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CANADA. PARLIAMENT. HOUSE OF COMMONS.
STANDING COMMITTEE ON JUSTICE AND
SOLICITOR GENERAL.

Consideration of the draft
regulations on gun controls tabled in
the House by the Minister of Justice
on Tuesday, March 31, 1992.

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House of Commons
Canada

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UNTIL PRESENTED
IN THE HOUSE**

**CONSIDERATION OF THE DRAFT REGULATIONS
ON GUN CONTROLS TABLED IN THE HOUSE BY
THE MINISTER OF JUSTICE ON
TUESDAY, MARCH 31, 1992**

**TENTH REPORT OF THE STANDING COMMITTEE ON
JUSTICE AND THE SOLICITOR GENERAL**

**Dr. Bob Horner, M.P.
Chairman**

June 1992

HOUSE OF COMMONS

CHAMBRE DES COMMUNES

Issue No. 68

Fascicule n° 68

Thursday, June 11, 1992

Le jeudi 11 juin 1992

Wednesday, June 17, 1992

Le mercredi 17 juin 1992

Thursday, June 18, 1992

Le jeudi 18 juin 1992

Chairperson: Bob Horner

Président: Bob Horner

Minutes of Proceedings and Evidence of the Standing Committee on Justice and the Solicitor General / Procès-verbaux et témoignages du Comité permanent de la Justice et du Procureur général

Justice and the Solicitor General / Justice et le Procureur général

**CONSIDERATION OF THE DRAFT REGULATIONS
ON GUN CONTROLS TABLED IN THE HOUSE BY
THE MINISTER OF JUSTICE ON
TUESDAY, MARCH 31, 1992**

RESPECTING:

Parliamentary Standing Order 32 / Règlement de l'Assemblée nationale 32, the examination of the Draft Regulations on Gun Controls / Examen de l'ébauche des règlements sur le contrôle des armes à feu

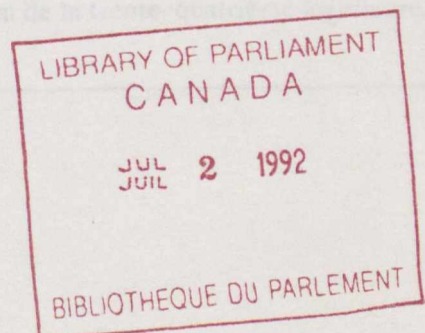
INCLUDING:

THE TENTH REPORT TO THE HOUSE / LE DIXIÈME RAPPORT À LA CHAMBRE

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Procès-verbaux et témoignages du Comité permanent de la

Justice and the Solicitor General

Justice et du Solliciteur général

RESPECTING:

Pursuant to Standing Order 32(5) and Section 28(4) of Bill C-17, the examination of the Draft Regulations on Gun Control

INCLUDING:

THE TENTH REPORT TO THE HOUSE

CONCERNANT:

Conformément à l'article 32(5) du Règlement et à l'article 28(4) du projet de loi C-17, l'examen du Projet de règlement sur le contrôle des armes à feu

Y COMPRIS:

LE DIXIÈME RAPPORT À LA CHAMBRE

Third Session of the Thirty-fourth Parliament,
1991-92

Troisième session de la trente-quatrième législature,
1991-1992

STANDING COMMITTEE ON JUSTICE AND THE
SOLICITOR GENERAL

Chairperson: Bob Horner

Vice-Chairman: Jacques Tétreault (Justice)
(Solicitor General)

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Scott Thorkelson
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Tom Wappel—(8)

(Quorum 5)

Richard Dupuis

Clerk of the Committee

COMITÉ PERMANENT DE LA JUSTICE ET DU
SOLLICITEUR GÉNÉRAL

Président: Bob Horner

Vice-président: Jacques Tétreault (Justice)
(Solliciteur général)

Membres

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Russell MacLellan
Jacques Tétreault
Blaine Thacker
Scott Thorkelson
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Tom Wappel—(8)

(Quorum 5)

Le greffier du Comité

Richard Dupuis

Published under authority of the Speaker of the
House of Commons by the Queen's Printer for Canada.

Available from Canada Communication Group — Publishing,
Supply and Services Canada, Ottawa, Canada K1A 0S9

Publié en conformité de l'autorité du Président de la Chambre
des communes par l'Imprimeur de la Reine pour le Canada.

En vente: Groupe Communication Canada — Édition,
Approvisionnement et Services Canada, Ottawa, Canada K1A 0S9

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In accordance with its Order of Reference of Tuesday, March 31, 1992, your Committee has considered the Draft Regulations on Gun Controls.

Your Committee adopted the following Report with thirty-six (36) recommendations which reads as follows:

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CHAPTER 1

INTRODUCTION

1. THE MANDATE OF THE COMMITTEE

Canada has had some controls on the possession and use of firearms since 1877, but in the modern age these have grown into a comprehensive system of *Criminal Code* measures designed to control firearms themselves, screen access to them, regulate their use, and punish their misuse. This regime was recently expanded and reformed by Bill C-17, which was given Royal Assent on 5 December 1991 (now S.C. 1991, c. 40). While the bill was controversial, its objective was to strengthen the system of controls in the interests of public safety, while at the same time seeking to ensure that the interests of the many Canadians who use firearms legitimately and responsibly were dealt with fairly, and that their activities were not unduly hampered.

Bill C-17 was part of a package of proposed measures designed to enhance the effectiveness of the gun control regime. Much of the bill involved new or expanded regulation-making powers, and the exercise of these powers will supply many of the critical elements of the package. Some of the regulations that will be made fill in the details necessary to implement statutory provisions, such as those relating to the additions to the firearms acquisition certificate ("FAC") screening process; others, such as the provisions regarding the transportation, display, handling and transportation of all firearms, will themselves establish a whole body of new rules that will affect all firearms owners across the country.

Because of the significance of these new regulations, and their application to the law-abiding activities of so many Canadians, Bill C-17 also provided for an additional and somewhat unusual process of parliamentary review. Although the Standing Joint Committee for the Scrutiny of Regulations is mandated to examine all regulations after they have been made, in the case of any new firearms control regulations Parliament was given the authority and responsibility to review the proposed contents of the regulations *before* they can be made.

What is now section 116(2) of the *Criminal Code* thus requires that the Minister of Justice lay the proposed regulations in draft form before each House of Parliament for consideration. The appropriate committees of each House are given a mandate to conduct enquiries and public hearings, and report their findings.

On 31 March, 1992, the Minister of Justice tabled in Parliament four sets of new draft regulations, and proposed amendments to two existing sets of regulations. All would be made pursuant to the additional, amended or expanded enabling powers of the *Criminal Code*, as amended by Bill C-17. These draft regulations can be found in Appendix I to this report. Pursuant to the Standing Orders of the House of Commons, these draft regulations were referred to this Committee for examination.

2. THE EXAMINATION OF THE DRAFT REGULATIONS

The opportunity, and the challenge, afforded by a parliamentary review of draft regulations, was vigorously taken up by Members of the House of Commons, and by interested persons across the country. The Committee held hearings in which a number of witnesses representing all perspectives were heard in person, and written submissions were received from many more. Over twenty Members of Parliament appeared before the Committee to give us the benefit of their views, and those of their constituents, and their recommendations for changes to the draft regulations, while others submitted their concerns in writing. A list of witnesses can be found at Appendix III of this report.

3. THE OBJECTIVES AND STRUCTURE OF THE REPORT

All of the views and submissions received by the Committee have been carefully considered, and the recommendations made in this report represent our conclusions as to the additions and changes to the proposed regulations which are necessary to make them as fair and effective as possible. We have also made a number of general recommendations designed to ensure that the implementation of the regulations is also fair and effective, so that the regulations will achieve their objective of providing better protection for public safety while not imposing unnecessary burdens or concerns on those who will be directly affected.

CHAPTER 2

GENERAL RECOMMENDATIONS

1. THE DRAFTING OF THE PROPOSED REGULATIONS

The most common and most disturbing concern which was expressed to us by a wide range of witnesses, but particularly by those representing the firearms owners who will have to do what these regulations require, was that as drafted they are not comprehensible. Indeed, it seems plain that many of those who will be affected by the regulations, and many who will have to administer them, find significant portions of them to be incomprehensible, confusing, or misleading.

The Committee appreciates that the regulations will constitute criminal legislation, and that this may impose certain requirements and constraints on their drafting. We do not accept, however, that their language and structure need be so convoluted. They must be re-drafted so far as is possible in *plain language*. This is necessary not only to make them more understandable, but also to eliminate ambiguities that may hamper their effectiveness.

Recommendation 1

The Committee strongly recommends that the proposed regulations be re-drafted to the greatest extent possible in plain language.

2. THE IMPLEMENTATION OF THE REGULATIONS

Unlike most criminal legislation, these regulations will apply to the pursuits of ordinary law-abiding people, and a special effort is therefore required to advise those people about them. The regulations will have a wide-ranging impact on Canadians in general and firearms owners in particular. People must be educated as to the requirements that the regulations will impose, and the implications of those requirements for their own interests and activities. Those who service this community — dealers and gunsmiths — will also have to acquire the materials and knowledge necessary to enable people to comply with the regulations. Police officers will require training in how to enforce these regulations. Firearms officers will not only have to know how to administer the new requirements, they will also have to be able to advise firearms owners on how to comply with them.

It is imperative that those who must comply with the regulations have sufficient advance notice to prepare. The materials necessary for storage requirements must be purchased and put in place, magazines must be altered to bring them within the prescribed limits, and so on. The "Summary of Implementation Dates" that sets out when the government proposes to

bring these regulations into force can be found at Appendix II to this report. It is to be noted that, except for those requirements applicable to genuine gun collectors, the regulations would not come into effect until January, 1993.

Finally, even if simplified, the regulations themselves will still be too complex to serve as practical guides for firearms owners. Any education campaigns must include the availability of interpretation guides written in simple language, for the use of both firearms owners and firearms officers. Besides setting out the steps firearms owners must or should take, they can also indicate what options may be available in regard to those general standards which can be met in a number of ways. Some of these guides should be in the form of "householders", so that they can be widely distributed.

Recommendation 2

The Committee recommends that the implementation of the regulations be preceded and accompanied by vigorous, comprehensive and varied education campaigns directed at firearms owners, dealers, gunsmiths, police officers, firearms officers and the general public.

Recommendation 3

The Committee recommends that those who will be affected by the regulations be alerted by these education campaigns as to when the government proposes to bring the regulations into effect.

Recommendation 4

The Committee recommends that interpretation guides be prepared and issued by the Department of Justice that set out in clear, simple language what the effect of the regulations will be upon different classes of firearms owners.

3. FUTURE REGULATORY ISSUES

One of the sets of draft regulations before us deals with the new requirements that will apply to the FAC screening process. A revised fee structure, and the class of persons eligible to act as references for FAC applicants, would be established. Witnesses addressing these regulations were also concerned about the implementation of these measures. In particular, issues were raised as to how the revised FAC application form would deal with them on a practical level.

One witness recommended that the form should remind applicants that the statute now provides for a more expeditious procedure, and a fee which is half the normal amount, when an FAC is being renewed. Others strongly recommended that the form should provide for the names, addresses, phone numbers, relationship, and particularly the *signatures* of references.

The new form will be prescribed by the Commissioner of the RCMP, and is not before the Committee at this time. What's more, it is not subject to the parliamentary review provision in section 116(2) of the *Code*, and thus there is no requirement that it be laid before Parliament

before being put into effect. The Committee believes, however, that the sufficiency of the revised form will be an important factor in the effectiveness of the new process, and that there should be an opportunity for parliamentarians and the public to review and comment on its content before it is formally prescribed.

Recommendation 5

The Committee recommends that the revised *application form* for the Firearms Acquisition Certificate, which will follow these regulations and be prescribed by the Commissioner of the RCMP, should be published in the *Canada Gazette* in a draft form before being finalized, so that there will be an opportunity for comment on its proposed contents.

4. CONSISTENCY BETWEEN THE ENGLISH AND FRENCH VERSIONS

Questions were raised by several witnesses as to whether the French and English versions of various provisions were consistent. The Committee does not believe that any specific recommendations are necessary to deal with these possible discrepancies, but it would note that the Department of Justice is aware of all of these questions. It is confident that the Department will ensure that no such inconsistencies will appear in the final form of the regulations.

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CHAPTER 3

STORAGE, DISPLAY, HANDLING AND TRANSPORTATION REGULATIONS

1. DEFINITIONS OF “STORAGE”, “DISPLAY”, “HANDLING” AND “TRANSPORTATION”

Numerous concerns were voiced as to the meaning and application of the four key terms used in these regulations — storage, display, handling and transportation. Several witnesses urged that all of these terms be defined so as to clarify whether various activities were covered by them. For example, it was questioned whether those carrying firearms while hunting were “transporting” them, whether hunting guns were being “stored” at wilderness camps whenever they were not actually being used, or whether firearms were on “display” whenever they were visible to others.

The Committee believes that the general meaning of these words is clear enough, and that comprehensive definitions of all of these terms might simply create as many problems as they would solve. The real difficulty lies in grey areas that would not necessarily be clarified by a general definition. We think that these particular problems might better be dealt with by clarifying where necessary the application of specific provisions to specific activities about which questions have been raised, or by inserting an appropriate exemption.

2. EXEMPTIONS FOR POLICE ACTIVITIES

(Section 3 — Additional exemptions)

The draft regulations say nothing about their application to the storage, display, handling and transportation of firearms by police officers. It seems obvious that if applied without exemption the requirements they would impose could certainly hamper the police in their task of protecting the public. No one would want such a result, and numerous witnesses urged that express exemptions were needed to ensure that this problem could not arise. Indeed, the absence of an exemption for police activities would appear to be an inadvertent gap in the regulations as drafted.

Several different exemptions would appear to be necessary. While engaged in their duties, officers will obviously need to carry and transport loaded, unlocked service firearms. It should also be made clear that police firearms stored in police facilities would not be subject to the regulations. Whether they are service revolvers which officers have left at the station when they are not on duty, or other firearms being kept ready for situations in which they are needed, there is no doubt that they are already stored under secure conditions, and the Committee is satisfied that no further security requirements are necessary.

Police forces must also store and transport, and occasionally display, firearms seized as evidence or turned in during an amnesty. These guns must be stored in police repositories until they are required at a trial, or are disposed of; they are sometimes displayed in notorious cases for the media under police supervision; and they must be transported by police officers to court. All of this has to be accomplished with as little handling as possible, so that their evidentiary value is not lost. Installing and removing locking devices could destroy valuable evidence, and would appear to be simply unnecessary.

Finally, it seems obvious that a general exemption is also needed to cover correctional officers and military personnel when they are engaged in the execution of their duties.

Recommendation 6

The Committee recommends that a general exemption be added to the regulations for police officers, correctional officers and military personnel, applicable while they are engaged in the lawful performance of their duties.

Recommendation 7

The Committee recommends that a general exemption be added to the regulations for police service firearms while they are being stored in police facilities.

Recommendation 8

The Committee recommends that an exemption be added to the regulations for the storage, display and transportation of firearms seized as evidence or turned in during an amnesty, which would apply while they are being stored in police repositories, while they are being displayed under the immediate supervision of police officers, or while they are being transported by police officers to court or to another police facility.

All the witnesses were in agreement that if police officers take their service firearms home they should normally be subject to the same storage requirements as any private individual. The Committee endorses this principle, but notes that there should be certain limited exceptions. Undercover officers may in a sense still be on duty while they are at home, and standby officers may have to be able to respond at a moment's notice even when they are technically off duty.

It was recommended by representatives of the police community that a strictly limited exemption should apply in such circumstances. It should be invoked only on the written instructions of the officer's Chief of Police, and should be subject to any conditions spelled out in those instructions. The best way to do this might be to "deem" officers to be on duty whenever they have written instructions requiring that they keep their service firearms readily accessible.

Recommendation 9

The Committee recommends that police officers be deemed to be in the lawful execution of their duties at any time when they have written instructions from their Chief of Police that specifically require them to keep their service firearms readily available.

3. EXEMPTION FOR PERSONS SPECIALLY AUTHORIZED TO POSSESS AND CARRY RESTRICTED FIREARMS FOR SELF-PROTECTION

(Section 3 — additional exemption: applies to sections 8, 9, 11 and 14)

A small number of individuals have been issued a restricted weapon registration certificate that allows them to possess handguns for the purpose of protecting their lives. Such certificates are rare, and issued only where the person has been able to demonstrate that his or her life has been threatened or is clearly at risk. This permits them to possess handguns for self-protection and keep them at their homes or businesses (pursuant to section 109(3)(c)(i) of the *Criminal Code*). Some of these persons, a very small group that may number less than a hundred across Canada, may also be authorized to carry their handguns with them at all times (pursuant to sections 110(1) and (2)(a)). Carry permits for this purpose are very rarely issued, and applicants would have to demonstrate a special and solid reason for being in constant fear of their lives.

These people will clearly have to keep their restricted weapons operable and loaded, either at their home or business or on their person if they have a carry permit for that purpose, if the firearm is to be readily available for self-protection. The Committee does not wish to encourage the use of firearms for this purpose, but it notes that permission is required, and that the authorities rarely grant it. We are satisfied that these cases will be rare and based on overwhelming reasons. The Committee presumes that anyone given such special permission can be counted on to ensure that the restricted firearm is not stored so as to be accessible to children or other family members, or so as to be open to theft or tampering.

Recommendation 10

The Committee recommends that an appropriate exemption be added to the regulations that would allow those private individuals who are specially authorized to possess and in some cases carry restricted firearms for self-protection to keep those firearms operable and loaded, notwithstanding the regulations, when required for this purpose.

4. STORAGE OF NON-RESTRICTED FIREARMS AT WILDERNESS CAMPS

(Sections 4 and 5 — exemption)

Whether the storage requirements regarding non-restricted firearms — hunting rifles and shotguns — do or should apply to the circumstances of wilderness camps has been questioned. People other than an owner who lives at the camp all the time or during an entire season will only be staying there on a temporary basis, usually very temporary, and will be there for the purpose of using their firearms for hunting or other legitimate pursuits. Many aboriginal people in particular spend much of their time away from home, hunting or working

traplines in remote areas, with their firearms in frequent use. If it was intended that storage requirements would apply in such cases, the Committee believes that they should not be so applied.

The use of locking devices or locked containers at a wilderness location would be unnecessary and cumbersome. If animals posed a danger, firearms might also have to be kept loaded. Such camps are by definition located in remote areas that are often inaccessible by other than four-wheel drive vehicles, planes or boats. Firearms in such locations thus pose little if any danger to public safety.

Recommendation 11

The Committee recommends that an appropriate exemption be added that would ensure that the storage requirements did not apply to the non-restricted firearms of those temporarily residing at wilderness camps.

5. GENERAL STANDARDS — STORAGE OF NON-RESTRICTED FIREARMS

(Section 4(b))

The draft regulations contain a number of general standards concerning the adequacy of the construction of containers for firearms, the irreversibility of alterations made to bring ammunition magazines into compliance with prescribed limits, and so on. Most of those standards have been questioned by firearms owners concerned that they do not know exactly what they must do to comply, and by gun control advocates concerned that the standard may be too loosely interpreted.

The most common complaint has been about the requirement in section 4(b) that a container, receptacle or room for the storage of firearms must be constructed of such a standard "that it cannot *readily* be broken open". A number of suggestions have been made as to how this standard might be further described so as to better define the level of resistance to forcible opening that is required. Some have recommended that it should be immune to being opened by "normal human strength". Others suggest that the container should also be able to survive attempts to open it "with the use of readily available tools".

As with the question of defining the meaning of such terms as "storage", the Committee is not persuaded that attempts to further define these standards will deal with the concerns that witnesses have expressed. The Committee believes that the intent of the prescribed standards is clear enough. The container must be "substantial" enough to provide a reasonable level of resistance to forcible opening. Further description of this level might simply lead to debates about the meaning of the descriptive words added.

The Committee would make several points about the concerns which have been expressed. It would be unfeasible, and undesirable, to attempt to prescribe detailed standards of construction — materials, thicknesses, specifications as to fasteners, and so on — that could be followed like a set of plans. This would create rigid, inflexible requirements that would make the regulations more onerous and less effective. It would also be unnecessary.

The Committee believes that in the vast majority of cases there will be little doubt as to whether a container cannot “readily” be broken open. Everyone would surely agree that a wooden container that could be kicked open would not be good enough; a metal safe clearly would suffice. Any standard that allows the flexibility that we feel is essential will necessarily allow some room for interpretation, and there will be a grey area in the middle where reasonable people might differ.

We do not believe that problems as a result of this potential grey area will arise frequently. Nor will they have the calamitous effect that many obviously fear if and when they do arise. It is a misunderstanding as to the applicable standards of criminal law that is the real source of the concern. Many seem to fear that if they guess wrong about where the line might be drawn they will face criminal liability. That is simply not the case.

The Committee would note that no one will be automatically subject to a charge or a conviction because a firearms officer and a judge take a different view as to what “readily” means in a particular case. The offence will not be of the sort that are described as “absolute liability”. Some level of criminal intent will be required. The effect will be that so long as the person acts in good faith and makes reasonable efforts to meet the prescribed standard, that person will in legal terms be in sufficient compliance with the regulations. In addition, those who do make reasonable efforts are unlikely to be charged, much less convicted. Firearms officers can be expected to act reasonably and exercise a certain amount of discretion.

Over the course of time experience will be accumulated that should alleviate the present concerns. Guidelines will no doubt be developed that should shrink any grey areas to a relatively insignificant size.

Recommendation 12

The Committee recommends that the phrase “cannot *readily* be broken open” not be amplified by further descriptive terms. The Committee would make the same recommendation in regard to the use of the term “readily”, and similar terms, where they are used throughout the draft regulations.

6. STORAGE OF NON-RESTRICTED FIREARMS – FURTHER OPTIONS

(Section 4(b))

The basic requirement for the storage of non-restricted firearms is that they be “rendered *inoperable*” by being secured by a locking device or kept in a locked container, receptacle or room. The Committee endorses the concept of these firearms being rendered “inoperable” so that they cannot be used by children or other unauthorized persons. This is what might be described as an “anti-tampering” standard. It would not prevent the firearm from being stolen, but it would provide a reasonable level of security against accidents, suicides by family members, and so on.

Since the important issue is whether the firearm is rendered inoperable, the Committee believes that at least one further means of achieving this objective should be recognized and expressly permitted as a further option. It would involve disabling the firearm by the removal

of an essential part, and securing this part by either locking it up or disposing of it. The latter requirement would be necessary so that children and other persons would not be able to simply find the part and re-assemble the firearm.

In the case of a bolt-action rifle, removal of the bolt may be all that is required. In other cases, removal of an essential part may be quite difficult, but that is no reason not to permit it as an option where it is feasible and would afford the same level of anti-tampering security. Several witnesses indeed maintained that disabling a firearm by removing and securing a part could not only be equally effective as an anti-tampering method, but would at the same time offer better protection against theft. It was noted that a firearm with a locking device could simply be taken and worked on at the thief's leisure. If the lock could be removed, the thief would have a working firearm.

Recommendation 13

The Committee recommends that a further optional means of rendering non-restricted firearms inoperable be permitted. It would involve disabling the firearm by the removal of an essential part, and the storage of this part in a securely locked container, receptacle or room, or the complete disposal of the part.

7. STORAGE OF FIREARMS APART FROM AMMUNITION

(Sections 5 and 9(b) – clarification)

The regulations require that both non-restricted and restricted firearms not be stored with their ammunition, unless that ammunition is locked up. Some witnesses urged that it should be required that the ammunition be in a *separate* locked container from that in which the firearm may be stored, if that is the option chosen; others recommended that storage of both firearms and ammunition in the same locked container should be sufficient. The Committee understands that the latter is the intent of the provisions as drafted. The Committee does not recommend that this intent be changed, but clearly the drafting needs to be clarified so that the intended requirement becomes apparent.

Recommendation 14

The Committee recommends that these provisions be clarified. It should be made apparent that the ammunition must either be kept apart from the firearm or locked up, but that it need not be in a *separate* locked container, receptacle or room.

A question has also been raised concerning the technical description of the ammunition which must be stored apart from the firearm. The sections refer to cartridges that are "capable" of being discharged from that firearm. It has been recommended that the reference should be to cartridges "designed" to be discharged from it. The reason is apparently that cartridges that are not designed for a particular firearm might nonetheless be usable in that model, as well as in whatever gun they were designed for, and the owner might not be aware of this.

The Committee is of the view that any confusion would be entirely eliminated if the regulations required that *all* firearms be stored apart from *all* ammunition, unless the ammunition is locked up. This would in any case be a simpler and more effective requirement.

Recommendation 15

The Committee recommends that these provisions be clarified so as to require *all* firearms to be kept separate from *all* ammunition, unless that ammunition is in a locked container, receptacle or room.

8. STORAGE AND DISPLAY OF RESTRICTED FIREARMS

(Sections 8 – 10)

Sections 8 to 10 are confusing and redundant. Sections 8 and 9 deal with storage and display of restricted firearms, while sections 8 and 10 deal with their display. There are several requirements that are stated more than once. The sections need to be re-drafted in a simpler fashion.

Recommendation 16

The Committee recommends that sections 8 to 10, dealing with the storage and display of restricted firearms, be re-drafted so as to eliminate redundancies and make the requirements clearer.

9. STORAGE OF RESTRICTED FIREARMS – FURTHER OPTIONS

(Sections 8 and 9(b))

The requirements for the storage of restricted firearms, unlike those for non-restricted guns, involve a “double-locking” standard. As opposed to being rendered inoperable either by a locking device or by being kept in a locked container, they must be secured in both ways. Several witnesses criticized this double requirement as being unnecessary, ineffective, and costly in the case of those who own a significant number of restricted firearms, particularly gun collectors.

The Committee has noted in regard to non-restricted firearms that both of the specified standards are basically aimed at anti-tampering protection. If the justification for the double-locking requirement were that it would also provide protection against theft, the double layer of security would clearly add to the public safety objectives of the regulations. We note that most restricted firearms are handguns. They are easily portable, concealable, and the favoured weapon of professional criminals. For these reasons they are attractive to thieves and can easily find their way into the criminal market if stolen from their lawful owners, and thus threaten public safety.

Two levels of anti-tampering security do not add much to the protection of these firearms against theft, although the second level may help to disguise the fact that it is a firearm. Two levels may make accidents and suicides that much less likely, but so would the more stringent methods that many owners of restricted firearms employ. Many have safes and specially protected rooms. These methods are equally effective in preventing tampering and unauthorized use, and offer a strong degree of protection against theft as well. They should not only be permitted but encouraged. Where they are employed, locking devices would seem to be simply unnecessary. A requirement for such a device might act as a disincentive to owners protecting their restricted firearms against both tampering and theft, and will be a needless expense for those who choose to do so in any case.

The Committee would prefer to see a single requirement for restricted firearms that went beyond the anti-tampering standard which applies to non-restricted guns, and mandated a reasonable level of security against theft. Such a standard would involve a container, receptacle or room that provided a stronger degree of protection against forcible removal than the "cannot readily be broken open" criterion that the draft regulations would apply to both non-restricted and restricted firearms, and in the case of a container or receptacle was also *non-portable*. This could be accomplished by the use of a gun safe, a metal locker bolted to the floor or the wall, or a locked closet or room with a reinforced door and lock.

Such a requirement might be unduly onerous, however, for those who own only a single handgun. At the very least, the Committee believes that those whose facilities do meet such a standard should be relieved from the additional requirement that each firearm also have a locking device.

Recommendation 17

The Committee recommends that a further option for the storage of restricted firearms be added that would allow their owners to store them without rendering them inoperable by a locking device if they are kept in a strongly-constructed, securely locked *non-portable* container or receptacle, or in a securely locked room that provides a stronger degree of protection against theft or other unauthorized removal than the draft regulations would otherwise require.

10. DISPLAY OF RESTRICTED FIREARMS

(Section 10(b))

The one standard which the Committee does believe requires further clarification is that which applies to the attachment of restricted firearms while they are on display—they must be attached to a structure such that they "cannot be forcibly removed". Anything can be removed if sufficient force is applied. Presumably the intent is that they be secured in a manner which would make removal difficult without a significant application of force. Some sort of modifying term needs to be added, and we suggest that the same concept of "readily" removable which is applied to storage might suffice.

Recommendation 18

The Committee recommends that the phrase “cannot be forcibly removed” be amended to read “cannot *readily* be forcibly removed”, or be otherwise modified to indicate the degree of resistance to forcible removal that would be required to meet the standard.

11. DISPLAY OF RESTRICTED AND NON-RESTRICTED FIREARMS AT GUN SHOWS AND AUCTIONS

(Additional exemption section – would apply to sections 10(a) and (b), and to section 4(b) as well)

The regulations would require that all firearms be unloaded while on display; that they not be displayed with their ammunition or with ammunition readily accessible; that both restricted and non-restricted firearms be rendered inoperable by locking devices; and that restricted firearms be securely attached to the structure on which they are displayed.

These are all sensible precautions in most circumstances, but the Committee does not believe that they are all necessary or justifiable in the circumstances of sanctioned gun shows and auctions. While firearms at such shows should be unloaded, and normally displayed without their ammunition, locking devices and attachment to a structure would make it extremely difficult to conduct the demonstrations and trading that are the focus of both shows and auctions. The purpose of such shows and auctions is not simply to look at the firearms as part of a static display. People must be able to handle the firearms under the supervision of the owners, and examine them closely, as one of the primary purposes is to ascertain whether they might wish to acquire them.

If those showing guns at these events had to constantly put locking devices on and off, and attach and detach restricted firearms affixed to a table, these trading activities would become cumbersome at best and practically unfeasible at worst. If this was required in the interests of public safety, the Committee would have no hesitation in agreeing that those displaying at gun shows would simply have to cope with the difficulty. The Committee is not satisfied that these shows pose any such threat. The firearms at these shows and auctions are valuable. They are under the watchful eyes of their owners, and any handling of them is closely supervised by those owners. Off-duty police officers or armed security guards are often hired to provide general supervision and protection.

The Committee heard evidence concerning the record of shows and auctions conducted by legitimate collectors and shooting organizations. It would not appear that unlocked and unattached firearms have, to any significant degree, been the subject either of theft or of accidental or intentional misuse at these events. The Committee expects that this record will be maintained without the imposition of locking and attachment requirements, and that public safety will not be threatened. There would appear to be no need to hamper the activities of these shows and auctions if there is no substantial danger to be prevented.

Recommendation 19

The Committee recommends that an exemption be added for the display of non-restricted and restricted firearms at legitimate *gun shows and auctions*. The exemption would allow non-restricted firearms to be displayed without locking devices, and allow restricted firearms to be displayed without locking devices and without being securely attached to the display structure.

12. DISPLAY OF RESTRICTED FIREARMS IN OTHER CIRCUMSTANCES

(Section 10(b))

While the Committee does not believe that the proposed display requirements for restricted firearms are necessary in the context of supervised gun shows and auctions, we think that somewhat stricter requirements should apply in all other circumstances. When these firearms are displayed in homes or similar locations, the degree of supervision and control that is present at shows and auctions cannot be guaranteed. Nor is there the same need for the firearm to be accessible for handling.

The draft regulations would require the restricted firearm to be securely attached to a structure, but they say nothing about whether the structure itself might be removable. The regulations should guarantee a reasonable degree of protection against theft. Unless the firearm is attached to a structure that cannot be carried away, except by extraordinary means, the attachment of the gun to that structure could be merely a hindrance if the display was unattended. We believe that it should be specified in the regulations that the structure be *non-portable*.

Recommendation 20

The Committee recommends that section 10 (b) be amended to require that restricted firearms on display, in circumstances other than at legitimate gun shows and auctions, be securely attached to a *non-portable* structure.

13. DISPLAY OF FIREARMS WITH AMMUNITION AT GUN SHOWS

(Additional exemption section – would apply to sections 6 and 10(c))

The Committee would agree that firearms, particularly restricted firearms, should normally not be displayed with their ammunition. At certain shows run by highly reputable collectors organizations, however, the ammunition itself or the unique manner in which it feeds into the gun may be of almost as much interest as the gun itself. This will often be the case where the firearms on display are historical military collector's items. The organizations that sanction these events have an enviable safety record, and often give demonstrations to the military or at military facilities.

In these circumstances, the Committee believes that an exception should be made from the requirement that firearms and ammunition never be displayed together. Because the exemption would depend on the nature of the organization running the event, and the circumstances in which it would take place, we feel that permission for such displays would have to be given on a case by case basis by a responsible official. As most of these shows would involve some restricted firearms, and thus require that transport permits for the movement of those guns be issued by the local registrar of firearms (pursuant to section 110(3) of the *Code*), the registrar could at the same time authorize the exemption.

Recommendation 21

The Committee recommends that an exemption be added to the regulations allowing firearms to be displayed *with* the ammunition usable in them at gun shows, particularly those which include historical military collector's items, where the specific written authorization of the local registrar of firearms has been obtained.

14. CLARIFICATION OF THE APPLICATION OF THE TRANSPORTATION REQUIREMENTS

(Sections 12 to 14)

The Committee understands that hunters and shooters who are carrying firearms while lawfully hunting or participating in other legitimate shooting activities would not be regarded at that point as being involved in "transporting" them, and thus would not have to be concerned about the transportation requirements. Many hunters and other shooters are not satisfied that this is clear. Sections 12 to 14 should be clarified to make it apparent so that there will be no confusion on this key point.

Recommendation 22

The Committee recommends that sections 12 to 14 of the regulations be clarified so as to make it apparent that the transportation requirements would not apply while firearms owners were actually in the process of lawfully hunting or participating in other legitimate shooting activities or competitions.

There have also been numerous questions raised as to whether these requirements would apply when hunters and others, while on their way to participate in shooting sports, were carrying their firearms on foot, on horseback, or in a similar fashion. While it may be that it is intended pursuant to section 12 that the guns would in these circumstances have to be unloaded until the owners arrived at the area where the hunting or other activity would actually take place, section 13 refers only to transportation in "vehicles". The Committee believes that these requirements should apply to any mode of transportation, and be applicable all the time during which firearms are being taken from where they were stored to the area where they will actually be used. They should also apply in circumstances where the hunting or other shooting activity has ceased, and the firearms are being transported to another location where the activity will resume. These provisions should be amended as necessary to make all of this clear.

Recommendation 23

The Committee recommends that the transportation requirements be amended to make it clear that they apply to any mode of transportation, including the carrying of firearms on foot. It should also be made clear that they apply at all times when the firearm is being transported from the place where it is stored to the area where it will be used, or from one such area to another.

15. TRANSPORTATION OF RESTRICTED FIREARMS

(Section 14—amendment)

Section 14 requires that restricted firearms be transported in a locked case or a container that “cannot readily be broken or opened accidentally”. It was not apparent to the Committee what sort of *unlocked* container would be regarded as constituting an acceptable alternative to a locked case, but it is understood that this has something to do with transportation on airlines or in similar circumstances. This is not apparent from the drafting of the section, and the provision appears to offer both alternatives in all cases. The Committee is of the view that separate provisions should be designed for transportation by commercial shippers if different requirements are to be applicable in those cases. The basic provision should make it clear that only a locked case would suffice.

Recommendation 24

The Committee recommends that the option of a *non-locked* container “that cannot readily be broken open” be deleted from section 14, so that the regulations would require that restricted firearms be transported in a *locked case*, and that separate provisions applicable to commercial shipments be designed if different standards are required in those circumstances.

CHAPTER 4

FIREARMS ACQUISITION CERTIFICATE REGULATIONS

1. FEES

(Section 3)

Concern was expressed to the Committee by the representatives of firearms owners that the proposed fee for individuals was higher than what was required to cover the costs of administering the FAC screening system, and by representatives of gun control advocacy organizations that it might be too low to cover the costs of proper screening, including community checks. The Committee agrees that the fee must be high enough to provide for cost recovery, but no higher. We note that the Standing Joint Committee for the Scrutiny of Regulations has requested full documentation on the basis for the proposed fee from the Department of Justice. That Committee will be pursuing this issue, and we are confident that it will ensure that the proposed fee will neither cost FAC applicants more than is required to maintain the system, nor result in the system incurring a loss.

Recommendation 25

The Committee recommends that the proposed FAC fees be reviewed to ensure that they accurately reflect cost recovery.

2. PERSONS ELIGIBLE TO BE REFERENCES

(Section 5 – additions to the class)

In general the Committee believes that the proposed class of references is broad enough to allow FAC applicants a reasonable opportunity to fulfill this new requirement of the screening process. A number of the groups proposed for inclusion, however, would add a different kind of potential reference that we feel would enhance the effectiveness of this requirement. Those groups involve persons who have supervisory or education roles in the shooting sports, or in activities involving firearms, either as public officials or in responsible positions within the firearms community.

We think that these persons would bring an additional element of expertise to the process, and would add a valuable perspective regarding the suitability of those applying for FACs. We also believe that they could be counted on to take a very serious view of the responsibility involved in confirming the information submitted by someone applying to be allowed to acquire a firearm, and would thus make excellent references.

Recommendation 26

The Committee recommends that the following groups be considered for inclusion in the list of persons eligible to act as references for FAC applications: conservation officers and game wardens; wildlife biologists; certified hunter education instructors; accredited firearms safety training instructors; certified range officers; and military officers.

3. ALTERNATIVE COMPETENCY CERTIFICATION BY A FIREARMS OFFICER

(Section 6—amendments)

Bill C-17 provided that some FAC applicants would not be required to complete the course or test which will be required of all others, in order to demonstrate competence in the use of firearms, and knowledge of the laws regulating them. The circumstances in which a firearms officer could certify an applicant for an FAC were to be described in the regulations. As expected, the regulations afford this alternative to those who have already been gun owners for a significant period of time before they seek an FAC (in order to acquire other firearms) under the new rules. This will afford a basis during the transitional period to certify long-time firearms owners who can readily demonstrate competence and the required knowledge. The Committee agrees that a course or a test in these circumstances would, in most cases, be unnecessary.

There is a drafting problem in the description of one of the prerequisites for alternative certification. Section 6(a) provides that they would not have “successfully completed” a course or test. This suggests that they might have taken the course or test, and either failed to complete the course or were unsuccessful in taking the test. We presume that this is not the intent, and that the reference should be to those who have not “taken” a course or test.

Recommendation 27

The Committee recommends that only those who have not “taken” a competency course or test be eligible to apply for alternative certification by a firearms officer, so that it would be clear that those who take and fail or do not complete a course or test would not be eligible for such certification.

The other prerequisite is that the applicant have been the owner of a firearm for a period of at least five years. A number of witnesses suggested that this is too short a period of time to justify access to certification without a course or a test, and one recommendation was that it should be restricted to those who acquired firearms before a competency requirement was first enacted in 1977, although this requirement was never proclaimed in force.

If the competency requirement had been proclaimed as part of the FAC process when the provisions establishing the new system were brought into force, a course or a test would have been required after 1 January, 1979. We believe that this would be an appropriate eligibility

date for alternative certification. After that date, those who acquired firearms might be regarded as having been on notice that Parliament regarded the completion of such a course or test to be a necessary element of the requirements for FAC applicants, although administrative difficulties prevented the requirement from being applied to them.

Recommendation 28

The Committee recommends that only those who owned firearms prior to 1 January 1979 should be eligible for alternative competency certification.

(Section 1(2) — additional exemption)

The prohibition of large-capacity magazines is intended to protect the public by limiting the overall fire-power of modern guns in the hands of criminals and disturbed persons. The effect of the prohibition, however, also reaches many firearms magazines that pose no significant danger to public safety, because of the nature of the magazines and that of the persons who possess them. In particular, magazines that are of interest to, and in the hands of, sporting collectors, would appear to pose no real danger.

Many of these magazines are of historical value, and many are too rare and valuable to be of use to anyone but a serious collector. Some of these magazines could be altered to bring them into compliance with the proposed limits on capacity, but others could not, and any alterations would diminish their value as collector's items. Banning these magazines would lead to the loss of items of heritage value, and a significant and unnecessary loss to their owners, without any offsetting benefit to public safety.

Representatives of gun collectors organisations and individual collectors urged the Committee to find some way to prevent these regulations from having this unfortunate effect. They asked the Committee to recommend that gun collectors be exempted as a class from the application of the regulations, or that the magazines as a class be exempted from the prohibitions. Their case is a strong one. Their record of safety is commendable, and the Committee agrees that the magazines which they most wish to preserve pose a negligible risk to society.

The regulation-making power would not, however, extend to provisions that exempted gun collectors or any other group of persons from the effect of the prohibitions. The power may only be used to designate which magazines would be prohibited and which would not. Those included would be prohibited in the hands of anyone not exempted by the Criminal Code itself. Bill C-17 provided only for an exemption for competition shooters under a controlled system. Any similar exemption for collectors would have to be added in the Code as well.

All of the other approaches which were urged upon us would likewise appear to be beyond the power of the regulators to implement. Prohibited magazines could not be grandfathered, to make the prohibition dependent on the intention of the owner not to use them for actual shooting. Magazines could not be "grandfathered" so as to exempt those now in the hands of collectors without a separation system for these protected magazines being established within the provisions of the Criminal Code.

date for alternative certification. After that date, those who acquired firearms might be regarded as having been on notice that Parliament regarded the completion of such a course or test as a necessary prerequisite for the issuance of a license to carry a handgun. Although the Commission has not yet received any information regarding the completion of such a course or test, it is noted that the Commission has received information regarding the completion of such a course or test by a number of individuals, including police officers, hunters, and military personnel.

The Commission recommends that only those who owned firearms prior to 1 January 1979 should be eligible for alternative competency certification.

3. ALTERNATIVE COMPETENCY CERTIFICATION BY A FIREARMS OFFICER

(Section 4 - amendments)

The Commission is of the view that applicants would not be required to complete the course or test which will be required of all others, in order to demonstrate competence in the use of firearms and knowledge of the law regulating them. The circumstances in which a firearms officer could certify an applicant for an FAL were to be described in the regulations. As a prelude, the regulations should allow alternative to those who have already been gun owners for a significant period of time (such as they seek an FAL) in order to acquire other firearms under the new law. This will afford a basis during the transitional period to certify long-time firearms owners who can readily demonstrate competence and the required knowledge. The Commission is of the view that a course or a test in these circumstances would, in most cases, be unnecessary.

There is a drafting problem in the description of one of the prerequisites for alternative certification. Section 4(1) provides that they would not have "successfully completed" a course or test. This suggests that they might have taken the course or test, and either failed to complete the course or were unsuccessful in taking the test. The Commission is of the view that this is not the intent, and that the intention should be that those who have "taken" a course or test.

Recommendation 3

The Commission recommends that the law should not require a person to "take" a competency course or test in order to apply for alternative certification by a firearms officer, so long as the person has previously owned a firearm and has not completed a course or test which would require the person to do so.

The Commission is of the view that the law should not require a person to "take" a competency course or test in order to apply for alternative certification by a firearms officer, so long as the person has previously owned a firearm and has not completed a course or test which would require the person to do so.

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CHAPTER 5

CARTRIDGE MAGAZINE CONTROL REGULATIONS

1. EXEMPTION OF RARE "COLLECTOR'S ITEM" MAGAZINES

(Section 3(2) — additional exemption)

The prohibition of large-capacity magazines is intended to protect the public by limiting the overall fire-power of modern guns in the hands of criminals and disturbed persons. The effect of the prohibition, however, also reaches many firearms magazines that pose no significant danger to public safety, because of the nature of the magazines and that of the persons who possess them. In particular, magazines that are of interest to, and in the hands of legitimate collectors, would appear to pose no real danger.

Many of these magazines are of historical value, and many are too rare and valuable to be of use to anyone but a serious collector. Some of these magazines could be altered to bring them into compliance with the proposed limits on capacity, but others could not, and any alterations would diminish their value as collector's items. Banning these magazines would lead to the loss of items of heritage value, and a significant and unnecessary loss to their owners, without any offsetting benefit to public safety.

Representatives of gun collectors organizations and individual collectors urged the Committee to find some way to prevent these regulations from having this unfortunate effect. They asked the Committee to recommend that gun collectors be exempted as a class from the application of the regulations, or that the magazines as a class be exempted from the prohibitions. Their case is a strong one. Their record of safety is commendable, and the Committee agrees that the magazines which they most wish to preserve pose a negligible risk to society.

The regulation-making power would not, however, extend to provisions that exempted gun collectors or any other group of persons from the effect of the prohibitions. The power may only be used to designate which magazines would be prohibited and which would not. Those included would be prohibited in the hands of anyone not exempted by the *Criminal Code* itself. Bill C-17 provided only for an exemption for competition shooters under a controlled system. Any similar exemption for collectors would have to be added to the *Code* as well.

All of the other approaches which were urged upon us would likewise appear to be beyond the power of the regulations to implement. Prohibited magazines could not be defined so as to make the prohibition dependent on the intention of the owner not to use them for actual shooting. Magazines could not be "grandfathered" so as to exempt those now in the hands of collectors without a registration system for these protected magazines being established within the provisions of the *Criminal Code*.

It was also suggested to us that collectors engage in competitions among themselves, and could thus be regarded as coming within the statutory exemption for competition shooters. If so, this result would not be something that the regulations could in any way implement. It would depend upon the interpretation and application of the statutory provision.

The only approach that would appear to be possible in the regulations themselves would require the exemption of particular collector's item magazines on a model-by-model basis. This presents obvious difficulties, but the Committee believes that the effort is nonetheless called for. We would recommend, however, that only those magazines which are both rare and valuable be considered for inclusion in an exemption schedule. This would make the task at least feasible by limiting its scope, but would cover those items for which the case for preservation is the strongest.

Within the scope of such a definition would be the historical military systems involving drums, links, belts, and feed strips which were described to us, as well as rare box designs, and other magazines which are of most value to collectors. It could presumably also cover rare historical guns with built-in magazines that would be over-capacity under the proposed regulations and could not be altered, and would thus prevent the regulations from having the inadvertent effect of banning these valuable firearms.

Recommendation 29

The Committee recommends that specific exemptions from these regulations be added for cartridge magazine models that are determined by the Department of Justice to be both rare and valuable military collector's items of historical significance, or to be built-in components of such collector's items.

2. MAGAZINE LIMITS FOR "ASSAULT PISTOLS"

(Additional section — would apply to section 3(1)(a))

There would appear to be an anomaly in the effect of the magazine capacity limits prescribed in the draft regulations. Handguns would be permitted a capacity of ten, while long guns would be limited to five cartridges. The Committee was advised that there are semi-automatic handgun versions of submachine guns and other "assault" weapons, such as the Uzi and the Ingram. These firearms may become prohibited by order in council when the promised action on military and para-military weapons is taken by the government, but if not they would be permitted the same magazine capacity as normal handguns. We believe that either these dangerous non-sporting firearms should themselves be banned, or that at the very least they should not be given the benefit of the larger magazine limit intended for sporting handguns.

Recommendation 30

The Committee recommends that if those handguns which could be described as "assault pistols" are not made prohibited weapons by order in council, consideration be given to amending the draft regulations to ensure that the magazines for such "assault pistols" would be limited to a capacity of *five* cartridges.

3. THE EXEMPTION FOR RIMFIRE CARTRIDGE MAGAZINES

(Section 3(2)(a))

Several witnesses objected strongly to the exemption of magazines designed for .22 calibre rimfire rifles. They pointed out that such rifles, although low-powered, can nonetheless have lethal effect. The Committee understands that the exemption was in part based on the fact that these firearms are low-powered, but that the primary reason for it was the very large number of .22s in use in Canada. These rifles commonly have detachable or built-in magazines with a capacity greater than five cartridges. Some of these magazines could not be altered to bring them within the prescribed limit, and the expense in doing so where it was possible might not be justified in any case given the relatively low cost of the firearms themselves.

The Committee appreciates the rationale for the exemption of those rimfire rifle magazines presently in Canadians' hands. We believe, however, there is no reason why the continued importation and sale of rimfire magazines with unlimited capacities should be permitted. We would therefore recommend that the government take steps to ban the importing and the retail sale of over-capacity rimfire magazines in the future. Such measures should not affect the possession of these magazines, or their private sale by those who are not firearms dealers, and who are simply selling their used .22 calibre rifles and magazines.

Recommendation 31

The Committee recommends that the government take steps to prohibit the future importation, or the sale by firearms dealers, of over-capacity magazines designed for rimfire rifles.

CHAPTER 6

GENUINE GUN COLLECTOR REGULATIONS

1. RECORD-KEEPING REQUIREMENTS – RETROACTIVITY

(Sections 3 and 4)

One of the significant additions to the gun control system enacted by Bill C-17 was a definition of “genuine gun collector”. Collectors are one of the groups of recreational gun owners, along with target shooters, who are permitted by the *Criminal Code* to acquire restricted firearms. The new definition will for the first time impose substantive requirements on these persons.

One of the requirements of the definition is that gun collectors keep records concerning their collections. The regulations would specify what records must be created and maintained, how long they must be retained after the restricted weapon involved leaves the collection, and where these records must be kept. One of the concerns expressed about the proposed requirements is the extent to which they could involve the creation of records concerning past events.

While most of the information which the regulations would require collectors to enter into their records are matters of present knowledge — a description of each restricted firearm in the collection, a copy of the registration certificate, and so on — some would involve such things as the details of the acquisition of each firearm. In some cases the gun may have been acquired some time ago, and the information may simply not be available.

The Committee presumes that the regulations would not lead to unreasonable or impossible demands being made on collectors, but we understand that some retroactive application of the requirements may be contemplated. If any retroactive application is legally justifiable and reasonably required, it must be strictly limited. We believe that there should be no such application if it has the effect of causing any significant problems for collectors who are attempting in good faith to comply with the new requirements.

We believe that this problem can be avoided, and a reasonable application of the regulations ensured, by providing expressly that no collector would be required to create a record concerning information that is not available after the regulations come into force. If collectors are to be asked to provide any information about the acquisition of firearms, or any other matter, that occurred before the implementation of the regulations, the system must accept their best recollection.

Recommendation 32

The Committee recommends that a provision be added to the record-keeping provisions that ensures that these requirements would not apply so as to require collectors to create records concerning information that is not available to them, or within their best recollection, at the time when these regulations come into force.

2. RETENTION OF RECORDS

(Section 4)

Witnesses have criticized the record-keeping provisions as requiring an unnecessary duplication of records already maintained by the restricted weapons registration system. The Committee was not made aware of all of the purposes which these requirements are intended to fulfill. We understand, however, that much of the reason may lie in the need to fill gaps in the continuity of the registration system which can occur when restricted firearms are transferred. Thus, the collector would be required to maintain records concerning acquisition and transfer, and to keep these records for a period of at least a year after the firearm ceased to be part of his or her collection.

The Committee was presented with the suggestion that the purposes of these requirements could better be accomplished in a manner that would be simpler and less onerous for collectors, and which would at the same time provide better information for the registration system. This suggestion would involve a "three-leaf" registration form, but there may be other equally effective approaches.

The three-leaf system would involve a form which could be endorsed with all or most of the information concerning the former and present owner that the regulations would require the collector to keep as private records. Upon transfer, the details concerning the purchaser and the circumstances of the sale could be added, and copies retained by both the vendor and the purchaser. The third copy could be fed into the registration system, and all three parties — the vendor, the purchaser, and the registration system — would have copies of all the information and evidence required to trace the movement of the restricted firearm.

The Committee believes that this idea should be given serious consideration. If this approach, or a similar one, were found to be feasible and adopted, we think that many of the record-keeping requirements that the regulations would impose on collectors would then become unnecessary, and could be deleted.

Recommendation 33

The Committee recommends that consideration be given to a new system for registering restricted weapons, such as a "three-leaf" certificate system, that would allow for a simpler and more effective approach to the recording and distribution of the information required as part of the record-keeping provisions of these regulations. The Committee further recommends that if such a system is adopted, the record-keeping requirements of these regulations be reviewed and unnecessary provisions deleted.

3. INSPECTIONS — GENERAL OBSERVATIONS

(Section 7)

The provision regarding the periodic inspection of a collector's premises has occasioned much confusion and alarm. Collectors have expressed concern and indignation at the prospect that firearms officers would be able to enter their homes without consent, and might

even enter the premises forcibly if the collector was not at home or would not permit them entry. The Committee would like to make the nature of this provision clear, and thus alleviate as many of these concerns as possible.

The requirement for inspection of the premises in which collections of restricted firearms are kept is to be found in the definition of "genuine gun collector" enacted by Bill C-17. The new statutory definition provides that such a collector is someone who has "consented to the periodic inspection" of those premises. The regulations deal only with the process by which inspections would be conducted, including such matters as when they would take place, the notice that would be given, and so on.

The requirement is thus to be found in the *Criminal Code*, not the regulations, and it involves a consent to inspection as a condition of being allowed to acquire restricted firearms for the purposes of a collection. Those who do not consent to inspections, as required by the new definition, will not be eligible for restricted weapons certificates as collectors (they could still apply as target shooters). If they do not consent, however, or withdraw their consent when the firearms officer appears for the purpose of an inspection, they will not be subject to having their premises forcibly searched without a warrant.

The power of "inspection" does not convey the authority to conduct warrantless searches. Inspections may be conducted only with the consent of the collector. The consequence of a failure to cooperate with an inspection may be the revocation of the person's restricted weapons certificates by the Commissioner of the RCMP, but it would not be forcible entry.

If an officer has reasonable grounds to believe that the collector is committing an offence, the provisions of the *Criminal Code* regarding search warrants will govern. This would have nothing to do with the provision for inspection, and no search warrant would thus be required in order to conduct an inspection. If the collector was absent without a reason when the inspector appeared at a time set in accordance with the regulations, refused entry to the residence or to the part of the premises where the restricted firearms were stored, or otherwise unreasonably refused to cooperate, the inspector's only remedy would be to recommend that the collector's certificates be revoked.

Search warrants are thus not applicable to the inspection provision, and the Committee does not believe that strict, inflexible requirements are necessary in regard to notice and other matters. The Committee is confident that this provision will be administered reasonably and with appropriate discretion, and wants to assure gun collectors that there is no reason to fear the sort of coercive measures that the law regarding search warrants is designed to prevent.

4. FREQUENCY OF INSPECTIONS

(Section 7 – addition)

The Committee is satisfied that the power of inspection is not likely to be abused. The limited resources available to police authorities should ensure that inspections are not carried out any more frequently than necessary, and perhaps less frequently than that. Nonetheless, the Committee is aware that many collectors fear that local firearms officers might use the inspection provision to harass them.

Since there are practical limits on how often periodic inspections can be carried out in any case, we believe that it would be appropriate for the regulations to set out some guidelines. These would tell firearms officers how often they should be inspecting in order to ensure that safe storage and other requirements are being complied with, and would assure gun collectors that they would not be subject to frequent inspections.

A distinction must be made between inspections with a specific purpose and *routine* periodic visits. Routine inspections should be subject to clear limits regarding frequency. Additional inspections may, however, be appropriate if a collector proposes to add to the collection, or if deficiencies have been noted either on a previous inspection or when an application for a certificate is made. We believe that routine inspections should be carried out no more than once a year, and expect that in practice they will be less frequent than that.

Recommendation 34

The Committee recommends that the section 7 provide that *routine* inspections of a collector's premises may not be conducted more than *once a year*, provided that inspections conducted for a particular purpose, and based on reasonable grounds, may be conducted whenever appropriate.

5. NOTICE OF INTENTION TO INSPECT

(Section 7(1) – amendment)

The Committee heard a number of recommendations regarding detailed requirements that could be applied to the notice provision for inspections. For the reasons set out above, we do not believe that such requirements are necessary or desirable. We would note that an inspector who failed to give notice that was reasonable in the circumstances of the particular case would hardly be in a position to recommend that a collector's certificates be revoked. Such a revocation would be appealable, and the courts could be expected to deal appropriately with any action taken in circumstances where the notice was not in all significant respects reasonable.

Notice could be given orally by telephone or in person, or it could be delivered by mail or in a written communication left at the premises, but in each case the collector must be given adequate advance notice of any intention to inspect. The collector should also be given an opportunity to arrange for a time that is convenient, but we do not believe that it is necessary to set out rigid rules as to how the time would be determined.

We believe that it would be sufficient to reverse the order of sections 7(1)(a) and (b), and change their nature somewhat. As drafted, they provide only that inspections must be carried out between the hours of 7:00 a.m. and 9:00 p.m., unless the collector and the inspector agree to a time outside those hours. We think that these paragraphs should rather provide that the date and time would be set by agreement between the collector and the inspecting officer. Only if an agreement could not be reached would the inspector determine the issue by giving notice of a date and a time. The time would naturally be during the prescribed hours.

The Committee is confident that inspecting officers will act reasonably and responsibly in arranging times for inspections, and that this matter will normally be determined by agreement. We would note that an officer who was not reasonable and flexible as to the time for an inspection would face the same problem in terms of the remedy of revoking the collector's certificates that would be the case if notice was not reasonable. The courts would not look kindly on any unnecessary or unwarranted demands on their time that resulted from a heavy-handed approach to the administration of these regulations.

Recommendation 35

The Committee recommends that the notice provision require that inspections would be conducted at a time agreed upon by the collector and the inspecting officer, but that if no agreement could be reached, the officer would determine the issue by giving reasonable notice of an intention to inspect at a time between the hours of 7:00 a.m. and 9:00 p.m. on a specified day.

Recommendation 36

The Committee recommends that the government take all possible steps to strengthen the border controls necessary to keep illegal firearms and firearms accessories, including those that will be newly prohibited by Bill C-17 and these regulations, from being smuggled into Canada.

Recommendation 37

The Committee recommends that a firearms amnesty be proclaimed each year to begin or end on December 6, during which illegal or unwanted firearms could be removed from Canadian society.

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The Committee is confident that inspecting officers will act responsibly and responsibly in arranging times for inspections, and that this matter will normally be determined by the government. It would be better if the collector and the inspector agreed to the time for inspection. It would be better if the collector and the inspector agreed to the time for inspection. It would be better if the collector and the inspector agreed to the time for inspection.

A detailed and sound analysis of the issues involved in this matter is set out in the report of the committee. The committee has considered the issues involved in this matter and has reached the following conclusions. The committee has considered the issues involved in this matter and has reached the following conclusions. The committee has considered the issues involved in this matter and has reached the following conclusions.

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CHAPTER 7

CONCLUSION

Although the Committee's mandate was solely to examine and comment on the draft regulations referred to it, we also heard many good recommendations as to what might or should be done outside the regulations to ensure that the gun control system of which they are a part is effective in achieving its objectives. We acknowledge all of them, but address only two recommendations for action in particular areas. These actions would not be directly tied to the regulations, but they would contribute to the overall effectiveness of the combined statutory and regulatory regime.

When these regulations are fully implemented, the range of firearms and accessories that will be prohibited in Canada will be significantly expanded. These additional prohibitions, and the new elements designed to strengthen the FAC screening process, may be to little avail if firearms smuggled into Canada continue to offer a ready illegal supply. The issue of effective border controls may thus become of even more critical importance than it is already.

It is also our profound hope that these regulations will be part of a movement towards more effective firearms control, and more responsible firearms use. If that is the result, it may be expected that Canadians will make ample use of the opportunities that will be afforded by promised firearms amnesties, and illegal and unwanted firearms will thus be removed from Canadian society. We would recommend that such amnesties be proclaimed each year, and we believe that it would be appropriate to have them begin or end on the anniversary date of the tragic massacre at the École Polytechnique in Montreal. We think that this would be a small but fitting memorial to those victims of firearms misuse. The memory of this tragedy is a constant reminder of the need for effective firearms control, and we believe that this would give substance to that reminder.

Recommendation 36

The Committee recommends that the government take all possible steps to strengthen the border controls necessary to keep illegal firearms and firearms accessories, including those that will be newly prohibited by Bill C-17 and these regulations, from being smuggled into Canada.

Recommendation 37

The Committee recommends that a firearms amnesty be proclaimed each year, to begin or end on December 6, during which illegal or unwanted firearms could be removed from Canadian society.

CHAPTER 7

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Although the Committee's mandate was solely to examine and comment on the draft regulations referred to it, we also heard many good recommendations as to what might or should be done outside the regulations to ensure that the gun control system which they are a part is effective in achieving its objectives. We acknowledge all of these, but address only two recommendations for action in particular areas. These actions would not be directly tied to the regulations, but they would contribute to the overall effectiveness of the combined statutory and regulatory regime.

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Recommendation 36

The Committee recommends that the government take all possible steps to strengthen the border controls necessary to keep illegal firearms off Canadian shores, including those that will be newly prohibited by Bill C-71 and these regulations, from being smuggled into Canada.

Recommendation 37

The Committee recommends that a firearms amnesty be proclaimed each year to begin or end on January 6, during which illegal or unwanted firearms could be removed from Canadian society.

LIST OF RECOMMENDATIONS

Recommendation 1

The Committee strongly recommends that the proposed regulations be re-drafted to the greatest extent possible in plain language. (p. 3)

Recommendation 2

The Committee recommends that the implementation of the regulations be preceded and accompanied by vigorous, comprehensive and varied education campaigns directed at firearms owners, dealers, gunsmiths, police officers, firearms officers and the general public. (p. 4)

Recommendation 3

The Committee recommends that those who will be affected by the regulations be alerted by these education campaigns as to when the government proposes to bring the regulations into effect. (p. 4)

Recommendation 4

The Committee recommends that interpretation guides be prepared and issued by the Department of Justice that set out in clear, simple language what the effect of the regulations will be upon different classes of firearms owners. (p. 4)

Recommendation 5

The Committee recommends that the revised *application form* for the Firearms Acquisition Certificate, which will follow these regulations and be prescribed by the Commissioner of the RCMP, should be published in the *Canada Gazette* in a draft form before being finalized, so that there will be an opportunity for comment on its proposed contents. (p. 5)

Recommendation 6

The Committee recommends that a general exemption be added to the regulations for police officers, correctional officers and military personnel, applicable while they are engaged in the lawful performance of their duties. (p. 8)

Recommendation 7

The Committee recommends that a general exemption be added to the regulations for police service firearms while they are being stored in police facilities. (p. 8)

Recommendation 8

The Committee recommends that an exemption be added to the regulations for the storage, display and transportation of firearms seized as evidence or turned in during an amnesty, which would apply while they are being stored in police

repositories, while they are being displayed under the immediate supervision of police officers, or while they are being transported by police officers to court or to another police facility. (p. 8)

Recommendation 9

The Committee recommends that police officers be deemed to be in the lawful execution of their duties at any time when they have written instructions from their Chief of Police that specifically require them to keep their service firearms readily available. (p. 8)

Recommendation 10

The Committee recommends that an appropriate exemption be added to the regulations that would allow those private individuals who are specially authorized to possess and in some cases carry restricted firearms for self-protection to keep those firearms operable and loaded, notwithstanding the regulations, when required for this purpose. (p. 9)

Recommendation 11

The Committee recommends that an appropriate exemption be added that would ensure that the storage requirements did not apply to the non-restricted firearms of those temporarily residing at wilderness camps. (p. 10)

Recommendation 12

The Committee recommends that the phrase "cannot readily be broken open" not be amplified by further descriptive terms. The Committee would make the same recommendation in regard to the use of the term "readily", and similar terms, where they are used throughout the draft regulations. (p. 11)

Recommendation 13

The Committee recommends that a further optional means of rendering non-restricted firearms inoperable be permitted. It would involve disabling the firearm by the removal of an essential part, and the storage of this part in a securely locked container, receptacle or room, or the complete disposal of the part. (p. 12)

Recommendation 14

The Committee recommends that these provisions be clarified. It should be made apparent that the ammunition must either be kept apart from the firearm or locked up, but that it need not be in a *separate* locked container, receptacle or room. (p. 12)

Recommendation 15

The Committee recommends that these provisions be clarified so as to *all* require firearms to be kept separate from *all* ammunition, unless that ammunition is in a locked container, receptacle or room. (p. 13)

Recommendation 16

The Committee recommends that sections 8 to 10, dealing with the storage and display restricted firearms, of the regulations be re-drafted so as to eliminate redundancies and make the requirements clearer. (p. 13)

Recommendation 17

The Committee recommends that a further option for the storage of restricted firearms be added that would allow their owners to store them without rendering them inoperable by a locking device if they are kept in a strongly-constructed, securely locked *non-portable* container or receptacle, or in a securely locked room that provides a stronger degree of protection against theft or other unauthorized removal than the draft regulations would otherwise require. (p. 14)

Recommendation 18

The Committee recommends that the phrase "cannot be forcibly removed" be amended to read "cannot *readily* be forcibly removed", or be otherwise modified to indicate the degree of resistance to forcible removal that would be required to meet the standard. (p. 15)

Recommendation 19

The Committee recommends that an exemption be added for the display of non-restricted and restricted firearms at legitimate *gun shows and auctions*. The exemption would allow non-restricted firearms to be displayed without locking devices, and allow restricted firearms to be displayed without locking devices and without being securely attached to the display structure. (p. 16)

Recommendation 20

The Committee recommends that section 10 (b) be amended to require that restricted firearms on displays, in circumstances other than at legitimate gun shows and auctions, be securely attached to a *non portable* structure. (p. 16)

Recommendation 21

The Committee recommends that an exemption be added to the regulations allowing firearms to be displayed *with* the ammunition usable in them at gun shows, particularly those which include historical military collector's items, where the specific written authorization of the local registrar of firearms has been obtained. (p. 17)

Recommendation 22

The Committee recommends that sections 12 to 14 of the regulations be clarified so as to make it apparent that the transportation requirements would not apply while firearms owners were actually in the process of lawfully hunting or participating in other legitimate shooting activities or competitions. (p. 17)

Recommendation 23

The Committee recommends that the transportation requirements be amended to make it clear that they apply to any mode of transportation, including the carrying of firearms on foot. It should also be made clear that they apply at all times when the firearms is being transported from the place where it is stored to the areas where it will be used, or from one area to another. (p. 18)

Recommendation 24

The Committee recommends that the option of a *non-locked* container "that cannot readily be broken open" be deleted from section 14, so that the regulations would require that restricted firearms be transported in a *locked case*, and that separate provisions applicable to commercial shipments be designed if different standards are required in those circumstances. (p. 18)

Recommendation 25

The Committee recommends that the proposed FAC fees be reviewed to ensure that they accurately reflect cost recovery. (p. 19)

Recommendation 26

The Committee recommends that the following groups be considered for inclusion in the list of persons eligible to act as references for FAC applications: conservation officers and game wardens; wildlife biologists; certified hunter education instructors; accredited firearms safety training instructors; certified range officers; and military officers. (p. 20)

Recommendation 27

The Committee recommends that only those who have not "taken" a competency course or test be eligible to apply for alternative certification by a firearms officer, so that it would be clear that those who take and fail or do not complete a course or test would not be eligible for such certification. (p. 20)

Recommendation 28

The Committee recommends that only those who owned firearms prior to 1 January 1979 should be eligible for alternative competency certification. (p. 21)

Recommendation 29

The Committee recommends that specific exemptions from these regulations be added for cartridge magazine models that are determined by both rare and valuable military collector's items of historical significance, or to be built-in components of such collector's items. (p. 24)

Recommendation 30

The Committee recommends that if those handguns which could be described as "assault pistols" are not made prohibited weapons by order in council, consideration be given to amending the draft regulations to ensure that the magazines for such "assault pistols" would be limited to a capacity of *five* cartridges. (p. 24)

Recommendation 31

The Committee recommends that the government take steps to prohibit the future importation, or the sale by firearms dealers, of over-capacity magazines designed for rimfire rifles. (p. 25)

Recommendation 32

The Committee recommends that a provision be added to the record-keeping provisions that ensures that these requirements would not apply so as to require collectors to create records concerning information that is not available to them, or within their best recollection, at the time when these regulations come into force. (p. 27)

Recommendation 33

The Committee recommends that consideration be given to a new system for registering restricted weapons, such as a "three-leaf" certificate system, that would allow for a simpler and more effective approach to the recording and distribution of the information required as part of the record-keeping provisions of these regulations. The Committee further recommends that if such a system is adopted, the record-keeping requirements of these regulations be reviewed and unnecessary provisions deleted. (p. 28)

Recommendation 34

The Committee recommends that the section 7 provide that *routine* inspections of a collector's premises may not be conducted more than *once a year*, provided that inspections conducted for a particular purpose, and based on reasonable grounds, may be conducted whenever appropriate. (p. 30)

Recommendation 35

The Committee recommends that the notice provision require that the inspections be conducted at a time agreed upon by the collector and the inspecting officer, and that if no agreement can be reached, the officer will determine the issue of when the inspection will be conducted by giving reasonable notice of an intention to inspect at a time between the hours of 7:00 a.m. and 9:00 p.m. on a specified day. (p. 31)

Recommendation 36

The Committee recommends that the government take all possible steps to strengthen the border controls necessary to keep illegal firearms and firearms accessories, including those that will be newly prohibited by Bill C-17 and these regulations, from being smuggled into Canada. (p. 33)

Recommendation 37

The Committee recommends that a firearms amnesty be proclaimed each year, to begin or end on December 6, during which illegal or unwanted firearms could be removed from Canadian society. (p. 33)

APPENDIX I

Draft Regulations Tabled on Tuesday, March 31, 1992

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APPENDIX I

The Committee recommends that the Government take all possible steps to strengthen the existing legal provisions for the control of the manufacture and sale of firearms, including the licensing of dealers and the regulation of the export of firearms.

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8	Amendments to the Firearms (Control) Regulations	92-162-01 (SORDORS)

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, pursuant to paragraph 116(1)(g)* of the Criminal Code, on the recommendation of the Minister of Justice, is pleased hereby to make the annexed Regulations respecting the storage, display, handling and transportation of certain firearms.

* S.C. 1991, c. 40, s. 28(3)

REGULATIONS RESPECTING THE STORAGE, DISPLAY, HANDLING AND
TRANSPORTATION OF CERTAIN FIREARMS

Short Title

1. These Regulations may be cited as the *Storage, Display, Handling and Transportation of Certain Firearms Regulations*.

Interpretation

2. In these Regulations,

“Act” means the *Criminal Code*; (*Loi*)

“restricted firearm” means any firearm that is a restricted weapon; (*arme à feu à autorisation restreinte*)

“secure locking device” means a device that

(a) can only be opened or released by the use of an electronic, magnetic or mechanical key or by setting the device in accordance with an alphanumeric combination, and

(b) where applied to a non-restricted firearm or a restricted firearm, prevents that firearm from being discharged; (*dispositif de verrouillage sécuritaire*)

“unloaded”, in respect of a non-restricted firearm or a restricted firearm, means that a cartridge capable of being discharged from the non-restricted or restricted firearm, is not contained in the breech or firing-chamber nor in a cartridge magazine attached to or inserted into the non-restricted firearm or restricted firearm; (*non chargée*)

“non-restricted firearm” means any firearm, other than a prohibited weapon or a restricted weapon. (*arme à feu sans restrictions*)

Application

3. These Regulations apply to any person other than

(a) a holder of a permit to carry on a business or a museum referred to in subsection 105(1) of the Act or a business referred to in subparagraph 105(2)(b)(i) of the Act;

(b) a person that carries on a business referred to in subparagraph 105(2)(b)(ii) of the Act; and

(c) an employee of a business referred to in paragraph (a) or (d) or a museum referred to in paragraph (a), in the course of the duties or employment of the employee.

Storage and Display of Firearms

4. A person may store or display a non-restricted firearm only where the non-restricted firearm

(a) is unloaded; and

(b) is rendered inoperable by a secure locking device or is in a container, receptacle or room that is kept securely locked and is constructed so that it cannot readily be broken open.

5. A person may store a non-restricted firearm only where the non-restricted firearm is not stored with cartridges that are capable of being discharged from the non-restricted firearm, unless cartridges are stored in a container described in paragraph 4(b).

6. A person may display a non-restricted firearm only where the non-restricted firearm is not displayed with and is not readily accessible to cartridges that are capable of being discharged from the non-restricted firearm.

7. Paragraph 4(b) does not apply to any person who temporarily stores a non-restricted firearm where the person reasonably requires the non-restricted firearm for the control of predators or other animals in a place where it may be discharged in accordance with federal and provincial Acts and regulations and municipal by-laws.

8. A person may store or display a restricted firearm only where the restricted firearm is unloaded and rendered inoperable by a secure locking device.

9. A person may store a restricted firearm only where the restricted firearm

(a) is in a container, receptacle or room that is kept securely locked and is constructed so that it cannot readily be broken only; and

(b) is not stored with cartridges that are capable of being discharged from the restricted firearm unless the cartridges are stored in a container described in paragraph (a).

10. A person may display a restricted firearm only where the restricted firearm

- (a) is unloaded and rendered inoperable by a secure locking device;
- (b) is securely attached to the structure on which it is displayed so that the restricted firearm cannot be forcibly removed; and
- (c) is not displayed with and is not readily accessible to cartridges that are capable of being discharged from the restricted firearm.

Handling of Firearms

11. A person may load a non-restricted firearm or a restricted firearm only in a place where it may be discharged in accordance with federal and provincial Acts and regulations and municipal by-laws.

Transportation of Firearms

12. A person may transport a non-restricted firearm only where the non-restricted firearm is unloaded.

13. A person may transport a non-restricted firearm in a vehicle that is not attended by a person who is at least 18 years of age or to whom a minor's permit has been issued pursuant to subsection 110(6) or (7) of the Act in respect of the non-restricted firearm only where

- (a) the non-restricted firearm is not visible from outside the vehicle; and
- (b) the vehicle or part thereof that contains the non-restricted firearm is securely locked.

14. A person may transport a restricted firearm only where the restricted firearm is unloaded and contained in a locked case or in a container of a design and construction that cannot readily be broken or opened accidentally during the transportation of the restricted firearm.

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Justice, pursuant to subparagraph 106(2)(c)(ii)*, subsections 106(8)** and 107(1)*** and paragraphs 116(1)(e)**** and (i) of the Criminal Code, is pleased hereby to make the annexed Regulations prescribing the fees payable on application for a firearms acquisition certificate, the classes of persons, other than individuals, who may be issued a firearms acquisition certificate, the classes of persons who may serve as a reference in respect of an application for a firearms acquisition certificate, and the circumstances under which the certification of a firearms officer may be given.

* S.C. 1991, c. 40, s. 19(3)

** S.C. 1991, c. 40, s. 19(6)

*** S.C. 1991, c. 40, s. 20

**** S.C. 1991, c. 40, s. 28(2)

REGULATIONS PRESCRIBING THE FEES PAYABLE ON APPLICATION FOR A FIREARMS ACQUISITION CERTIFICATE, THE CLASSES OF PERSONS, OTHER THAN INDIVIDUALS, WHO MAY BE ISSUED A FIREARMS ACQUISITION CERTIFICATE, THE CLASSES OF PERSONS WHO MAY SERVE AS A REFERENCE IN RESPECT OF AN APPLICATION FOR A FIREARMS ACQUISITION CERTIFICATE, AND THE CIRCUMSTANCES UNDER WHICH THE CERTIFICATION OF A FIREARMS OFFICER MAY BE GIVEN

Short Title

1. These Regulations may be cited as the *Firearms Acquisition Certificate Regulations*.

Interpretation

2. In these Regulations, "Act" means the *Criminal Code*. (Loi)

Fees Payable

3. The fees payable on application for a firearms acquisition certificate referred to in subsection 106(1) and section 107 of the Act are prescribed as follows:
 - (a) in respect of an individual, \$50; and
 - (b) in respect of a person other than an individual, \$200.

Classes of Persons, other than Individuals

4. The following classes of persons, other than individuals, are prescribed as persons who may be issued a firearms acquisition certificate under subsection 107(1) of the Act:
 - (a) corporations that require firearms to protect the lives or ensure the safety of their employees in the course of the handling or transportation of cash, negotiable instruments or other valuable goods, where the secure handling or transportation constitutes the principal activity of the corporation;
 - (b) corporations that require firearms for use in motion-picture, television or theatrical productions; and

(c) corporations that require firearms for use in the development or testing of other devices or products related to firearms.

Classes of Persons to be References

5. (1) The following classes of persons are prescribed for the purposes of subsection 106(8) of the Act as persons who may be a reference in respect of an application for a firearms acquisition certificate made by a person who is an individual:

- (a) any employer or fellow-employee of the applicant;
- (b) any minister of religion who is authorized under the laws of a province to perform marriages;
- (c) any aboriginal chief, councillor or tribal elder;
- (d) any full-time manager or any signing officer of a bank, trust company, credit union or caisse populaire;
- (e) any judge, justice of the peace or accredited lawyer or notary;
- (f) any police officer, police constable, sheriff or deputy sheriff;
- (g) any member of the Senate or the House of Commons and any member of the legislature of a province;
- (h) any mayor, reeve, warden or municipal clerk and any member of the council, board of trustees or board of education of a municipal corporation;
- (i) any principal, teacher or professor employed in an accredited university, community college or college of general and vocational education (CEGEP) or in a secondary or elementary school; and
- (j) any professionally accredited or certified accountant, engineer, nurse, medical doctor, veterinarian, social worker or dentist.

Certification of Firearms Officer

6. The following circumstances are prescribed in respect of the certification of a firearms acquisition certificate applicant or any other person intending to apply for a certificate by a firearms officer as referred to in subparagraph 106(2)(c)(ii) of the Act:

- (a) the person has not successfully completed the course or test referred to in subparagraph 106(2)(c)(i) of the Act; and

(b) the person has been the owner of a firearm for a period of at least five years.

7. The following criteria of competence are prescribed in respect of the certification of a firearms acquisition certificate applicant or any other person intending to apply for a certificate by a firearms officer as referred to in subparagraph 106(2)(c)(ii) of the Act:

(a) knowledge of the basic principles relating to the safe handling and use of firearms;

(b) knowledge of the basic operation of common sporting firearms; and

(c) basic knowledge of the federal Acts and regulations and Acts and regulations of the province in which the application for a firearms acquisition certificate is or will be made that relate to the use of firearms for hunting or sporting purposes.

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Justice, pursuant to paragraph (f)* of the definition "prohibited weapon" in subsection 84(1), subsection 90(3.2)** and paragraph 116(1)(i) of the Criminal Code, to make the annexed Regulations prescribing large-capacity cartridge magazines and the conditions for the possession thereof.

* S.C. 1991, c. 40, s. 2(3)

** S.C. 1991, c. 40, s. 35

REGULATIONS PRESCRIBING LARGE-CAPACITY CARTRIDGE MAGAZINES AND THE CONDITIONS FOR THE POSSESSION THEREOF

Short Title

1. These Regulations may be cited as the *Cartridge Magazine Control Regulations*.

Interpretation

2. In these Regulations,

“Act” means the *Criminal Code*; (*Loi*)

“fully automatic”, in respect of a firearm, means any firearm that is capable of, or is assembled with or is designed and manufactured with the capability of, firing cartridges in rapid succession during one pressure of the trigger, whether or not the firearm has been altered to fire only one cartridge during one such pressure; (*entièrement automatique*)

“handgun” means any firearm that is designed to be aimed and fired by the action of one hand; (*arme de poing*)

“semi-automatic”, in respect of a firearm, means a firearm that is equipped with a mechanism that, following the discharge of a cartridge, automatically operates to complete any part of the reloading cycle necessary to prepare for the discharge of the next cartridge. (*semi-automatique*)

Prohibited Weapons

3. (1) Subject to subsections (2) and (3), for the purposes of paragraph (f) of the definition “prohibited weapon” in subsection 84(1) of the Act, the following large-capacity cartridge magazines are hereby prescribed:

(a) any magazine that is designed or manufactured for use in a semi-automatic handgun where the magazine is capable of containing more than ten cartridges of the type for which the magazine was originally designed;

(b) any magazine that is designed or manufactured for use in a semi-automatic firearm, other than a semi-automatic handgun, or in a fully automatic firearm, where the magazine

is capable of containing more than five cartridges of the type of which the magazine was originally designed;

(c) any magazine that is designed or manufactured for use in a semi-automatic handgun that is commonly available in Canada and for use in any other semi-automatic firearm or a fully automatic firearm, where the magazine is capable of containing more than ten cartridges of the type for which the magazine was originally designed; and

(d) any magazine that is designed or manufactured for use in a semi-automatic handgun that is not commonly available in Canada and for use in any other semi-automatic firearm or a fully automatic firearm, where the magazine is capable of containing more than five cartridges of the type for which the magazine was originally designed.

(2) Paragraph (1)(b) does not apply in respect of any magazine designed or manufactured for use in

(a) a firearm that is chambered for or designed to use rimfire cartridges; or

(b) a firearm that is a rifle of the type commonly described as the "Lee Enfield" rifle, where the magazine is not capable of containing more than ten cartridges of the type for which the magazine was originally designed.

(3) A magazine referred to in subsection (1) that has been altered or re-manufactured so that it is not capable of containing more than five or ten cartridges, as the case may be, of the type for which the magazine was originally designed is not a prohibited weapon as prescribed by subsection (1) where the modification to the magazine cannot be easily removed and the magazine cannot be easily further altered so that it is capable of containing more than five or ten cartridges, as the case may be.

Condition

4. Any person who is authorized pursuant to subsection 90(3.2) of the Act to possess a large-capacity cartridge magazine described in subsection 3(1) shall store the magazine in accordance with the storage requirements set out in the *Storage, Display, Handling and Transportation of Certain Firearms Regulations* in respect of the firearm in which the magazine is to be used.

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Justice, pursuant to the definition "genuine gun collector"* in subsection 84(1) and paragraph 116(1)(i) of the Criminal Code, is pleased hereby to make the annexed Regulations respecting the keeping of records by genuine gun collectors and the inspection of the premises in which the gun collections are to be kept.

* S.C. 1991, c. 40, s. 2(5)

REGULATIONS RESPECTING THE KEEPING OF RECORDS BY GENUINE GUN COLLECTORS AND THE INSPECTION OF THE PREMISES IN WHICH THE GUN COLLECTIONS ARE TO BE KEPT

Short Title

1. These Regulations may be cited as the *Genuine Gun Collector Regulations*.

Interpretation

2. In these Regulations,

“Act” means the *Criminal Code*; (*Loi*)

“registration certificate” means the registration certificate issued in respect of a restricted weapon that is registered as part of the collection of a genuine gun collector under subsection 109(7) of the Act. (*certificat d’enregistrement*)

Records

3. (1) The holder of a registration certificate shall keep a written record that contains the following information and documentation in respect of the restricted weapon that is registered as part of the collection of a genuine gun collector:

(a) the day on which the holder acquired the restricted weapon and the name and address of the person from whom it was acquired;

(b) a description of the restricted weapon that includes the make, model, calibre and, where applicable, the serial number and a description of any unusual or unique characteristics of the weapon; and

(c) a copy of the registration certificate.

(2) Where a restricted weapon that is registered as part of the collection of a genuine gun collector is not at the place indicated on the registration certificate, the holder of the registration certificate shall keep the following documentation which the record referred to in subsection (1):

(a) where a permit issued in respect of the restricted weapon is in force, a copy of the permit, including, where applicable, a temporary storage permit issued under subsection 110(3.1) of the Act; and

(b) where the restricted weapon has been lost, stolen or mislaid, documentation establishing that the loss, theft or mislaying of the restricted weapon has been reported to a peace officer or local registrar of firearms in accordance with subsection 104(2) of the Act.

4. (1) Where a restricted weapon is no longer registered as part of the collection of a genuine gun collector, the holder of any registration certificate issued in respect of any other restricted weapon that is part of that collection shall keep a written record that contains the following information and documentation:

(a) where the restricted weapon was sold, bartered, given or transferred, the name and address of the person to whom the restricted weapon was sold, bartered, given or transferred;

(b) where the restricted weapon is registered for a purpose other than the purpose of being part of the collection of a genuine gun collector, a copy of any other certificate issued under subsection 109(7) of the Act in respect of the restricted weapon; and

(c) where the registration certificate is revoked by the Commissioner as a result of the restricted weapon being destroyed or rendered permanently inoperable, a written confirmation of the revocation.

(2) The record referred to in subsection (1) shall be kept in respect of each restricted weapon that had been registered as part of the collection of a genuine gun collection until the earlier of the following:

(a) one year after the day on which the restricted weapon was sold, bartered, given, transferred, registered for another purpose, destroyed or rendered permanently inoperable; or

(b) the day on which the person who was the holder of a registration certificate is no longer entitled to possess any restricted weapon under a registration certificate.

5. (1) The holder of a registration certificate shall

(a) subject to subsections (2) and (3), keep the record referred to in section 3 at the place indicated on the registration certificate at which the holder is entitled to possess the restricted weapon; and

(b) keep the record referred to in section 4 at the holder's dwelling-house or place of business.

(2) Where a permit to transport a restricted weapon referred to in section 3 is issued under subsection 110(3) of the Act for the purpose of transporting the restricted weapon to a new residence or place of business of the holder of the registration certificate, the holder shall ensure that the record relating to the restricted weapon referred to in that section is kept with the restricted weapon during the period in which the permit to transport the restricted weapon is in force.

(3) Where a temporary storage permit is issued under subsection 110(3.1) of the Act to a holder of a registration certificate in respect of a restricted weapon referred to in section 3 and described in the permit, the holder may keep the record relating to the restricted weapon referred to in that section at the place indicated on the permit during the period in which the permit is in force.

6. A holder of a registration certificate shall keep the records referred to in sections 3 and 4 separate from any other records that the holder may keep.

Inspection

7. (1) A police officer, police constable, local registrar of firearms or firearms officer may inspect the premises in which a restricted weapon registered under a registration certificate is to be kept

(a) between the hours of 7:00 a.m. and 9:00 p.m., local time; or

(b) at any other time agreed on by the holder of the registration certificate and the police officer, police constable, local registrar of firearms or firearms officer.

(2) Prior to carrying out an inspection under subsection (1), the police officer, police constable, local registrar of firearms or firearms officer shall give reasonable notice to the holder of a registration certificate that an inspection is to be carried out.

(3) A police officer, police constable, local registrar of firearms or firearms officer who carries out an inspection pursuant to subsection (1) shall limit the inspection to those parts of the premises in which the restricted weapon and the record referred to in section 3 are to be kept.

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Justice, pursuant to subsection 90(3.1)* and paragraphs 116(1)(d)** and (i) of the Criminal code, is pleased hereby to amend the Prohibited Weapons Control Regulations, made by Order in Council P.C. 1991-1925 of October 3, 1991***, in accordance with the schedule hereto.

* S.C. 1991, c. 40, s. 4(2)

** S.C. 1991, c. 28, s. 11(2)

*** SOR/91-572, 1991 *Canada Gazette* Part II, p. 3380

SCHEDULE

1. The definition "prohibited weapon" in section 2 of the *Prohibited Weapons Control Regulations* is revoked and the following substituted therefor:

" "prohibited weapon" means a prohibited weapon described in paragraph (c), (e) or (f) of the definition "prohibited weapon" in subsection 84(1) of the Act. (*arme prohibée*)"

2. Paragraph 3(b) of the said Regulations is revoked and the following substituted therefor:

"(b) in the case of a part, the part is a piece of the action of a prohibited weapon, including the bolt or bolt-carrier, that is designed to enable the prohibited weapon to fire cartridges in rapid succession during one pressure of the trigger, whether or not the part has been altered to fire only one cartridge during one such pressure."

3. Paragraphs 4(d) and (e) of the said Regulations are revoked and the following substituted therefor:

"(d) the development or testing of ammunition for the Government of Canada or of a province or for export to a country included on an Automatic Firearms Country Control List established pursuant to section 4.1 of the *Export and Import Permits Act*;

(e) the supplying of a prohibited weapon for use in motion picture, television or theatrical productions; and

(f) the transportation of a prohibited weapon, component or part

(i) for or on behalf of a person who is designated for the purposes of subsection 90(3.1) of the Act and requires the prohibited weapon, component or part for a purpose set out in any of paragraphs (a) to (e) or who, under section 92 or 98 of the Act, is not guilty of an offence for the possession of the prohibited weapon, component or part, to another such person, or

(ii) for or on behalf of a person referred to in subparagraph (i) who is the holder of an export permit or import permit, to or from a person outside Canada."

4. Section 5 of the said Regulations is revoked and the following substituted therefor:

“5. The purposes set out in paragraphs 4(a) to (e) are industrial purposes, in respect of importing, for the purposes of subsection 95(2) of the Act.”

5. Section 6 of the said Regulations is revoked and the following substituted therefor:

“6. The sending of a prohibited weapon, component or part that is in a person’s possession for a purpose set out in any of paragraphs 4(a) to (e) to the government, or a consignee authorized by the government, of a country included on an Automatic Firearms Country Control List established pursuant to section 4.1 of the *Export and Import Permits Act* is an industrial purpose, in respect of exporting, for the purposes of subsection 95(2) of the Act.”

6. Subsection 7(2) of the said Regulations is revoked.

7. (1) Paragraphs 11(1)(a) to (c) of the said Regulations are revoked and the following substituted therefor:

“(a) subject to subsections (2) and (4), the prohibited weapon, component or part is in a container made of cardboard, wood or other opaque solid material of such strength, construction and nature that it cannot readily be broken or accidentally opened while being conveyed;

(b) subject to subsections (2) and (4), the container referred to in paragraph (a) is so constructed and sealed so as to prevent it from being opened without breaking the seal or otherwise clearly indicating that it has been opened;

(c) subject to subsections (2), (3) and (4), the markings, if any, on the exterior of the container referred to in paragraph (a) do not indicate that a firearm, prohibited weapon, component or part is contained therein;”

(2) subparagraphs 11(1)(d)(ii) to (iv) of the said Regulations are revoked and the following substituted therefor:”

“(ii) subject to subsection (4), the prohibited weapon and the bolt or bolt-carrier removed under subparagraph (i) are transported in separate containers and separate conveyances,

(iii) subject to subsection (4), the conveyance in which the prohibited weapon is transported does not contain any bolt or bolt-carrier that can be assembled into the prohibited weapon, and

(iv) subject to subsection (4), the conveyance in which the bolt or bolt-carrier is transported does not contain any firearm into which the bolt or bolt-carrier can be assembled;”

(3) Paragraphs 11(1)(f) and (g) of the French version of the said Regulations are revoked and the following substituted therefor:

“f) la personne qui assure la conduite du moyen de transport à bord duquel l’arme prohibée, l’élément ou la pièce est transporté a en sa possession l’original ou une copie du document de désignation valide délivré pour l’application du paragraphe 90(3.1) de la Loi à l’égard de l’arme prohibée, de l’élément ou de la pièce, ainsi que, si cette personne agit en qualité d’employé, une déclaration écrite de l’employeur qui fait état de sa qualité d’employé et précise que l’arme prohibée, l’élément ou la pièce est transporté dans le cadre des activités commerciales de l’employeur;

g) la personne qui a la garde de tout lieu où l’arme prohibée, l’élément ou la pièce est entreposé au cours du transport a en sa possession l’original ou une copie du document de désignation valide délivré pour l’application du paragraphe 90(3.1) de la Loi à l’égard de l’arme prohibée, de l’élément ou de la pièce, ainsi que, si cette personne agit en qualité d’employé, une déclaration écrite de l’employeur qui fait état de sa qualité d’employé et précise que l’arme prohibée, l’élément ou la pièce est transporté dans le cadre des activités commerciales de l’employeur.”

(4) Section 11 of the said Regulations is further amended by adding thereto the following subsection:

“(4) Paragraphs (1)(a) to (c) and subparagraphs (1)(d)(ii) to (iv) do not apply in respect of a prohibited weapon where

(a) the person engaged in a business that includes the transportation of the prohibited weapon is the person designated for the purposes of subsection 90(3.1) of the Act who requires the prohibited weapon for the purpose set out in paragraph 4(e);

(b) the prohibited weapon is being transported from the person’s place of business in a province to a place within the province where it is required for use in motion picture, television or theatrical productions in a secure and locked gun safe of a type that is approved for the purposes of such transportation by the Chief Provincial Firearms Officer;

(c) the prohibited weapon has been converted to fire only blank cartridges; and

(d) the prohibited weapon, while at a place where it is required for use in motion picture, television or theatrical productions, is stored in a secure and locked gun safe of a type that is approved for that purpose by the Chief Provincial Firearms Officer.”

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Justice, pursuant to paragraph 116(1)(a)* of the Criminal Code, is pleased hereby to amend the Restricted Weapons and Firearms Control Regulations, made by Order in Council P.C. 1978-2572 of August 16, 1978**, in accordance with the schedule hereto.

* S.C. 1991, c. 40, s. 41

** SOR/78-670, 1978 *Canada Gazette* Part II, p. 3464

SCHEDULE

1. Section 2 of the *Restricted Weapons and Firearms Control Regulations* is amended by adding thereto, in alphabetical order, the following definition:

““inventory of a business” means firearms or restricted weapons that are kept for the purposes of a business, including

- (a) offering them for sale in the ordinary course of the business,
- (b) carrying out maintenance or repairs to them in the ordinary course of the business; and
- (c) storage in the ordinary course of the business; (*inventaire de l'entreprise*)”

2. The said Regulations are further amended by adding thereto, immediately after section 2 thereof, the following heading:

“Holder of a Permit to Carry on a Business”

3. The said Regulations are further amended by adding thereto, immediately after section 3 thereof, the following section:

“3.1 (1) Where a firearm or restricted weapon is the personal property of the holder of a permit to carry on a business or an employee of that business, the holder of the permit shall ensure that it is kept apart from the inventory of the business.

(2) Where the holder of a permit to carry on a business or an employee of that business is the holder of a restricted weapon registration certificate, the holder of the permit shall ensure that the restricted weapon in respect of which the registration certificate has been issued is kept apart from the inventory of the business.

(3) Where firearms or restricted weapons are kept for the purpose of storage in the ordinary course of a business, the holder of the permit to carry on the business shall ensure that stored firearms and restricted weapons.

(a) are kept apart from other firearms or restricted weapons that are kept for the purpose of offering them for sale or for carrying out maintenance or repairs in the ordinary course of the business; and

(b) are not visible from the parts of the premises to which persons not employed in the business have access.”

4. The heading preceding section 14 and section 14 of the said Regulations are revoked.

IMPLEMENTATION DATES FOR FIREARMS CONTROL AS ANNOUNCED BY THE MINISTER

TORONTO, April 9, 1992 — The Honourable Kim Campbell, Minister of Justice and Attorney General of Canada, made public today the implementation dates for firearms control.

“It will come into force over an 18 month period beginning in June of this year with new requirements for sentencing and deterrence provisions, gun collectors, and the registration of converted fully automatic firearms,” said the Minister.

The second stage will begin in October of 1992 when the provisions for issuing restricted weapon permits for storage and carrying are proclaimed.

October 1, 1992, will also be the last day for owners to register converted fully automatic firearms as genuine gun collectors.

The third stage will begin in January of 1993 when changes concerning firearms acquisition certificates (FACs), safe storage requirements, and large capacity cartridge magazines come into effect.

The final stage will be in July of 1993 when the requirement for firearms safety education training courses or tests will come into effect. This will allow sufficient time for some 4,000 volunteer trainers to be trained, and for a curriculum to be developed in consultation with the provinces and territories.

“The implementation strategy has been developed in close collaboration with the provinces and territories and it represents a solid, sensible program for improved firearms control. These measures will reduce gun related violence on city streets and in our homes,” said Minister Campbell.

**SUMMARY OF IMPLEMENTATION DATES
FOR PRINCIPAL SECTIONS AND REGULATIONS OF C-17 (FIREARMS)**

JUNE 1992	OCTOBER 1992
<p align="center">RESTRICTED WEAPONS</p> <p>New Definitions Antique firearms Barrell length Genuine gun collectors —knowledge requirement —periodic inspection —keeping of records —safe storage requirements</p> <p>Converted Fully Automatics —current owners can apply to register these firearms —firearm must be properly converted —owners must fulfil conditions of genuine gun collector</p>	<p align="center">RESTRICTED WEAPONS</p> <p>Registration Certificates and Permits Carry permits issued to persons other than registered owners of the firearm to permit controlled exchange or loan of firearms.</p> <p>Temporary carry permits for issue to non-resident <i>competition</i> shooters.</p> <p>Temporary storage permits to allow storage of restricted weapons in other than usual location.</p> <p>October 1, 1992, the last day for owners to register as genuine gun collectors in order to keep their converted fully-automatic firearms.</p>
<p align="center">SENTENCING AND DETERRENCE</p> <p>New Offences and Sentences (under the <i>Criminal Code</i>) —converting firearm to fully automatic (up to 5 years) —criminal negligence (up to 5 years) —possession of a prohibited weapon (from 5 to 10 years) —possession of a firearm while under prohibition order (from 5 to 10 years) —importing, buying or selling prohibited weapons (from 5 to 10 years)</p> <p>Strengthening of Prohibition Orders Discretionary orders in bail/interim release proceedings, where use, attempt or threat of violence is involved, or certain drug offences.</p> <p>Mandatory orders for: —offences liable to 10 years or more involving the use of, threat of, or attempt of violence —an offence involving the use of a firearm in the commission of another indictable offence.</p> <p>Orders increased 5 to 10 years for first conviction and 10 years to life for repeat conviction.</p> <p>FAC Seizure Police can seize FAC</p>	<p align="center">MUSEUMS AND BUSINESSES</p> <p>Museums to comply with same regulation as businesses.</p> <p>Creates new business of "storage" of firearms.</p> <p>Hours and location of business to be stated on application form.</p> <p>New business permits fees.</p>
<p align="center">OTHERS</p> <p>Industries and companies (declared eligible by provincial Attorneys General) may be allowed to possess prohibited weapons for industrial purposes.</p>	

JANUARY 1993	JULY 1993
<p>FIREARMS ACQUISITION CERTIFICATE (FAC)</p> <p>Minimum age to acquire firearm raised from 16 to 18. Minor's permits from age 12 up to age 18. 28 days waiting period before FAC issued; may be shorter for applicants with valid FAC. Two references who have known applicant for 3 years and can confirm information on applicant. FAC fee proposed at \$50. - 1/2 fee for renewal with current FAC. Firearms officer provided with authority to interview neighbours, social workers, spouses, dependents or others. FAC to include current photograph of applicant. Provisions for corporate FAC and corporate Restricted Weapon Registration Certificate.</p>	<p>FIREARMS SAFETY EDUCATION TRAINING</p> <p>FAC applicants will have to present evidence that they have successfully completed a course/test in safe handling, use, and knowledge of laws relating to firearms.</p> <p>Some courses previously taken, might be approved by provincial Attorneys General.</p> <p>Firearms officer will have discretion to certify competence without a course or test in certain circumstances.</p>
<p>SECURE STORAGE</p> <p>All firearms must be stored unloaded and separate from ammunition.</p> <p>Non-Restricted Weapons Where non-restricted firearms are stored or displayed, they must either be locked (e.g., trigger lock) or kept in a locked case.</p> <p>Restricted Weapons Restricted firearms (e.g., handguns) must be kept locked and in a locked case or room.</p> <p>Handling A person may load a firearm only in a place where it may be lawfully discharged.</p> <p>Firearms Transportation The basic standard for transport of firearms requires that they be unloaded. If a firearm is being transported in a vehicle, it must be kept out of sight and the vehicle locked unless an adult remains with the vehicle. In the case of a restricted weapon, it must also be kept out of sight unloaded, and in a locked case.</p>	
<p>LARGE CAPACITY MAGAZINES</p> <p>10 shots — handguns 5 shots — all centre-fire semi-automatic rifles and shotguns. No limits — rim-fire rifles (22 cal) and non semi-automatic firearms.</p> <p>Owners of large capacity magazines will be allowed to retain them if they have been modified to comply with prescribed limits.</p> <p>Competition shooters may be permitted to possess for legitimate shooting competitions, officially sanctioned by Attorney General of province in which competition is held.</p>	

Appendix III

List of witnesses

Associations and Individuals	Issue	Date
Department of Justice: Rick Mosley, Chief Policy Counsel, Criminal and Social Policy Sector; Christopher D. Ram, Counsel, Criminal Law Policy Section; Jim Hayes, Co-ordinator, Firearms Control Task Group; Michael Zigayer, Counsel, Criminal Law Policy Section.	61	Wednesday, May 20, 1992
Canadian Wildlife Federation: E. James T. Hook, President.	62	Thursday, May 21, 1992
Shooting Federation of Canada: Ernie Sopsich, Executive Director; Major Don Holmes, Board Member. Dr. J.D. Salloum, Former President, Dominion of Canada Rifle Association.		
National Arms Collectors Association: John Gamble, Vice-President.		
Ontario Arms Collectors Association: William Bateman, Director.		

National Firearms Association :

David Tomlinson,
National President;
Robert Marcil,
President of the Quebec Chapter and
President of the Shooting Federation of
Quebec.

Coalition for Gun Control:

Wendy Cukier,
President.

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Tuesday, June 2, 1992

Canadian Police Association:

Neal Jessop,
Chair,
Legislation Committee;
James Kingston,
Chief Executive Officer.

Canadian Association of Chiefs of Police**(Law Amendments Committee):**

Chief T.G. Flanagan,
Chairman,
Ottawa Police;
N. Beauchesne,
Legal Advisor,
Metropolitan Toronto Police;
Brian J. Ford,
Deputy Chief,
Ottawa Police.

Quebec Hospital Association:

Dr. Robert Maguire,
Chair,
Committee on Trauma Prevention;
Ginette Beaulne,
Committee member.

Victims of "École Polytechnique":

Suzanne Laplante-Edward,
Spokesperson.

Members of Parliament

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Wednesday, June 10, 1992

(in order of appearance):

Doug Fee, M.P.,
Barbara Sparrow, M.P.
Hon. Warren Allmand, P.C., M.P.
Ken Hughes, M.P.
Bill Attewell, M.P.
Dawn Black, M.P.
Lee Clark, M.P.
Bill Domm, M.P.
Phil Edmonston, M.P.
Barbara Greene, M.P.
Hon. Ralph Ferguson, P.C., M.P.
Pierrette Venne, M.P.
Hon. Mary Collins, P.C., M.P.
Francis LeBlanc, M.P.
Larry Schneider, M.P.
René Soetens, M.P.
Bud Bird, M.P.
Jim Hawkes, M.P.
Hon. Alan Redway, P.C., M.P.
Bob Speller, M.P.
Guy St-Julien, M.P.
Jim Peterson, M.P.
Louise Feltham, M.P.

Date	Location	Associations and Individuals
Wednesday, June 10, 1992	NY	<p>Members of Parliament (in order of appearance) Doug Fee, M.P. Barbara Sparrow, M.P. Hon. Warren Allmand, P.C., M.P. Ken Hayler, M.P. Bill Ancelet, M.P. Dawn Black, M.P. L. Edgars, M.P. Bill Down, M.P. Phil Edmondson, M.P. Barbara Green, M.P. Hon. Ralph Ferguson, P.C., M.P. Pierrette Venne, M.P. Hon. Mary Collins, P.C., M.P. Francis I. Eblan, M.P. Larry Schneider, M.P. Kené Soerens, M.P. Bud Bird, M.P. Jim Hawkes, M.P. Hon. Alan Rockway, P.C., M.P. Bob Sager, M.P. Guy St-John, M.P. Jim Peterson, M.P. Louis Fortin, M.P.</p>
Thursday, June 11, 1992	NY	
Friday, June 12, 1992	NY	
Saturday, June 13, 1992	NY	
Sunday, June 14, 1992	NY	
Monday, June 15, 1992	NY	
Tuesday, June 16, 1992	NY	
Wednesday, June 17, 1992	NY	
Thursday, June 18, 1992	NY	
Friday, June 19, 1992	NY	
Saturday, June 20, 1992	NY	
Sunday, June 21, 1992	NY	
Monday, June 22, 1992	NY	
Tuesday, June 23, 1992	NY	
Wednesday, June 24, 1992	NY	
Thursday, June 25, 1992	NY	
Friday, June 26, 1992	NY	
Saturday, June 27, 1992	NY	
Sunday, June 28, 1992	NY	
Monday, June 29, 1992	NY	
Tuesday, June 30, 1992	NY	
Wednesday, July 1, 1992	NY	
Thursday, July 2, 1992	NY	
Friday, July 3, 1992	NY	

A copy of the relevant Minutes of Proceedings and Evidence of the Standing Committee on Justice and the Solicitor General (*Issues Nos. 61, 62, 63, 67 and 68 which includes this Report*) is tabled.

Respectfully submitted,

ROBERT HORNER,
Chairman.

ROBERT HORNER

1st Assistant

Responsible Minister

Minutes of Proceedings and Evidence of the Standing Committee on Justice and the Solicitor General (Issues Nos. 61, 62, 63, 67 and 68 which includes this Report)