

Gun Control

disputes and new penalties for carelessness in storage and use of firearms.

Perhaps the most important feature of the firearms legislation was the establishment of the firearms acquisition certificate system to control the availability of firearms to potentially dangerous or unstable individuals.

I want to devote a few moments to the first amendment proposed by the Hon. Member for Skeena (Mr. Fulton). He would like to remove the power of police to search for and seize firearms, ammunition, or other explosive substances from a dwelling house without a warrant. As he states, searches of private homes would be lawful only when authorized by a magistrate.

● (1700)

I once found myself in my daily life, not recently, albeit, in a situation where I went into a home in the middle of the night, in the presence of a police officer, where violence at its worst was taking place. Firearms were present. Lives were in danger, the life of a mother and potentially the lives of the children. There was no time to react, but in one direction and that was to get that weapon out of the house as quickly as possible and out of the danger area.

I can only imagine if this amendment were in place at that particular night what would have happened during the period when the police officers who were involved would have had to go for a warrant in order to retrieve and remove that firearm. I trust that my colleague has considered that aspect carefully. I am not sure what is motivating him to move in this direction.

I support the measure which gives police the power on reasonable grounds and under judicial control to take firearms without a warrant, which I believe is urgent, and which was unanimously endorsed by all Parties when the present legislation was under consideration.

Domestic disputes are volatile and there is no way to predict their outcome. I believe that police officers in our country need this special provision. I also believe that this is one of the ingredients in the legislation which gives reasonable balance between the needs of public safety and the legitimate interests of firearm owners and users. So I cannot support the first amendment.

The second amendment would eliminate the requirement for a firearms acquisition certificate for residents, as he describes, of more northerly or remote regions of Canada. He has chosen and identified 25 federal constituencies named in Schedule III to the Canada Elections Act. I find it a great dichotomy that one member of the New Democratic Party wants to loosen the firearms acquisition certificate system and another of his Party, in a Private Member's Bill, is making it even more restrictive. There is very awkward and difficult dichotomy within the New Democratic Party on firearms control. For instance, the Hon. Member Burnaby (Mr. Robinson), I understand, has sponsored a Bill which would turn the firearms acquisition certificate into a firearms possession

certificate. The effect of this would be to extend the present system of control over unrestricted firearms, which only covers transactions, to include control over possession.

I honestly do not know how the Hon. Member is going to implement his scheme. One does not have to be a resident of the jurisdiction in which one applies for a firearms acquisition certificate. One could live, for example, in Ottawa and apply for a firearms certificate elsewhere and all of the guidelines would apply. What if one lived in Ottawa and wanted a firearm? One would only have to go to one of these 25 constituencies where one would not require a certificate in order to procure it and be able to obtain a firearm. Therefore, if an individual believes he would not meet the requirements for a certificate in his own area, he or she could simply purchase a long gun in any of the 25 constituencies named, no question asked.

The Hon. Member's proposal reminds me of the kind of checkerboard firearms legislation which exists in the United States. If the legislation is too tough in one area, all one has to do is to drive across the state line where controls are few or non-existent. Is that the type of firearm control we want in Canada? I do not think it is. I do not think it is what we, as legislators, have in mind for Canada.

I do not think that we can accept the proposals before us this afternoon. As legislators, it is up to us to ensure that there are adequate and good gun control laws. The Hon. Member's suggested amendments are unreasonable, not to mention controversial, and I think it would be wrong to support such measures in this debate.

Mr. Barry Moore (Pontiac—Gatineau—Labelle): Mr. Speaker, I welcome this opportunity to speak on the Private Member's Bill submitted by the Hon. Member of Skeena (Mr. Fulton). I congratulate him for his interest in this area, which is one which concerns all Canadians, especially those in my riding.

I am certain that Members of this House appreciate that Canada's firearms control program, presently set out in part II (1) of the Criminal Code, is one of the most effective mechanisms existing in the world today for controlling the ownership and use of firearms. All free and democratic countries have recognized the necessity of controlling the possession of such weapons and strive to achieve what is for them an appropriate balance between the interests of society and those of persons interested in acquiring these potentially dangerous weapons.

This proposed legislation focuses on two issues: first, the issuance of the firearms acquisition certificates in remote areas of Canada, such as my riding, and, second, the right of police officers in exigent circumstances, to search for and seize a firearm without a warrant. It is my view that both proposals submitted for our consideration today are wrong-headed. One would seriously diminish the effectiveness and universality of the protection of the public offered through the firearms acquisition certificate's screening process in the existing