

*Criminal Code*

and, finally, it is easy to modify firearms which are not affected by the restrictions described in sections of the Criminal Code dealing with registration of certain types of weapons.

In December 1965, Mr. Léo Lavoie, general manager of the Provincial Bank and vice president of the Canadian Bankers Association voiced vigorous protest against mercy granted by the authorities for armed offences in the following terms:

Chartered banks are fully conscious of their own responsibilities with regard to security within their respective branches. It seems, however, that the continuous increase in the number of robberies in certain parts of the country and the more frequent use of firearms could be attributed to sentences obviously not proportionate to the seriousness of crimes committed with the help or the use of lethal weapons.

And a little further on—

—the presence of a revolver should surely be admitted as proof of intent to make use thereof.

Exactly, what is the definition of a firearm? Section 98(b) of the Criminal Code gives the following definition:

"Firearm" means a pistol, revolver, or a fire arm that is capable of firing bullets in rapid succession during one pressure of the trigger;

As we can see, this definition does not apply to a large number of firearms which are automatically left out of this definition found in section 98(b).

The police in particular have made several suggestions aimed at solving the problem, among which I have selected a certain number which could be the object of detailed study on the part of special committee, which I suggest should be set up. This committee could consider the advisability, in order to provide more efficient control, of deleting from the Criminal Code sections 82 to 98 inclusive, dealing with offensive weapons, and of drawing up special legislation with regard to all types of weapons. This law could contain regulations concerning standards for owning, storing, importing, manufacturing, selling, purchasing, which could be amended according to circumstances by the Minister of Justice without having to go through the house, just as we have a special act, the Explosives Act.

● (5:20 p.m.)

Among these regulations, there should be one grouping fire arms into two well-defined categories. First, weapons of restricted use and requiring the issuance of a permit and compulsory registration; second, prohibited weapons.

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Provision should also be made for more severe and even drastic penalties for people convicted of an offence against the new act.

The law should provide for imprisonment without the alternative of a fine. Today, our courts impose a minimum fine in the case of every person caught in possession of firearms without a permit. The penalty provided should be more severe than it is now and the judge should also have power to order the firearms confiscated for good. Sentences should be served separately instead of simultaneously.

The whole section of the Criminal Code dealing with the issuing of permits should likewise be reviewed. In the case of criminals already possessing a police record, firearms permits should undoubtedly be refused.

The permit itself should constitute a proof of authenticity and it should be impossible to print such a permit without having the necessary paper, as is required for the printing of paper money or voting ballots. The form used at present can be printed by anyone in the trade. It goes without saying that the form should be bilingual, instead of unilingual as at present. The applicant for a permit or the purchaser of a firearm should be required to identify himself fully and completely, so as to ensure that the permit holder or the owner of a firearm is actually the same person entered in the records. A full investigation should be conducted regarding every applicant, even though it may involve some delay in the issue of the permit.

Nowadays, armed convicts with a heavy past and extensive criminal records can stroll about the streets. The applicant for a permit should sit for an examination proving his knowledge and his ability to handle firearms, just as a person who wishes to drive a car must do so, before obtaining a permit.

Section 94 of the Code authorizes the commissioner of the R.C.M.P. and the attorney general of a province to deliver such permits. Since section 94 authorizes the attorney general of a province to deliver permits in a province, the authorization granted to the commissioner of the R.C.M.P. is restricted to the issuance of interprovincial permits as in the case of employees of shipping companies. The local registrar of firearms has now a discretionary power for the issuance of permits.

Fortunately, in Quebec, the issuing and renewal of permits are subject to very strict regulations and I believe that a permit should be required for any firearm, even for sports.