



Department of Justice  
Canada

Ministère de la Justice  
Canada

---

# **Background Information on Firearms Control**

---

---

# **Background Information on Firearms Control**

---

# TABLE OF CONTENTS

<b>I.</b>	<b>CRIMINAL MISUSE OF FIREARMS</b>	
	<b>OFFENCES AND PENALTIES</b> .....	1
	<b>THE NEW POLICY</b> .....	1
	New Minimum Sentences .....	1
	New Offences for Arms Trafficking .....	2
	Other New Offences .....	2
	Registration .....	3
<b>II.</b>	<b>BANNED WEAPONS</b> .....	4
	<b>THE NEW POLICY</b> .....	4
	Handguns .....	4
	Paramilitary and Military Type Firearms .....	6
	Crossbows .....	7
	Replica or Imitation Firearms .....	7
	<b>BANNED FIREARMS TO BE PROHIBITED</b>	
	<b>ON JANUARY 1, 1995</b> .....	9
	Assault Pistols .....	9
	Combat Shotguns .....	9
	Rifles and Carbines .....	9
	Examples .....	12
<b>III.</b>	<b>A NATIONAL FIREARMS REGISTRATION SYSTEM</b>	
	<b>OVERVIEW</b> .....	18
	<b>THE NEW POLICY</b> .....	18
	How Will it Work? .....	18
	Is the New System Efficient	
	and Cost-Effective? .....	19

<b>IV.</b>	<b>A NATIONAL FIREARMS REGISTRATION SYSTEM</b>	
	<b>BACKGROUNDER</b> . . . . .	20
	<b>THE NEW POLICY</b> . . . . .	20
	Step 1: Registration of Firearms Owners . . . . .	21
	Step 2: Registration of Firearms . . . . .	22
	Links to Border Controls . . . . .	23
	Links to Ammunition Controls . . . . .	24
	Links to Public Safety . . . . .	24
	Related Offences . . . . .	24
<b>V.</b>	<b>CONTROLS ON FIREARMS SMUGGLING</b> . . . . .	26
	<b>THE NEW POLICY</b> . . . . .	26
	New Offences/Penalties . . . . .	26
	National Firearms Registration System . . . . .	27
<b>VI.</b>	<b>IMPACT ON FIREARMS CONTROL ON TOURISTS,</b>	
	<b>OUTFITTERS AND HUNTERS</b> . . . . .	28
	<b>THE NEW POLICY</b> . . . . .	28
	Tourists and Outfitters . . . . .	28
	Hunters . . . . .	28
	National Firearms Registration System . . . . .	29
<b>VII.</b>	<b>ABORIGINAL HUNTING AND SUSTENANCE</b> . . . . .	30
	<b>THE NEW POLICY</b> . . . . .	30
	New Measures . . . . .	30
	Offences/Penalties . . . . .	31
	Registration . . . . .	31
<b>VIII.</b>	<b>GROUPS THAT THE MINISTER OF JUSTICE</b>	
	<b>MET WITH ON FIREARMS</b>	
	(By Province and Territory) . . . . .	32

## CRIMINAL MISUSE OF FIREARMS OFFENCES AND PENALTIES

---

*Strong deterrents and longer sentences are a substantial part of the firearms control measures and reflect the values which Canadians place on public security. Tough action is necessary to address violence in our society, and to prevent crime in our communities.*

*Under the current law, where a firearm is used to commit an indictable offence, Section 85 of the Criminal Code provides for a mandatory sentence of one to 14 years imprisonment, which must be served consecutively to any punishment for the principal offence. For a second offence, the minimum increases to three years.*

### THE NEW POLICY

#### New Minimum Sentences

A new mandatory minimum sentence of 4 years will apply when the following ten serious indictable offences are committed with a real firearm: attempted murder, manslaughter, criminal negligence causing death, robbery, kidnapping, hostage taking, sexual assault with a weapon, aggravated sexual assault, extortion, and discharging a firearm with intent to cause bodily harm.

These offences will also result in a prohibition from possessing a restricted firearm for life and any other firearm for 10 years.

Section 85 of the *Criminal Code* will continue to apply to other indictable offences committed with a firearm, but will also be strengthened. Replica or imitation firearms will now come under Section 85, in recognition of the fact that the perceived threat from a replica firearm is just as great as the threat from a real firearm. The effect will be an increase in the number of charges and convictions as Crown prosecutors will no longer have to prove the use of a real "firearm" in a crime.

## **New Offences for Arms Trafficking**

An import-export permit for commercial use, or a Customs declaration for personal use, will be required for all transactions at the border. Anyone who brings firearms across the border without abiding by these requirements, will be subject to an offence of illegal import or export of firearms, punishable by a minimum 1 year prison term if prosecuted on indictment.

To deter illegal trafficking in firearms within the country, authorization will also be required to transfer or sell firearms in Canada. Convictions for the offences of trafficking in firearms, or possession of firearms for the purpose of trafficking, will result in minimum one year prison terms if prosecuted on indictment.

With respect to both import/export and trafficking offences, courts may also consider prohibiting the offender from owning a firearm for up to ten years. If a subsequent offence is committed, such a prohibition will become mandatory as will a lifelong prohibition on possessing a handgun or other restricted weapon.

To enhance these arms-trafficking measures, offences relating to the possession of stolen or smuggled firearms will be created. The same penalties as those for trafficking and illegal import/export in firearms will apply. Courts may also consider prohibiting the offender from owning a firearm for up to ten years.

## **Other New Offences**

A new offence will be created for anyone found in possession of a restricted or banned firearm, loaded or with ammunition nearby, who does not have the necessary authorizations. A minimum 1 year prison term will be imposed if the person is prosecuted on indictment.

As well, a new serious offence will be created for persons in possession of a firearm who know that they do not have the required authorizations and are intentionally trying to evade the registration system. In such cases, a minimum prison term of 1 year will be imposed upon conviction for a second offence.

In both these cases, courts may consider prohibiting the offender from owning a firearm for up to 10 years.

The proposed registration system will also be supported by the following offences: failure to report lost, found or stolen documents or firearms; as well as the making of false statements with respect to lost, found or stolen documents or firearms.

The selling of ammunition to persons under 18 years (except holders of Minors' Permits) or to persons without a possession certificate or other suitable identification will also be made offences.



## Registration

A national registration system for all firearms and firearm owners in Canada is the foundation of the Government's firearms control program. Registration is an essential and effective tool that will help to:

- solve crimes by tracking registered guns used in homicides, robberies and other crimes;
- enforce existing laws about firearms, particularly court orders preventing individuals from owning firearms;
- trace where firearms are, who owns them, and why;
- stem the flow of illegal guns into Canada.

Registration requirements will also allow Canada to accurately monitor the types and quantities of weapons that now flow through the country. Registration will also discourage, through record keeping and increased scrutiny, the use of Canada as a transshipment point for those using multiple transfers to mask the source of illegal shipments or to avoid foreign end-user controls.

Refer to the information on *Smuggling, Registration and Banned Weapons* for related information about offences and penalties.

## BANNED WEAPONS

---

*There are an estimated 7 million firearms in Canada, including 950,000 handguns in private ownership. Many of these weapons have no legitimate purpose, such as hunting or target shooting. Some are easily concealable and lend themselves to criminal misuse. Others are expressly designed to have no other purpose than to kill people.*

*The new firearms policy will include a ban on a number of these, both previously restricted and unrestricted weapons. The bans will affect 58% of all handguns, ensuring that there will be vastly fewer handguns in the hands of private owners and that those retained are in the hands of reliable, accountable owners. By reducing the number of weapons in Canada, the bans are also aimed at reducing the criminal misuse of firearms. Banning replica firearms will also help to reduce incidents of accidental shootings.*

### THE NEW POLICY

Many paramilitary and military firearms, handguns, and crossbows will be banned, as well as replica or imitation firearms.

#### Handguns

There are 1.2 million restricted weapons registered in Canada. Of these, 950,000 handguns are registered to about 560,000 private individuals.

About half (47%) of guns used in homicides in 1993 were handguns. Half of the 3,800 firearms reported lost or stolen in 1993 were handguns.

About (48%) of handguns are registered for target shooting. Approximately 21% per cent of handguns are registered for gun collections. About 15% of handguns are registered for employment purposes, such as in the security business.

Handguns may be registered for self-protection against people only in the most extreme circumstances. They are occasionally registered for protection against animals in the wilderness, for example by geologists.

A total of about 55,000 carry permits were issued last year to take a handgun to a shooting club, which suggests that many people do not actively use their handguns.



- Under the new policy, the following classes of handguns will be prohibited:
  - all handguns whose barrels are 105 mm (4.14 inches) or shorter, and
  - all .25 and .32 calibre handguns.

These handguns, primarily designed for self-protection, are generally inexpensive and easy to conceal. They have no legitimate target shooting or collecting purpose. Further importation of these types of handguns cannot occur and existing owners will be able to keep them for life.

- The ban on these handguns will affect approximately 553,000 handguns, 58% of all handguns registered to private owners in Canada. Virtually all of these handguns will eventually be removed from circulation when owners die or when the guns are disposed of by the police.
- Once the statute is passed, current owners of these handguns will be permitted to keep them for life, but not sell or transfer ownership of them.
- Beginning in 1996, all gun owners will be asked to apply for a possession certificate, and beginning in 1998, all guns must be registered. This registration system will also apply to owners of the banned handguns.
- Individuals who wish to dispose of their guns should contact the local police service.
- Currently, when restricted weapons such as handguns are registered, the reason for ownership is established and owners may keep them for life, even if no longer needed for the specific purpose, such as target shooting or collecting. Under the new legislation, owners of handguns will have to re-establish every five years that they have a lawful purpose for having the weapon. This will be accomplished through the registration system, and the owner will have to transfer, dispose of or deactivate the handgun if he or she no longer qualifies.
- Further controls are being proposed for handgun collectors. These would require gun collections, records and the location where the collection is kept to be inspected at least once in each five-year period to increase owner accountability for safe storage.
- A national training course will be developed for people who wish to acquire handguns. The standard will reflect the additional safety concerns and legal obligations relating to handguns, and will be developed in cooperation with firearms specialists.

- Standards will be established with gun clubs to promote the legitimate use of firearms. Regulatory requirements will apply to the setting up and operation of shooting clubs and such specific areas as membership, record-keeping, national certification or affiliation, safety standards for constructing and operating firing ranges, and involvement in the permit process.

### **Paramilitary and Military Type Firearms**

The terms "military" and "paramilitary" describe a general class of firearms designed primarily for military or police applications. They are not legal or forensic terms. They are either a direct copy of a specific military firearm or a generic version that has features from several military models.

While some of these weapons are used for hunting purposes, many are extremely powerful firearms, and are designed solely for the purpose of killing people.

- Twenty-one types of military and paramilitary firearms, including over 200 individual models, will be declared "prohibited weapons" under the *Criminal Code* by Order-in-Council effective January 1, 1995. Present owners will be allowed to keep their firearms for life, but not to transfer them.
- Some assault pistols will be prohibited outright, and will be confiscated as of January 1, 1995.
- The amendments will provide authority to prohibit, in the future, firearms that, in the opinion of the Governor in Council, are not reasonable for use in hunting and for sporting purposes.
- Prohibitions close the door on future imports and ensure that the number of these firearms will steadily decline.
- Once a firearm is declared prohibited, those who own them may keep them for life, but they cannot be transferred to someone else. Owners may still donate them to museums or sell them to industries or companies such as movie armourers, which are authorized by law to possess prohibited firearms.
- As well, the importation of parts exclusively for fully-automatic firearms will be prohibited.

Refer to the information on *Registration and Offences and Penalties* for related information about handguns.

## Crossbows

Crossbows do not presently fall under firearms regulations in the *Criminal Code*. The market for crossbows has continued to grow in recent years.

Crossbows pose a potential threat to public safety because they can cause lethal injuries. While the primary use for crossbows in Canada is hunting, six provinces and one territory do not permit it.

Crossbows used for hunting project "bolts" with sharp points that are designed to injure or cause death by loss of blood. These points can penetrate soft body armour such as that worn by the police. They are also relatively silent, making them potentially dangerous criminal weapons.

Crossbows require little skill or practice. A relatively unskilled person can shoot a crossbow well enough to kill a deer at 50 yards. They are sold in sporting goods stores for between \$200 and \$450. No permits are required to buy or sell crossbows.

Under the changed legislation:

- Crossbows will be treated as firearms under the *Criminal Code* for the purposes of screening those who want to acquire them.
- When a person is prohibited by court order from possessing a firearm, the same prohibition will apply to crossbows.
- Compact crossbows designed to be aimed and fired by one hand, and those less than 400mm (15.75 inches) in overall length, will become prohibited weapons and future importation of these types of crossbows will be banned. Existing owners will be asked to turn them in to police. These crossbows are not used for hunting and have no legitimate target shooting purpose.

Refer to the information on *Registration and Offences and Penalties* for related information about crossbows

## Replica or Imitation Firearms

Replica or imitation firearms are near or exact duplicates of actual firearms. They are virtually indistinguishable from the real thing.

Replica or imitation firearms have been the cause of shootings by police officers who were unable to distinguish between the replica and a real firearm. In fact, for police and potential victims, the perceived risk from a replica is as great as that from a real firearm.

Under the new law :

- The use of imitation firearms in the commission of a crime will come under the current *Criminal Code* (Sec. 85) offence which calls for a one-year minimum mandatory sentence to be served consecutive to the indictable offence. Crown prosecutors will no longer have to prove the use of a real "firearm" in a crime.
- The sale, import and manufacture of replica firearms will be banned.
- The ban will not affect most toys on the market, as these are now usually made of plastic, produced in bright colours or have some other clear characteristic, such as size, that distinguishes them from real firearms. The ban is aimed at precision models, made to appear identical to the firearm they represent.

Refer to the fact sheet on *Offences and Penalties*  
for related information about imitation firearms.

## **BANNED FIREARMS**

### **Firearms to be Prohibited on January 1, 1995**

---

*These firearms are all recent models of assault pistols, combat shotguns or assault rifles and carbines. They must be deactivated, turned in to police, or otherwise disposed of by January 1, 1995.*

#### **Assault Pistols**

#### **Estimated Numbers**

1.	OA-93	0
2.	"Patriot" semi-automatic Pistol	0
3.	XM 2315	0
4.	AA Arms Model AP-9	28
5.	Kimel Industries, AP-9	0
6.	Grendel P-30	1
7.	Claridge Hi-Tec S, L, T, Pistols	7
8.	Steyr SPP Assault Pistol	2
9.	Maadi "Griffin" Pistol	0

#### **Combat Shotguns**

1.	Franchi SPAS-15	8
2.	Benelli M1 Super 90	4
3.	Bernadelli B4 Shotgun	

#### **Rifles and Carbines**

1.	Maadi "Griffin" Rifle and Carbine	0
2.	AA Arms Model AR-9 Rifle and Carbine	0
3.	Claridge Hi-Tec C, Lec-9 and Zlec-9 Carbines	
4.	Kimel Industries AR-9 rifle or carbine	
5.	Grendel R-31 Auto Carbine	

## BANNED FIREARMS

### Previously Restricted Firearms to be Prohibited

*The following are all previously restricted weapons that, under the new policy, will now be prohibited. People who are the registered owners of these firearms as of January 1, 1995, will be permitted to keep them for life, but may not transfer or sell them to another person.*

<u>Rifles and Carbines</u>	<u>Numbers on Register</u>
1. AK-47 and variants	4,091
2. Armalite AR-180	199
3. Auto-Ordnance M27A1/M1927A-3	975
4. Beretta AR-70	15
5. Bushmaster Assault Rifle	23
6. Cetme Sporter	1
7. Commando Arms Carbine	71
8. Daewoo K-1, K-2, MAX-1, MAX-2, AR-100, AR-110C	318
9. Demro Tac-1M Carbine	23
10. Eagle "Apache" Carbine	11
11. FN-FAL and variants }	6,000
}	
12. FNC-11, 22, 33 }	
13. Galil	571
14. Goncz High-Tech Carbine - Now called Claridge High-Tech	0
15. Heckler and Koch HK-91	806
16. J&R Eng M-68/PJK-M-LF	1
17. Leader Mark 5 Auto Rifle	8
18. SIG AMT, PE-57	16
19. SIG SG-550/SG-551	31
20. Springfield Armoury - BM59	4
21. Springfield SAR 48	8

**NOTE:**

The Colt AR-15 and the Ruger Mini-14 will be prohibited following the passage of legislation to permit this. Once again, present owners will be permitted to keep them for life.

## FIREARM - PROHIBITIONS

		APPROX. NUMBERS AFFECTED
1.	<b><u>Handguns</u></b> (by statute)	
-	to be grandfathered	
.	.25 calibre	40,800
.	.32 calibre, and	174,800
.	all calibres of 105 mm and under in barrel length	339,600
TOTAL		555,200
2.	<b><u>Handguns</u></b> (by Order in Council effective Jan 1/95)	38
-	9 makes of assault pistols	
3.	<b><u>Paramilitary/Military</u></b>	
a)	by Order in Council firearms already restricted moving up to prohibited effective January 1, 1995	13,172
-	21 types affected (hundreds of variants)	
b)	by Order in Council, new models of combat shotguns and assault rifles & carbines	50
-	effective Jan. 1/95	



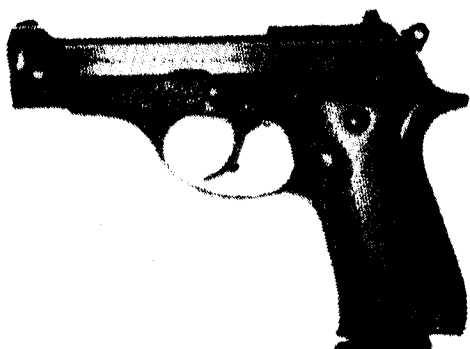
**Examples of Banned Handguns,  
Paramilitary and Assault-Type  
Weapons, Including Crossbow**



019: American Derringer 25 Auto



020: Bauer Automatic Pistol (Stainless Steel)



021: Beretta Model 81/84 DA Pistols



022: Raven P-25 Auto Pistol



023: High Standard 9194 and 9306 Derringer



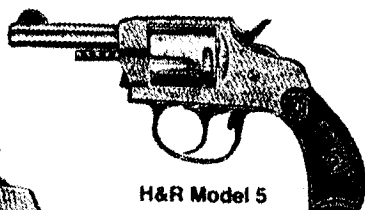
014: Auto-Ordinance M27A1/M1927 A-3



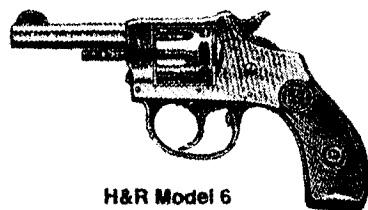
015: Bushmaster Assault Rifle



016: Charter Arms Undercover 32 S&W Long

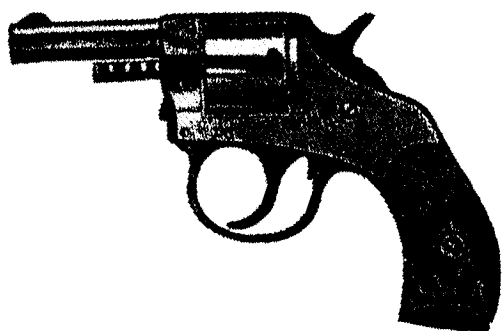


H&R Model 5



H&R Model 6

017: Harrington & Richardson Young America  
Double Action Revolvers (Models 5 & 6)



018: Harrington & Richardson Young America  
Double Action Revolver



009: FNC-11, 22, 33, FNC Auto Rifle



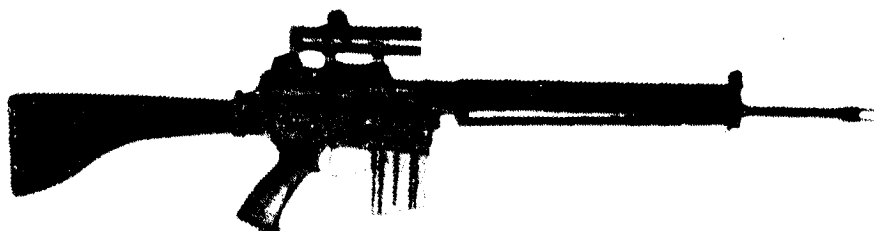
010: Galil Auto Rifle



011: Heckler & Koch HK-91



012: Daewoo AR-100



013: Armalite AR-180



005: Walther PPKS



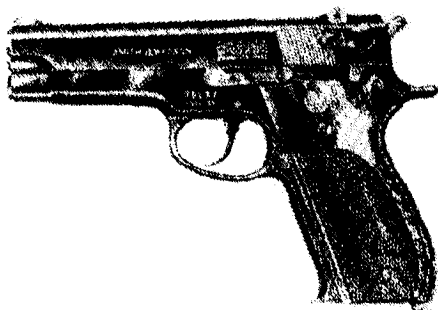
006: RG38S Revolver



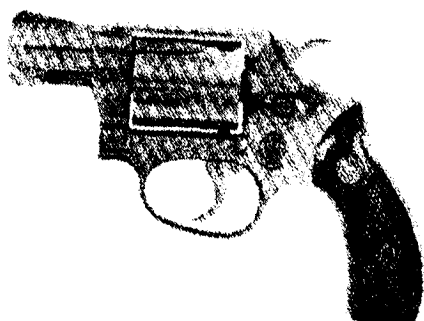
007: Crossbow



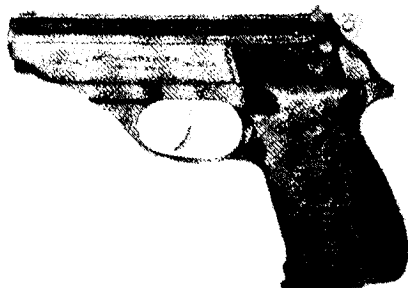
024: C.O.P. 357 Magnum



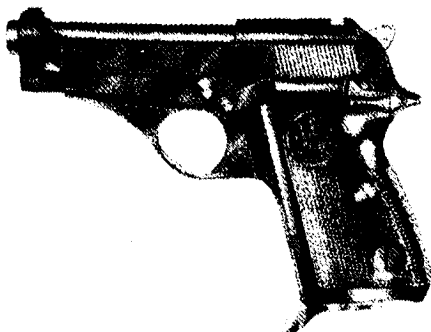
001: S&W Model 39 - 9mm Autopistol



002: S&W Chiefs Special 2" BBL-39 SPL



003: Astra Constable Pistol



004: Beretta Model 705

## A NATIONAL FIREARMS REGISTRATION SYSTEM OVERVIEW

---

*At present, Canada does not have a universal firearms registry system. Although there are an estimated seven million firearms and three million firearms owners in Canada, it is impossible to know exactly how many firearms are in the country at any one time, who owns them, and, in some instances, whether these firearms were acquired legally.*

*A national registration system for all firearms and firearm owners in Canada is the foundation of the Government's firearms control program. Registration is an essential and effective tool that will help to:*

- *protect the safety of the public;*
- *solve crimes by tracking registered guns used in homicides, robberies and other crimes;*
- *stem the flow of illegal guns into Canada;*
- *identify the number and types of firearms in a home when police respond to an emergency call;*
- *encourage responsible, safe storage among gun owners;*
- *enforce existing laws about firearms, particularly court orders preventing individuals from possessing firearms;*
- *provide the information required to develop effective legislation to protect public safety in the future.*

### THE NEW POLICY

#### How will it work?

The system will operate in much the same way as car registration and licensing systems, in which both the car and the driver are recorded in the system and can be matched with each other.

A national firearms registry will establish who owns what kind of firearm and will register and record all firearms "transactions" -- every time a firearm changes hands -- at the point of sale, between individuals, when firearms cross, enter or leave Canada, and when firearms are lost or stolen.



- ◆ The registration system will provide a complete list of all private, corporate and government owners of firearms. All owners will have a credit card-type Firearms Possession Certificate (FPC), which is similar to, but will replace, the current Firearms Acquisition Certificate (FAC).
- ◆ In addition, there will be a complete list of lawfully owned firearms. For each firearm there will be a thin plastic Firearms Registration Card (FRC). Most firearms will be identified by their serial numbers.
- ◆ Current firearms owners will have five years, starting in 1996, in which to obtain a new Firearms Possession Certificate which registers them as owners. They will also have five years, starting in 1998, to obtain a Firearm Registration Card for their firearms. In both cases, most firearms owners who merely wish to retain their firearms will need only to mail in a form that will be conveniently available, for example, at the local post office. New owners will be registered when they purchase their guns.
- ◆ Firearms Possession Certificates will only be issued when the person applying for one is not prohibited from owning a weapon or does not represent a serious risk. This information will appear in the system when the person applies for a certificate.
- ◆ New firearms will be registered in the system as soon as they are produced in Canada or as soon as they enter Canada.

### **Is the new system efficient and cost-effective?**

The new registration system will use state of the art technology, it will be efficient, it will serve the user and be cost-effective. The new system was developed with these requirements in mind. It will be automated and virtually paperless, saving both gun owners and those who administer the system both time and money.

The registration system will permit:

- many transactions to be recorded directly into the system by a local police registrar, cutting down on paperwork;
- automatic identification of firearms that are lost or stolen, and of people who the courts have decided should not own a firearm;
- transactions, such as the sale of a firearm, to be entered by credit card-like machines at participating retailers;
- eventual recovery of the costs of operating the system from its users, while keeping costs modest.

## A NATIONAL FIREARMS REGISTRATION SYSTEM BACKGROUND

---

*At present, Canada does not have a universal registration system for all firearms and firearm owners. However, approximately 1.2 million restricted weapons are already registered with the RCMP. These include 950,000 handguns registered to about 560,000 individuals.*

*Although there are an estimated 7 million firearms in Canada, without universal registration there is no way of knowing with any certainty just how many firearms are really in the country at any one time. And although there are approximately 3 million firearms owners in Canada, no one knows who owns what firearms and, in some instances, whether those firearms were acquired legally.*

*A national firearms registration system is needed to establish who owns what kind of firearm. It will register and record all firearms transactions at the point of sale, between individuals, when firearms transit, enter or leave Canada and when firearms are lost and stolen. The system will be simple and easy to use and will operate on the principle of cost recovery through user fees.*

### THE NEW POLICY

A computerized national registration system for all firearms and firearms owners in Canada is essential for the implementation of a number of components of the Government's firearms control program. The registration system will enable a number of key objectives to be met:

- ◆ The registration system will assist police in solving crimes by tracking registered guns used in homicides, robberies, and other criminal acts.
- ◆ It will help police to know the types and numbers of guns in a home when responding to emergency calls;
- ◆ Registration will help police to enforce court-ordered firearms prohibitions that prevent certain people from possessing firearms;
- ◆ It will help to stem the theft, diversion and smuggling of firearms;

- ◆ Registration of rifles and shotguns will promote a greater sense of accountability for safe storage and use by gun owners;
- ◆ Registration of firearms will help police track missing and stolen firearms.
- ◆ A national firearms registration system will help to reduce the misuse of firearms by licencing the purchase of ammunition.

### **Step 1: Registration of firearms owners**

A new registration system will be built on the present Firearms Acquisition Certificate (FAC) process. New documents called Firearms Possession Certificates (FPCs) will be introduced beginning on January 1, 1996. FACs will no longer be issued after this date. FPCs will be mandatory for all firearms owners. They will be phased in over a five year period and will be valid for five years and renewable on the birth date of the holder.

There will be several categories of Firearms Possession Certificates depending on whether the holder is a minor, now owns a rifle or shotgun, now owns a restricted weapon, intends to acquire a rifle or shotgun or intends to acquire a restricted weapon.

For owners of restricted weapons such as handguns this will include significant changes. Applicants who wish to acquire restricted weapons will have to successfully complete a special safety course similar to the present Firearms Acquisition Certificate requirement. In addition, restricted weapons owners will no longer be issued registration certificates valid for life. Instead they will be required to establish through the registration system that they still require the restricted weapon for a valid reason every five years. Valid reasons include being a genuine gun collector or establishing a legitimate sport or employment use.

#### **Firearms Possession Certificate System**

<b>FPC 1:</b>	<b>Minors (12-18 years)</b>
<b>FPC 2:</b>	<b>Possession of existing long guns, (ie. rifles and shotguns)</b>
<b>FPC 3:</b>	<b>Acquiring new long guns</b>
<b>FPC 4:</b>	<b>Possession of existing restricted firearms (ie. handguns)</b>
<b>FPC 5:</b>	<b>Acquiring new restricted firearms</b>

In order for current owners of rifles and shotguns to receive their FPCs, they will have to fill out a mail-in application form and undergo a simple police check to ensure there is no outstanding court order prohibiting them from having firearms. For those wishing to acquire a firearm or renew an FPC after five years, a more detailed security screening procedure like the present Firearms Acquisition Certificate process will apply. This process will be improved by requiring two signatures of character references instead of just supplying two names.

The FPC card itself will contain written information on one side including the person's name, date of birth, authorizing signatures and a unique FPC number. For added security and ease of use, the other side of the card will contain a magnetic strip and a two dimensional bar-code containing the same information.

When the system is fully in place all firearms owners in Canada will be required by law to have an FPC which uniquely identifies them as an owner of one or more firearms. A multi-media advertising campaign will be used to create awareness of this requirement and ensure compliance with registration provisions.

A sliding scale of fees will be set in order to encourage firearms owners to register early. These and other fees would be set by regulations subject to Parliamentary review.

## **Step 2: Registration of firearms**

Beginning January 1, 1998, the second step of the registration process will take place when all firearms owners will be required to begin registering the make, model and serial numbers of all their firearms.

After a firearms owner completes an application form, a uniquely numbered Firearms Registration Card (FRC) will be issued for each firearm. Once issued, an FRC is valid for the lifetime of the owner (unless the firearm is sold, destroyed, disposed of or modified in any way). The firearm will then be registered on the computer system against the owner's FPC number. To reduce delays, modern "direct entry" systems would be used to access the computer system directly from the place where the application is made, in most cases a gun dealer or police station. By the time the system is in place all firearms in Canada will have to be registered in this way. Again, a sliding fee scale would apply.

Beginning on January 1, 1998, all firearms transactions will be recorded by the registration system. Direct entry computer terminals will be used to do this where possible. Importers of firearms will be required to report entry into Canada. In all other cases the person who already has the firearm would be required to report the transfer.

Once the registration system is fully in place, a small fee will be charged for each firearm transaction that takes place, for example, the selling of a firearm from one person to another.

### **Proposed for Firearms Owners**

DECEMBER 31, 1995:	Last date for issue of Firearm Acquisition Certificates (FACs). FACs still valid for 5 years from date of issue.
JANUARY 1, 1996:	First Firearms Possession Certificates (FPC) issued. FPCs valid for 5 years.
JANUARY 1, 1998:	First Firearms Registration Certificates (FRC) issued. Valid for life or until firearm sold, destroyed etc.
JANUARY 1, 1998:	All firearm related transactions must be reported to police and entered on registration system.
JANUARY 1, 2001:	All firearm owners will now have FPC.
JANUARY 1, 2003:	All firearms will now be registered.

### **Links to Border Controls**

Every firearm that enters or leaves Canada will be required to have an import/export permit for commercial use or a Customs declaration for personal use. The registration of all firearms imported/exported, shipped in-transit through Canada to another country and transferred within Canada would become mandatory at the beginning of the second step, i.e. January 1, 1998.

In recognition of the importance of tourism to the Canadian economy, requirements for visitors, while on hunting trips for example, will be as straightforward as possible. Tourists entering or leaving Canada with firearms would be required to obtain a Customs declaration at the border or at a Canadian mission abroad. It would be stamped by Customs officials and the place and date of the entry and exit would be entered on the registration system. The stamped declaration would serve as an FPC for a specified period of time.

Registration requirements will allow Canada to accurately monitor the types and quantities of weapons which now flow through the country. Registration will also discourage, through record keeping and increased scrutiny, the use of Canada as a transshipment point for those

using multiple transfers to mask the source of illegal shipments or to avoid foreign end-user controls.

These changes recognize that firearms are inherently dangerous objects that have important domestic consequences in terms of public security, safety and crime control.

### **Links to ammunition controls**

By placing further restrictions on the purchase of ammunition, the government is introducing one more way to help prevent tragic shootings and loss of life, whether by suicide, accident or homicide.

The Firearms Registration System will be used to control access to ammunition. As the system is being set up, firearm permits or other approved identification such as a driver's licence, will be needed to buy ammunition. These controls will ensure that only people with a legitimate purpose to buy ammunition are doing so.

### **Links to Public Safety**

The national registration system will provide a further resource to police when dealing with situations involving domestic violence or stalking. In the case of reported domestic violence, police will be able to consult the registration system on their way to a call and determine if firearms are present at that location. In situations involving criminal harassment or stalking, police will be able to determine if a person prohibited from possessing a firearm actually owns one or has access to one. Police will then be able to seize the firearm or seek a further prohibition for other persons living with the harasser.

The registration system will contribute to better accountability since the ownership of lost or stolen firearms will be easily established. Registration requirements will help to reinforce current regulations governing the safe handling, use and storage of firearms.

### **Related Offences**

*Criminal Code* smuggling and trafficking offences for possession, import, export and transfer of any firearm without the appropriate permit will be created or modified. The registration system will make the enforcement of these new offences possible.

Possession of a firearm without the required documents will be punishable on summary conviction by a maximum \$2,000 fine and six months in jail or by up to five years in jail if prosecuted on indictment.

Failure to report a lost or stolen firearm and failure to report lost or stolen firearms certificates will also become an offence.

Possession of a stolen firearm, possession of a smuggled firearm and possession of a firearm for the purpose of trafficking will be punishable on summary conviction by a maximum \$2,000 fine and six months in jail. If prosecuted on indictment, a minimum one year and a maximum of 10 years imprisonment would apply.



## CONTROLS ON FIREARMS SMUGGLING

---

*Controls on the illegal movement of firearms are one of the main elements of the government's firearms control proposals. Police chiefs and legitimate gun owners and users have asked the government to crack down on this criminal activity. This is an urgent problem requiring concerted action. Measures to enforce strict border controls will be stepped up, and all guns, whether they are commercial shipments or for personal use, will be tracked through the new permits and registration system.*

### THE NEW POLICY

#### New Offences/Penalties

Gun smuggling and the illegal use of firearms will be dealt with sternly. New *Criminal Code* offences with stiff penalties will be created for illegally importing and trafficking firearms. A **new offence of possession** of smuggled firearms, punishable by up to ten years' imprisonment, will be created in the *Criminal Code*.

A **new criminal offence** will also make it illegal to import or export any firearm without a permit for personal use or for commercial shipments. This would be punishable by up to 10 years in prison. The Court will also be required to consider prohibiting those convicted from possessing firearms.

As a major deterrent to organized crime, smuggling, trafficking and related conspiracy offences will be added to **enterprise crime offences** in the *Criminal Code*. This means that vehicles, boats or airplanes used for in-Canada trafficking in firearms can be seized along with other assets and forfeited as proceeds of crime.

Customs would detain shipments where prohibited or unauthorized goods are found, or inspection fees are not paid. Regulatory powers to inspect, detain or seize shipments will be enhanced.

**Increased fines and penalties** and the use of existing powers will ensure that importers accurately describe shipments and maintain high levels of security for weapons passing through Canada or before delivery to retailers or customers.

## **NATIONAL FIREARMS REGISTRATION SYSTEM**

Creation of a **national firearms registration system** will greatly contribute to halting the illegal movement of guns into Canada. Import, export and in-transit shipments of firearms would be subject to registration requirements. Declarations and permits will only be issued to individuals and companies who have the necessary permits to possess firearms when they are in Canada.

Registration requirements will allow Canada to accurately monitor the types and quantities of weapons which now flow through the country. Registration will also discourage, through record keeping and increased scrutiny, the use of Canada as a transshipment point for those using multiple transfers to mask the source of illegal shipments or to avoid foreign end-user controls.

These changes recognize that firearms are inherently dangerous objects that have important domestic consequences in terms of public security, safety and crime control.

## IMPACT OF FIREARMS CONTROL ON TOURISTS, OUTFITTERS AND HUNTERS

---

*Tourism is important to the Canadian economy. New firearms requirements for tourists and outfitters will be as straightforward as possible. The government also recognizes that the vast majority of hunters are law-abiding citizens who understand the importance of the safe use and storage of firearms. As a result, the impact of these proposals on hunters is minimal.*

### NEW POLICY

#### 1. Tourists and Outfitters

The registration of all firearms imported, exported, shipped in-transit and transferred within Canada would become mandatory at the beginning of the second phase of registration proposed for January 1, 1998.

Every firearm that enters or leaves Canada will be required to have an import/export permit for commercial use or a Customs declaration for personal use.

Tourists entering or leaving Canada with firearms would be required to obtain a Customs declaration at the border or at a Canadian mission abroad.

U.S., Canadian, Provincial and Territorial Tourist Associations and Outfitters will be supplied with Customs declaration forms and information brochures explaining registration requirements. These can then be sent to tourists in advance of their visit.

The declaration would be stamped by Customs officials and the place and date of the entry and exit would be entered on the registration system as the gun enters and leaves Canada.

Once stamped, the declaration would serve as a Firearms Possession Certificate for a specified period. This declaration would have to be shown when purchasing ammunition.

#### 2. Hunters

As with other firearms owners, all Canadian hunters who own one or more firearms must obtain a Firearms Possession Certificate beginning January 1, 1996 and not later than January 1, 2001. This replaces the current Firearms Acquisition Certificate on expiry and is good for five years.

Registration kits containing applications and information brochures will be made widely available. To reduce delays, modern "direct entry" systems would be used to access the national registration computer system directly from the place where the application is made, in most cases a gun dealer or police station.

To buy ammunition, a valid form of identification such as a driver's licence will have to be produced. Once the registration system is in place, a Firearms Possession Certificate will be required to buy ammunition.

There will be no limit placed on the amount, kind or calibre of ammunition that can be bought so, for example, someone living in Yellowknife will be able to buy ammunition for a friend in a remote area.

## **NATIONAL FIREARMS REGISTRATION SYSTEM**

Beginning January 1, 1998, the make, model and serial number of each and every firearm in Canada must be registered by the owner. The registration of all guns must be completed by January 1, 2002 and registration is good for life. As with the Firearms Possession Certificate, a sliding fee scale would apply.

Once the registration system is fully in place, a small fee will be charged for each firearm transaction that takes place, for example, the selling of a firearm from one person to another.

## ABORIGINAL HUNTING AND SUSTENANCE

---

*Many Aboriginal people have Aboriginal and treaty rights to hunt and trap. Aboriginal people, especially those in remote northern communities, live a traditional lifestyle and exercise their hunting and trapping rights, often as a means of sustenance. In respecting this way of life, the government will ensure that: Aboriginal groups are involved in all aspects of implementing the new firearms controls program; treaty rights, traditional values and lifestyles of Aboriginal Communities are reflected in course material for Canadian Firearms Safety Courses; and that implementation be determined through extensive and ongoing consultation with Aboriginal groups, the provinces and territories.*

*The legislation will apply equally to all persons. Aboriginal and non-aboriginal people who hunt and trap for sustenance will have the same opportunities to maintain their lifestyle.*

### THE NEW POLICY

#### New Measures

The Federal Government will consult with Aboriginal groups, the provinces and territories to introduce regulations that will enable Firearms Possession Certificate applicants who are already **proficient** in firearm use to obtain the personal certification of a firearms officer. Eligibility for personal certification will be determined through the consultative process.

Teaching materials for the Canadian Firearm Safety Course will be developed in aboriginal languages for use in local communities. To further ensure relevancy, provinces and territories may adapt course content, for example, so that part of the course dealing with handgun safety could be amended or shortened in the Northwest Territories and Yukon in favour of more emphasis on wilderness survival. The approval process for course content rests with the province or territory.

Special measures will be taken to ensure that Aboriginal individuals are designated as firearms officers. Where this is not possible, the Attorney General of Canada may appoint, in consultation with local Aboriginal communities, a local advisory council to work with the firearm officer and the community.

## Offences/Penalties

When hunters and trappers who are sustenance hunters, either for themselves or their families, are at risk of losing their firearms for criminal misuse, courts will be able to issue **partial** firearms prohibition orders. They will be issued only in exceptional instances and under certain conditions: where full prohibition would result in extreme hardship for the accused; when public safety would **not** be endangered; and when the accused agrees to the access terms set by the Court, for example, "while on the land to hunt for food" or "under supervision".

Aboriginal and non-aboriginal sustenance hunters and trappers will continue to be exempt from the Firearms Acquisition Certificate fee. The same exemption applies to minors' permits.

## REGISTRATION

Aboriginal people will have to register their firearms. The federal government will consult with aboriginal groups and provincial and territorial governments to facilitate registration of firearms owned by those who live in remote regions.

Refer to the information on: *A National Firearms Registration System and Offences and Penalties.*

**GROUPS THAT THE MINISTER OF JUSTICE HAS MET WITH ON FIREARMS /**  
**GROUPEs INTÉRESSÉS PAR LES ARMES À FEU QUE LE MINISTRE A**  
**RENCONTRÉS**

**ALBERTA**

Alberta Fish and Game Association  
 MilArm Company Limited  
 National Firearms Association  
 National Rifle Association  
 Nosehills Gun Club  
 Provost and District Fish and Game Association  
 Responsible Firearms Owners of Alberta  
 Tribal Chiefs Association

**BRITISH COLUMBIA / COLOMBIE-BRITANNIQUE**

B.C. Wildlife Federation  
 Interior B.C. Firearms Alliance  
 Responsible Firearms Owners Coalition of B.C.

**MANITOBA**

Brandon Wildlife Club  
 Manitoba Wildlife Federation  
 National Firearms Association of Winnipeg  
 Responsible Gun Owners of Manitoba  
 Western Canada Firearms Collectors and Dealers Association

**NEW BRUNSWICK / NOUVEAU-BRUNSWICK**

Bains Corner Gun Club  
 Big Salmon River Angling  
 Blue Mountain Gun Club  
 Canadian Olympic Shooting Team  
 Chipman Sportsman Club  
 Hampton Rifle and Piston Club  
 High Mountain Gun Club Incorporated  
 International Practical Shooting Confederation of New Brunswick  
 Irving Pulp and Paper Recreational Gun Club  
 Miramichi Sportsman Club  
 New Brunswick Black Powder  
 New Brunswick Hunters' Association  
 New Brunswick Outfitters' Association  
 New Brunswick Wildlife Federation  
 Number 174 Civilian Rifle Association  
 Palmer Precision Gunsmithing



**NEW BRUNSWICK/NOUVEAU-BRUNSWICK** (continued/suite)

Shepody Fish and Game Association  
 St. John Fish and Game Association  
 St. John Rifle and Pistol Club  
 Sussex Shooting Club  
 Welsford Gun Club  
 Welsford Sportsman Club

**NEWFOUNDLAND / TERRE-NEUVE**

Bellevue Beagle Club  
 International Practical Shooting Confederation of St. John's  
 Magnum Shooting Club  
 Newfoundland Wildlife Federation  
 Newfoundland and Labrador Shooting Association  
 Provincial Rifle Association  
 St. John's Rod and Gun Club

**NORTHWEST TERRITORIES / TERRITOIRES DU NORD-OUEST**

Dene Nation  
 Yellowknife Dene Band  
 NWT Action Shooting Association  
 NWT Federation of Shooting Sports  
 NWT Cabinet and Caucus

**NOVA SCOTIA / NOUVELLE-ÉCOSSE**

Big Game Society of Nova Scotia  
 Bowhunters Association  
 Cape Breton Track and Ski Club  
 Halifax Wildlife Association  
 Kings Co. Fish and Game  
 Metro Rifle and Pistol Club (many members)  
 Musquodobit Valley Rifle and Revolver Club  
 National Firearms' Association of Nova Scotia  
 Noel Shore Wildlife Association  
 Nova Scotia Firearms Coalition  
 Nova Scotia Safe Hunters' Firearms Association  
 Nova Scotia Salmon Association  
 Nova Scotia Wildlife Federation  
 Nova Scotia Wildlife Federation - Firearms Legislation Committee  
 Richmond Co-Wildlife Association  
 Russell's Firearms  
 Trappers Association of Nova Scotia  
 Valhalla Gun Club and Shop  
 West Pictou Wildlife Association

**ONTARIO**

Ottawa (September 16, 1994 / le 16 septembre 1994)

Arnprior Handgun Club  
 Arnprior and District Rifle and Revolver Association  
 Bancroft and District Fish and Game Protective Association  
 Bancroft Hunting and Fishing Club  
 Canadian Wildlife Federation  
 Deep River Rod and Gun Club  
 Eganville and District Sportman Club  
 Kingston Rifle and Pistol Club  
 Lower Trent Valley Fish and Game Club  
 Madawaska Valley Fish and Game Club  
 Madoc Fishers and Anglers  
 Napanee Rod and Gun Club  
 Ontario Federation of Anglers and Hunters  
 Pembroke Outdoor Sportsmen Club  
 Peterborough Fish and Game Association  
 Quinte Wild Turkey Association  
 Responsible Firearms Owners of Ontario  
 Sunset Handgun Club

Ottawa (at the Department of Justice / au ministère de la justice)

Assembly of First Nations (National Chief)  
 Association of Hunters and Anglers  
 (at least six times - in Ottawa and in Toronto)  
 International Practical Shooting Confederation  
 National Firearms Association  
 Ontario Handgun Association  
 Ontario Federation of Anglers and Hunters  
 Organizers of Ottawa Anti-Gun Control Rally  
 Responsible Firearms Owners of Alberta  
 Shooting Federation of Canada

Southern Ontario Area / région du sud de l'Ontario

Conservation Club of Port Colborne  
 Ducks Unlimited, Lambton County Conservation  
 East Elgin Sportsmen Club  
 Guelph Rod and Gun Club  
 Huron Fish and Game  
 Lambton Sports Limited  
 Niagara Region Sports Association  
 Ontario Handgun Association

Southern Ontario / région du sud de l'Ontario (continued/suite)

Rod and Gun Club  
 Stratford Rifle and Revolver Club  
 Shooters Choice  
 Twin City Rifle Association

Sudbury

Espanola Game and Fish Association  
 Ontario Federation of Anglers and Hunters

Thunder Bay

Dryden Pistol and Rifle Association  
 Northwest Ontario Prospectors Association  
 Ontario Federation of Anglers and Hunters  
 Thunder Bay Fish and Game Association  
 Thunder Bay Handgun Club

Toronto Area / région de Toronto

Artemis Hunting Club  
 Blue Ridge Sportsmen Club  
 Burlington Gun Club  
 Cacciatore Hunters of Toronto  
 Dufferin-Northern Peel Anglers and Hunters Association  
 Federation of Saskatchewan Indian Nations (Chief)  
 International Practical Shooting Confederation  
 Maple Leaf Revolver Club  
 Ontario Arms Collectors Association  
 Ontario Federation of Anglers and Hunters  
 Ontario Olympic Trapshooting Association  
 Ontario Provincial Trapshooting Association  
 Ontario Rifle Association  
 Shooting Federation of Canada  
 Sportsman Alliance of Canada  
 Sportsmen Association  
 Williams Arms

PRINCE EDWARD ISLAND/Île-du-Prince-Édouard

None / Aucune

**QUÉBEC**

Association des collectionneurs d'armes à feu du bas Canada  
 Association des collectionneurs d'armes à feu semi-automatiques du Québec  
 Fédération Québécoise de la faune  
 Fédération Québécoise de tir  
 Collectionneurs d'armes à feu  
 Propriétaires de commerces d'armes a feu  
 International Professional Shooting Association of Québec  
 National Firearms Training Academy Incorporated

**SASKATCHEWAN**

Estevan Wildlife  
 International Handgun Metallic Silhouette Association of Saskatchewan  
 Métis Nation of Saskatchewan  
 Prince Albert Grand Council  
 Saskatchewan Gun Club  
 Saskatchewan Responsible Firearms Owners  
 Saskatchewan Wildlife Federation  
 Saskatoon Gun Club  
 Western Canada Firearms Collectors and Dealers Association

**YUKON / TERRITOIRE DU YUKON**

Association of Canada Land Surveyors  
 Bill's Sporting Goods (representative of Gunshop Owners)  
 Carcross Rod and Gun Club  
 Council for Yukon Indians  
 National Firearms Association (Yukon Branch)  
 Ross River Sportsmen's Association  
 Teslin Tlingit First Nation  
 Whitehorse Rifle and Pistol Club  
 Yukon Chamber of Mines  
 Yukon Conservation Society  
 Yukon Fish and Game Association  
 Yukon Outfitters Association  
 Yukon Prospectors Association  
 Yukon Shooting Club  
 Yukon Shooting Federation  
 Yukon Trappers Association  
 Yukon Wilderness Travel Association

Communications and Consultation Branch  
 Department of Justice