

expired license, as evidence of some competency training. Those who are members of recognized gun clubs could use their membership as evidence of competence. Gun clubs insist that their members are knowledgeable in the safe use of firearms, and such membership should be ample evidence of firearms knowledge and training. Provincial ministries and gun clubs could even certify people on the basis of their own records, insofar as they exist, in those cases where hunting licenses had been lost or memberships had lapsed.

There would still be those owners, however, who have not held a hunting license or belonged to a gun club or other shooting organization for some time, but who have been experienced gun users for years. Such people could demonstrate firearms competency by taking a standardized written or oral test covering the competent and safe handling of firearms and knowledge of firearms control laws. There might even be cases where no test is required because the competence of the transitional applicant was well known to the firearms officer, or was otherwise beyond question. In such cases, the firearms officer could be given a discretion to issue an FAC without requiring that the test be satisfied. Because the invocation of such a discretion would be a complete departure from the competency requirements of the new system, the officer should be required to submit a report to the Chief Provincial Firearms Officer as to why the exercise of discretion was considered justified in the circumstances.

In the result, those who do not renew their current certificate before it expires, or within a reasonable period thereafter; or take advantage of the two-year transitional period with its special rules; or simply obtain an FAC pursuant to current legislation, will have to be treated as first-time applicants should they ever require an FAC once the new system is implemented. Existing owners should thus be encouraged to consider carefully whether they may need to acquire other firearms in the future, or for any other reason, acquire an FAC.

Finally, the Special Committee notes that there is already a provision in the Criminal Code which could provide a built-in transitional measure for those who have shown their trustworthiness and competency pursuant to a provincial law or program, whether it be a hunter safety course or some other program. Section 107 of the Code provides that the Attorney General of any province can apply to the federal Cabinet to have "any hunting licence, certificate, permit or other document...issued under the authority of a law of a province (be declared) a valid firearms acquisition certificate". This provision is presently in force, but it has apparently never been used by any provincial Attorney General. It should be dusted off, and used to ease the way into any new regime for the screening of FAC applicants.

RECOMMENDATION 11

The Special Committee recommends that those who hold an FAC when a new screening system is implemented be permitted to renew their FAC when it expires pursuant to the rules pertaining to renewal. The Special Committee further recommends that there be a transitional period of two years after a new system is implemented during which those who own firearms but do not have a current FAC can obtain one under special rules. Specifically, they should be allowed to fulfill the recommended competency requirement for first-time FAC applicants without having to take a training course. The Special Committee has suggested several ways in which this might be accomplished, but it will be the ultimate responsibility of the government to ensure that a fair and workable system is devised.