

which are accessible to large numbers of people. The only legal requirement to be imposed on references, according to the evidence of the Minister of Justice, would be to answer truthfully any inquiries put to them by the authorities during the investigation of the applicant.

Finally, the bill would remove FAC fees from the Code itself and establish a power to set such fees by regulation. According to the Minister in her presentation to the Special Committee, the transfer of fee-setting authority to the regulation-making power would permit periodic adjustments which would ensure future cost-recovery is maintained in a system presently operating at a deficit. This is the approach now normally taken to all fees of this nature. It is the expressed intention of the Minister to set the fee initially at \$50 for a five-year FAC in order to achieve this objective.

### *iii) The Special Committee's View*

The Special Committee endorses the proposed requirement that the holder's photograph be on the FAC. It also supports the proposed reference requirement so long as it remains simply a starting point for the firearms officer's investigation, and does not in any way become a guarantor process. The Committee also agrees that the proposed class of references be prescribed by regulation so long as it is broad enough to ensure that, for example, in areas where such persons as professionals and municipal officials might not be available, other community leaders, such as band council members in aboriginal communities, would be in the prescribed class. We also believe that the prescribed class must be constructed so as to allow firearms officers some discretion in appropriate cases. For example, particularly when a livelihood may be at stake, the officer may accept any additional persons considered appropriate to act as references.

Other potential FAC screening mechanisms were brought to the attention of the Special Committee by a number of witnesses. For example, it was suggested that FAC applicants sign a waiver allowing firearms officers to interview the applicant's physician. The Committee notes with approval that the ramifications of this suggestion have been referred for study by the Minister of Justice to the Canadian Advisory Council on Firearms.

With respect to the government proposal regarding FAC fees, the Special Committee agrees that the power to set fees should be by regulation. However, the Committee is also sensitive to the concern expressed by the firearms-owning community that the fee for obtaining an FAC should not serve as a deterrent to gun ownership and that it must adequately reflect the present cost of the system. Therefore, while we acknowledge that the proposed \$50 may at first glance appear to be a reasonable cost-recovery amount, there was no firm evidence before us upon which we could assess the validity of this figure. Therefore, the Special Committee proposes that the Canadian Advisory Council on Firearms undertake a cost analysis of the FAC system, and indicate whether a figure in the proposed range is indeed justified. Moreover, it should also be the responsibility of the Advisory Council to study future proposed fee increases and make appropriate recommendations.

Some concern was expressed by a number of witnesses appearing before the Special Committee that the present age limit of 16 is too low to ensure responsible and safe firearms ownership in this country. The Committee would add to the present screening system by requiring that the consent of a parent, or person having custody or control of the applicant, be obtained before there is any processing of an FAC application where the applicant is between the ages of 16 and 18 years. The Committee notes that there is already provision in the Criminal Code requiring such