

encounters or threats of danger to others. I am told that in many of these situations where the police are informed or become aware that firearms or other weapons are readily available in the premises they will, notwithstanding the lack of authority, remove the weapons from the premises and return them some time later when cooler dispositions are evident. Concern has been expressed as to whether the proposed changes indicated in section 103 and 105 are sufficiently broad to meet the situation mentioned. The proposed section 105 refers to the firearm or other offensive weapon "owned by or in the possession, custody or control of that person". As it reads at the present time the section would include only those weapons of the potentially dangerous person whereas there may be weapons owned or controlled by others in the same premises which would likewise be readily available to the dangerous person. The other point in respect to the proposed wording is that it authorizes seizure only and should include authority to search without warrant also.

With reference to section 105, objection has also been made to the fact that an application for a warrant to seize a firearm, offensive weapon or ammunition must be made to a superior court of criminal jurisdiction. There is general agreement that a Judge of the Magistrates' Courts in this Province, for example, should be the Court to which such application may be made. It is felt the necessity to make such applications to a Court of Queen's Bench or Supreme Court makes the provision very impractical. The fact a Magistrate or Judge of the Magistrates' Courts hears an appeal in respect to a refusal to register a firearm or issue a permit would tend to support the suggestion that such court should also be authorized to hear applications under section 105.

We endorse the suggestion to include sawed-off fire-arms (rifles or shot guns), Saturday night specials and fully automatic firearms within the definition of prohibited weapons.

The proposed change in section 86 appears good, however, we wonder whether the proposed wording could not be expanded to include the situation where a person fails to take reasonable measures to provide for the security and storage of firearms and ammunition. We realize this may be caught by the word "possesses", however, we have had a few very unfortunate tragedies in this Province recently where parents or guardians have left firearms and ammunition readily available to children during the absence of the parents and children have been shot and killed by a firearm discharged by another child.

There is agreement with the proposal that a person wishing to acquire a restricted weapon be required to demonstrate a need for such possession.