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Facts about the Firearms Bill

June 1995

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FOREWORD

The foundation of the Government's new firearms control legislation is a national registration system for all firearms and firearms owners. Many questions have been raised by the public with respect to the new registration system. This booklet is an update of the Canadian Firearms Registration System Questions and Answers, published in February 1995. Also we have added commonly asked questions on other aspects of the Firearms Bill.

For more information, please contact the Communications and Consultation Branch, Department of Justice Canada, 239 Wellington Street, Ottawa, K1A 0H8 or call (613) 992-6000.

Facts about the Firearms Bill

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Q1. *How will registration of all firearms work?*

The registration system will be similar to drivers' licences and car ownership permits. Registration will take place in two stages. In the first stage, planned for **January 1, 1996**, firearms owners will have five years in which to obtain a Firearms Licence, which will be similar to a driver's licence in that it will show that a person is entitled to have or acquire certain firearms. The licence will identify the firearms owner but not the number or types of firearms owned.

The second stage, planned for **January 1, 1998**, will require firearms owners, within the five years that follow, to register the make, model and serial number of all their firearms. The firearms owner will receive a Registration Certificate for each firearm owned. This Certificate will be similar to a car ownership permit.

The system will be computerized, simple and effective, saving firearms owners time and money.

Q2. *Once I have my Firearms Licence, do I have to renew it?*

Yes, every five years. A renewal form will be mailed to you every five years just before your birthday. It will cost approximately \$60 to renew, that is \$12 per year. Renewal will ensure that information in the registration system is kept up to date.

Q3. *Once I have registered my firearm, do I have to register it again?*

No. The Registration Certificate is good for the life of the firearm unless the firearm is sold or transferred. When a firearm is sold or transferred, it must be registered to the new owner. A nominal charge of approximately \$10 will be made for registering the transfer. This is similar to a car registration system.

Q4. *I have heard rumours that it will cost me \$100 to register my hunting rifle. How much will it cost?*

It is expected that in the first year there will be either no charge or a nominal cost of no more than \$10 for firearms owners to obtain each of a Firearms Licence (starting in 1996) and a Registration Certificate (starting in 1998). There will be an incentive to register early with costs increasing on a sliding scale over the five-year phase-in periods.

Q5. *I own many firearms. Do I have to pay to register each firearm or will there be a volume discount?*

Yes, there will be volume discounts. For example, the cost for registering up to ten firearms will be the same as for registering one.

Q6. *What if I have an FAC (Firearms Acquisition Certificate)? Do I still need to get a Firearms Licence?*

An FAC will be good until its five-year expiry date. During this period, no Firearms Licence is required. After January 1, 2001, if you still possess firearms, you must then obtain a Firearms Licence.

Q7. *Where do I register?*

Registration applications for the Firearms Licence and Registration Certificate will be available at post offices and other public places conveniently located in the community. Those who own firearms now will be able to obtain their Firearms Licence and a Registration Certificate by mailing in the applications. The renewal licence and certificate will be sent directly to the applicant.

Q8. *Will I need to register my ammunition?*

No.

Q9. *How does the registration system affect the purchase of ammunition?*

There will be no requirement to register ammunition, nor will there be any limit on the amount of ammunition you can buy. However, you will be required to produce identification, and when the new system is in place, there will be a requirement to present your Firearms Licence when buying ammunition.

Q10. *Do I need to take the firearms course again?*

Those who now own firearms, do not intend to acquire any more, and are simply applying to obtain a Firearms Licence and Registration Certificate, need not take any course.

Those who wish to acquire a firearm, and who have already completed the Canadian Firearms Safety Course, or any course or test approved by the Attorney General of a province between January 1, 1993 and January 1, 1995, will not have to take another course.

As is the case at present, if you wish to acquire a firearm and have not taken such a course or test, you will have to take the Canadian Firearms Safety Course or an approved test.

Q11. *Some people say it is going to cost anywhere from \$500 million to \$1.5 billion for the government to set up the registration system. Is this true?*

No. Setting up the system will cost approximately \$85 million, spread over five years, which will be recovered over time from the fees described above. The ongoing cost of issuing registration certificates will also be covered by fees. All fees will be reviewed by Parliament. None of these costs will be taken out of provincial, municipal, or police budgets.

Q12. *If I am an aboriginal person, do I still have to register?*

Yes. The firearms registration system will apply equally to all persons, but it will be implemented in a way that is sensible and sensitive to the aboriginal way of life. For example, measures are being taken to involve aboriginal peoples in implementing the program, including consultations with communities and aboriginal leaders in all regions of the country.

Q13. *How will registration provide any deterrent to criminal activity? Criminals will not register their firearms.*

It is true that criminals will not register. But by that very fact, criminals will identify themselves. Police who find someone in possession of an unregistered firearm will check out this person. The Canadian Association of Chiefs of Police, the Canadian Police Association, the Canadian Association of Police Boards and groups representing victims of crime strongly support registration of all firearms for practical reasons.

Registration will:

- help police solve crimes where firearms are recovered;
- help identify the sources of firearms that are recovered;
- enable police to trace some of the 3,000 firearms lost or stolen every year back to their rightful owners. This will encourage all owners to store their firearms more securely;
- allow information on safe storage and handling regulations to be directed specifically to firearms' owners, and at less cost;

- help police to determine what types and numbers of firearms they might encounter when responding to an emergency call; and
- give the police information on the number of guns known to be in the home when they are trying to enforce a court order prohibiting someone from having firearms because of a history of violence.

The vast majority of firearms homicides occur at the hands of someone known to the victim. In Canada, one woman is shot to death every six days, in most cases in her home, by someone she knows, and with a legally owned shotgun or rifle. Reducing access to firearms in cases of domestic violence is a key public safety measure.

Q14. *Registration has been tried and abandoned in other countries like New Zealand and Australia. Why are you trying it here?*

The system tried in New Zealand pre-dated modern computer systems and involved handwritten documents. The system we will introduce will be based on state-of-the-art technology. As for Australia, mandatory registration of all firearms operates successfully in five out of the eight states and territories. Australia's National Committee on Violence

recently recommended that mandatory registration of all firearms be made national in scope, like the system proposed for Canada.

Q15. *Isn't registration just more bureaucracy, without any practical benefit?*

The jury that heard months of evidence in the Coroners Inquest into the death of Jonathan Yeo, who was implicated in the gun-related murder of Nina de Villiers, addressed the practical benefits of registration. They recommended that all firearms be registered. The inquest recognized the importance of a registration system in preventing crimes and suicides.

Q16. *You have said registration would be user-friendly. How are you making it easy for me?*

The system will be user-friendly and easy. Firearm owners will have ample time to obtain both their Firearms Licence and Registration Certificate. Most owners will be able to mail in the required forms after picking them up at a post office or other public place. The Firearms Licence and Registration Certificate will be similar in appearance to a bank or credit card.

Q17. *What will be the impact of the new firearms legislation on visitors from the USA or abroad who may wish to come to Canada to hunt?*

Foreign residents visiting Canada to hunt will be issued a renewable 60-day licence, which will act as a Firearms Licence, Registration Certificate and Customs Declaration. Outfitters will be able to help hunters obtain this licence in advance, as they do now with hunting licences. Hunters will also be able to make these arrangements themselves or apply at the border for the licence.

Q18. *I have heard that a computerized firearms registry would make Canada less safe because hackers can break into any system anywhere. How will the government ensure that the system is secure?*

The existing registry for restricted firearms has been in place since 1934, is now computerized, and yet there is no history of handgun owners being the subject of break-ins because of this registry. Second, the new firearms registry will have data that can only be obtained through CPIC (Canadian Police Information Centre). The security of CPIC has never been broken. Third,

the system will work like bank or credit card, so that dealers, for example, will be able to enter transaction information but not retrieve it. Finally, firearms will be registered in the system separate from the owner's name and address and be protected by a unique firearms identification number.

Q19. *Is the registration of hunting rifles and shotguns the first step toward their confiscation?*

Not at all. As long ago as 1977, when the Firearms Acquisition Certificate (FAC) was first introduced in the Criminal Code, opponents argued that it would lead to the confiscation of all firearms. That did not happen. Now, licensing and registration provisions will be put in a separate Firearms Act, which will establish a system to permit the continued use of firearms for legitimate purposes : hunting, ranching, farming, target shooting and collecting.

Q20. *Will the Firearms Act allow police to search my house without a warrant just because I have a rifle?*

Nothing in the Firearms Act will permit search and seizure. The Firearms Act will deal only with inspection powers, which are similar to federal and provincial laws permitting inspection of gas, electricity, or fire hazards in dwellings to ensure public safety.

Inspection powers in the Firearms Act will be very limited: they only apply to businesses, handgun collectors, owners of prohibited firearms and owners of more than 10 firearms. Even then, the inspector can only enter a dwelling place on reasonable notice, and may enter only with the consent of the owner or, if refused, with a warrant obtained from a Justice of the Peace.

Q21. *I have a World War I pistol that once belonged to my grandfather and that will be prohibited under the new Firearms Act. I would like to leave it in my will to my daughter. Will this be possible?*

Any "grandfathered" prohibited handgun manufactured before 1946 and registered before February 14, 1995, can be handed down on the owner's death from generation to generation within the same family.

Notes