slot machine, or class or classes of slot machine; or
- (b) the use or possession in any place, class or classes of place of any slot machine, or class or classes of slot machine,

named or described in the proclamation.

(2) The Governor may, from time to time, by proclamation vary or cancel any proclamation made under subsection (1) of this section.

(3) For the purposes of this section, "slot machine" means a machine that is operated by the insertion of a coin or valuable token but does not include any machine that—

- (a) gives access to any place or convenience;
- (b) is a weighing machine or parking meter;
- (c) certainly yields previously ascertained goods of which the sale, or exposure for sale, is not prohibited by any law of the State;
- (d) provides music; or
- (e) for the insertion of only one coin or token, enables two or more competitors to play a game entirely of skill,

without affording any other consideration, advantage or reward.

(4) A member of the Police Force finding any slot machine—

(a) of which the possession is prohibited;
or

(b) in a place in which its possession is prohibited,

under this section, may seize, take and carry away that machine, without any authority other than the authority of this subsection.

(5) A person using, or a person having in his possession, or a person using or having in his possession in a place, any slot machine of which the use or possession, or the use or possession in that place, is prohibited under this section, is guilty of an offence and is liable, in the case of a person using the machine, to a penalty of ten pounds and, in the case of a person having the machine in his possession, to a penalty of twenty-five pounds.

(6) Where a person is convicted of having the machine in his possession, contrary to subsection (5) of this section, the court shall order the machine, and any money or tokens found in the machine, to be forfeited to Her Majesty.