

suggested by some witnesses that the problem sought to be rectified would be better dealt with in the present firearms search and seizure provisions of section 103 of the Code. The Committee agrees with this suggestion and recommends that the Code be amended to provide that an FAC, in and of itself, be subject to search and seizure. The Committee further recommends that where it is ultimately determined by a court that the seizure of an FAC was justified in the circumstances, all firearms privileges, and not just the FAC must be revoked. The Committee also recommends that the duration of the suspension of privileges be subject to the judicial discretion presently provided for in section 103.

RECOMMENDATION 15

The Special Committee recommends that the proposed power of revocation set out in Bill C-80 be dealt with pursuant to the present firearms search and seizure provisions of the Criminal Code. In this way, a peace officer would require either prior authorization from a court to seize an FAC, or authorization subsequent to the seizure in those circumstances where the danger to safety was so great that it was impractical to secure prior authorization. In either case, the matter would immediately be brought before a court for a hearing of the case. It is the view of the Special Committee that because of the seriousness of firearms misuse, any finding by the court that the seizure of the FAC was warranted should result in the revocation of all firearms privileges for a period not exceeding five years.