

collections which contain certain types of firearms, primarily those of the automatic variety.

When the matter was discussed in committee there was some concern that it is not quite proper for those who have collected certain types of firearms to be unable to pass on those collections by way of bequest or otherwise unless the collections went to something called a bona fide gun collector. The minister said in committee that that was going to be a judicial interpretation but he did not enlighten us as to who a bona fide gun collector was. I suppose that would be something that would grow with the common law. There would be decisions by a judge or a series of judges as to who a bona fide collector was. My submission is that there should be a possibility for people to continue to collect these guns if they wish to do so.

● (2040)

The purpose of our law is to ensure that guns are not used improperly. The minister suggested that while these gun collections should be left to a bona fide gun collector or sold to one, he was not very forthcoming as to who that was. He admitted that over the years probably all the existing collections of automatic weapons would end up in museums or be exported from the country because, as a matter of public policy, the government in its wisdom has decided that Canadians were not fit people to collect automatic weapons. I take exception to that. I reiterate what I said earlier this afternoon: let us find a need for these measures before we pass laws right, left, and centre.

The government seems to think that in order to react to a passing phase in our life it has to bring in a rigid system of regulations in order to satisfy somebody's concern which, I submit, is unenlightened. In any event, I have not seen any example of guns from gun collections having been stolen by criminals which were then useful in the commission of crimes. I would have thought that if there were much of that going on, some evidence of it would have been produced by the government in justification of this amendment to our criminal law, but it has not.

The minister says that he will do it this way as a matter of public policy. I do not think that is good enough. I would think that the government's own experience would be that the facts are otherwise because, while I have not heard of private collections being stolen, I have certainly heard and read about armouries being broken into and large numbers of military weapons being stolen. Armouries are places with a concentration of weapons. If the minister is going to fill up the museums in the country with private gun collections, he will create an enticement for criminals to find a bigger haul. As things are now, there is a sort of decentralization of guns—many small collections all over the country. But the minister in his wisdom, and his advisers in the Department of Justice, seem to think that all these weapons should be concentrated in one spot. My argument is that that is not a sensible way in which to approach the situation.

Criminal Code

Many people collect various things for various reasons. One of the reasons that people collect things now is that they are something to hang on to because the dollar in this country, under the administration of this government, is dropping in value, and it is more important for people to invest their money in tangible things than in the Canadian dollar. I think it is a gross invasion of property rights in the country for the government to adopt such a policy because it thinks, for some undefined reason, that it is a good thing for people not to have collections of automatic weapons. Therefore I submit that the House should give some consideration to deleting that part of the bill which would in effect outlaw private collections of certain types of firearms on the basis that no evidence has been provided that such a provision is necessary.

Mr. Arnold Peters (Timiskaming): Mr. Speaker, I did not have the advantage of attending the committee meetings and therefore I do not know who the minister said was a bona fide gun collector.

An hon. Member: That is an advantage.

Mr. Peters: The provision goes on to say that the local registrar of firearms will provide him with a registration certificate and will make a decision. In talking about the bona fide part of the expression, I suppose it means an actual gun collector. I do not know whether it means someone who has three, four, or half a dozen guns. Some people do not have too many guns but what they have is of a specific class. Incidentally, most of the collectors of restricted guns whom I know are members of the police force. They have a very good way of getting them. When they seize one, the gun disappears and it goes into a collection. Sometimes they build up a fairly large collection of restricted guns.

Other people buy guns such as an M-15, an American gun. In my area the gunsmith told me that most guns are fully automatic or have parts to make them fully automatic. One of the difficulties is that many of the people who bring him a gun for repair do not know that the gun has the potential to be a fully automatic rapid fire gun.

I am quite aware that there is a legal dictionary definition of the expression bona fide, but how does it apply to gun collectors? Does it mean someone with six guns or someone with 50 guns, a selection of both restricted and other guns? Most of the collectors in northern Ontario whom I know do not specifically collect one kind of gun. They will pick up any gun. Some guns they keep for the purpose of trading. These guns are called traders. If this provision is passed, these people will be in considerable difficulty to make sure that the man from whom they are buying a gun, they themselves, and their collection are licensed. It seems to me that we should spell out exactly what we mean by bona fide collector.

I do not agree with the mover of the motion with regard to Clauses 2 and 21, and probably Clause 22 as well. I do not believe that if you take out the expression "bona fide" and leave the words "a gun collector" that the provision will be any clearer. I myself probably own three, four or perhaps five guns.