

*Gun Control*

Under these circumstances I urge that Members of this House treat this Bill as the loony Bill it is and reject it in favour of the present legislation.

[Translation]

**Mr. Maurice Tremblay (Lotbinière):** Mr. Speaker, I am very pleased as well to have this opportunity to speak to Bill C-207 concerning gun control.

At the outset, Mr. Speaker, I should like to point out that Canada has long since had legislative measures on gun control and that these measures have been endorsed by a number of previous administrations. The aims of these measures deserve our support and I think they bear repeating. Quite simply, Mr. Speaker, they are designed to prevent potentially dangerous individuals from having access to firearms, to promote—and this is very important—the sense of responsibility among owners and users of firearms, and of course to discourage criminal use of firearms as much as possible.

As I see it, Mr. Speaker, the measures advocated in Bill C-207 fall somewhat short of these aims and do not justify imposing additional restrictions on responsible users. This Bill does not come to grips with the real issue, which is the use of firearms for criminal purposes. All things considered, Mr. Speaker, it is obvious that I will not be able to support the Bill sponsored by the Hon. Member for Burnaby (Mr. Robinson).

The firearms acquisition certificate system set up in 1979 was designed to single out any individual seeking to acquire a firearm by any means whatever. The provision concerning firearms acquisition certificates applies to any person over age 16 who wants to buy a firearm for the first time. It also applies to people who already owned firearms before 1979 and who now wish to purchase additional firearms or to borrow one from a friend. The existing legislation on firearms acquisition certificates already covers a lot of ground.

The Criminal Code now includes additional provisions for another mechanism to identify firearm owners who could be dangerous and prevent them from owning and using these firearms.

First and foremost, Mr. Speaker, these measures include important preventive measures which reinforce the prohibition powers of the court.

In several cases, the court can issue an order of prohibition, which is a court order prohibiting a person from owning a firearm, ammunition or an explosive substance, as its name would indicate.

First, the court must impose a prohibition of at least five years when an offender has been convicted or released under Section 662.1, that is in relation with:

- an offence involving acts of violence punishable by a maximum penalty of at least ten years of imprisonment, or

- an indictable offence covered by Section 83, that is use of a firearm in committing an indictable offence.

Second, subsection 98(2) of the Criminal Code gives to the courts the discretionary power to issue an order of prohibition when a person is convicted or released under Section 662.1, that is in relation with:

- an offence committed accompanied by violence or by an attempt or threat of violence against another person, or

- an offence involving the use, carrying, possession, handling, shipping or storing of a firearm or ammunition.

For neither of these prohibitions is it necessary for the person involved to have used violence. It is enough for that person to have threatened to use it, such as in the case of aggravated theft, or to have attempted to do so.

A third provision also allows for preventive prohibition. If a peace officer has reasonable grounds to believe that public safety justifies it, he can make such a request to a provincial court judge. If the judge of the provincial court agrees to this request, he can prohibit someone from owning firearms, ammunitions or explosive substances for a maximum period of five years. This order can be issued following or without a conviction for an indictable offence.

Finally, the Criminal Code also provides a power of prohibition in cases where the firearms officer is asked to refer to a judge of the provincial court a refusal to grant a firearms acquisition certificate. If the judge of the provincial court agrees to such a refusal, he can prohibit the claimant from owning firearms for a maximum period of five years.

It is therefore obvious, Mr. Speaker, that the courts already have extensive powers to deal with the criminal and irresponsible elements in of our society. It must be emphasized that those provisions only apply, in a very selective way, to persons who, there are reasons to believe, are a danger to themselves or to society. As opposed to the provisions in Bill C-207, prohibition provisions do not decry the vast majority of firearm owners who in the last analysis are honest, law-abiding, responsible citizens, Mr. Speaker. And the available data indeed support that contention.

The annual report on firearms issued by the RCMP Commissioner includes pertinent and interesting statistics. In 1986, more than 184,000 firearm acquisition applications have been filed, of which 1,339 were rejected, less than 1 per cent. The fact that more than 99 per cent of all applications are approved confirms that the vast majority of firearm owners in Canada are responsible and do not endanger public safety.

Prohibition order statistics also are very interesting and revealing. During 1986, 5,378 persons were prohibited from owning firearms, ammunition or explosive substances. By the end of 1986, such prohibitions involved a cumulative total of 20,307 people.

Mr. Speaker, it is my personal view that those data are self-explanatory. Thanks to the current legislative measures which identify all those who wish to acquire firearms and forbid selectively those who are a public security risk from possessing