

# COALITION

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for Gun Control / pour le contrôle des armes

[www.guncontrol.ca](http://www.guncontrol.ca)

## **Discussion of the Proposed Amendments Contained in Bill C-15B**

Brief to the Standing Committee on Justice and Human Rights

October, 2001

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## Introduction

The Coalition for Gun Control regards the *Firearms Act* as an important piece of our national strategy to prevent crime and injury and improve the safety of our citizens. It is a critical piece of Canadian legislation as it:

- allows vigorous screening of gun owners;
- prevents potentially dangerous individuals from accessing firearms;
- assists police in their investigations and in taking preventative measures through licensing and registration;
- helps curb the illegal trade by increasing accountability of firearm owners through licensing and registration;
- helps reduce gun theft by increasing compliance with safe storage regulations.

Over 350 crime prevention, health, women's and community groups endorsed the position of the Coalition for Gun Control and support the *Firearms Act*. These groups include: the Canadian Association of Chiefs of Police, the Canadian Public Health Association, the Canadian Association of Emergency Physicians, Victims of Violence International, the Canadian Bar Association, the Canadian Criminal Justice Association, the Canadian Federation of University Women, the Canadian Jewish Congress, the United Church of Canada and the YWCA of Canada (see Appendix 1).

The Coalition for Gun Control was founded in the wake of the Montreal Massacre. We defended the *Firearms Act* to the Supreme Court of Canada along with the Canadian Association of Chiefs of Police, the cities of Montreal, Toronto, and Winnipeg, the Canadian Paediatric Society, Canadian Association for Adolescent Health, Alberta Council of Women's Shelters, CAVEAT, Fondation des victimes du 6 décembre contre la violence and the Quebec Public Health Association. The intervention was also supported by the mayors of Quebec City, Ottawa and Vancouver, the Manitoba Action Committee on the Status of Women, the Nova Scotia Advisory Council on the Status of Women and the United Church of Canada's Alberta and Northwest Conference, Division of Church in Society. In June 2000, Canada's highest court unanimously upheld the constitutionality of the law.

## Background

Firearms injury and death is a major public safety and public health problem. Every year, more than 1,300 Canadians are killed and another 1,000 injured by misused firearms.

Licensing of gun owners and registration of firearms, coupled with appropriate training and implementation of the new law are essential to removing firearms from situations where families are at risk and in keeping guns away from potentially abusive spouses or individuals with a history of violence. Previously, because a Firearms Acquisition Certificate (FAC) was needed only to acquire guns and not to possess them, two thirds of gun owners did not have a valid permit. If we do not know who owns what guns we cannot keep them away from individuals who pose a threat. Licensing of gun owners and registration of guns is also critical to removing firearms from potentially violent domestic situations. More than 6 public inquests have made a strong case for licensing and registration.

The firearms most often recovered in crime in Canada are long guns. Over 3000 guns are reported stolen every year, by definition falling into the hands of criminals and overall rifles and

shotguns are the firearms most often used to kill and injure Canadians. Firearm suicide is the third leading cause of death among young people (15-24 years). In most cases, the firearm used was easily accessible in the home. Firearm registration will increase accountability, therefore helping enforce the legal obligation to report lost or stolen guns, and encouraging safe storage, which will help reduce gun theft.

In June 2000, the Supreme Court of Canada reinforced in its unanimous decision the link between the *Firearms Act* and the preventative power afforded to the Federal Government under the Criminal Code. The decision also emphasized the links between licensing and registration: *“The registration provisions cannot be severed from the rest of the Act. The licensing provisions require everyone who possesses a gun to be licensed; the registration provisions require all guns to be registered. These portions of the Firearms Act are both tightly linked to Parliament’s goal of promoting safety by reducing the misuse of any and all firearms. Both portions are integral and necessary to the operation of the scheme.”*

While this is beyond the scope of this particular discussion, it is important to be mindful that our gun control law will help reduce the diversion of legal guns to the illegal market. International studies show that the illegal gun trade, whether organized crime, terrorists or insurgents, is fuelled by inadequate regulation of firearms around the world, particularly in the US. Under the old system, an individual could buy as many guns as he or she wanted over a five year period, with little or no accountability because only handguns and restricted weapons were registered. These loopholes created a huge potential for illegal trading. Combined, registration and licensing will help enforce the requirement that guns only be sold to licensed individuals because it will be possible to trace them back to their owner. We have already seen evidence that the law is working to reduce illicit trafficking. In May 2000, the firearm registry helped uncover what is alleged to be a large and sophisticated gun smuggling ring. Likely destined for the black market, nearly 23,000 firearms and their components were seized. We also see evidence of the critical need for strong border control as a means to help ensure that our laws are known and applied by Americans crossing the border. For more information on the impact of gun control laws on illicit trafficking, see our brief “Border Control: Impact on Illicit Trafficking and Public Safety” available on our website at: [www.guncontrol.ca](http://www.guncontrol.ca).

In poll after poll, Canadians have demonstrated their strong support for the firearms legislation. According to the Spring 2001 Environics Focus Canada survey, the majority of Canadians (77%) support the *Firearms Act*

## Recommendations

The Coalition and its member organizations have publicly supported the proposed amendments to the *Firearms Act* contained in the omnibus *Bill C-15B*. In principle, we are prepared to support changes necessary to manage the system efficiently, provided they do not compromise public safety.

We would however propose two changes:

- We strongly recommend reverting to the original version of S. 18 and S. 19 and adding to the latter section a provision that includes Pre-December 1, 1998 handguns as per S. 12(6.1). (see page 5)
- Instead of amending S. 64 and extending the term of the first firearms license for up to 9 years, we strongly suggest the consideration of other techniques to manage volume that would be preferable in terms of public safety. We must be mindful that the intent of the

*Firearms Act* was to ensure that individuals who may pose a threat to themselves or others do not have access to firearms. Risks factors have been clearly established through numerous violence, domestic violence and suicide studies and it would be unrealistic to think the screening provided by the first license could be valid after a period of 9 years. We believe other methods could be used to manage volume such as the method currently used in the registration program which consists of incentive measures (i.e. reduced fee) for firearms owners to renew their license early. (see page 8)

## **Discussion of the Proposed Amendments**

### **1- Authorized Possession**

*Eligibility to Hold Licences, Special Cases – Prohibited Firearms, Weapons, Devices and Ammunition*

#### **S. 12(6) Grandfathering of Prohibited Handguns Registered Between 1995 and 1998**

We are prepared to support the extension of the clause on prohibited handguns to December 1, 1998, even though these weapons technically became illegal in 1995. However, we should be mindful that the intention of the law was to cap the supply of short-barrelled handguns as of the day the law passed. Parliament classifies weapons as prohibited when the risk they pose outweighs their utility. The proposed amendment would affect an estimated 7, 000 guns which were acquired by individuals after the law was passed, prohibiting them.

#### **S. 12(6.1) Grandfathering of Prohibited Handguns in Dealer Inventories**

We support this amendment which extends the grandfathering of prohibited handguns in dealer inventories to December 1, 1998.

### **2- Authorized Transportation of Firearms**

#### **S. 19 Places where Prohibited and Restricted Firearms may be possessed**

We believe the proposed amendment is a serious error that relaxed restriction on semi-automatic military assault weapons that can be converted to fully automatic fire. We believe the purpose of this amendment is to allow for the transportation of prohibited handguns for target shooting competition which we do not oppose. Consequently, we suggest the following changes.

The <i>Firearms Act</i> states:	The amendment proposes:	We suggest:
<p>Places where prohibited and restricted firearms may be possessed</p> <p><b>17.</b> Subject to <a href="#">sections 18 to 20</a>, a prohibited firearm or restricted firearm the holder of the registration certificate for which is an individual may be possessed only at the dwelling-house of the individual, <u>as indicated on the registration certificate</u>, or at a place authorized by a chief firearms officer.</p> <p><b>18.</b> An individual who holds a licence authorizing the individual to possess prohibited firearms may be authorized to transport a particular prohibited firearm between two or more specified places</p> <p>(a) in the case of a handgun referred to in <a href="#">subsection 12(6)</a> (pre-February 14, 1995 handguns), for use in target practice, or a target shooting competition, under specified conditions or under the auspices of a shooting club or shooting range that is approved under <a href="#">section 29</a>;</p> <p>or</p> <p>(b) if the individual</p> <p>(i) changes residence,</p> <p>(ii) wishes to transport the firearm to a peace officer, firearms officer or chief firearms officer for registration or disposal in accordance with this Act or Part III of the <i>Criminal Code</i>,</p> <p>(iii) wishes to transport the firearm for repair, storage, sale, exportation or appraisal, or</p> <p>(iv) wishes to transport the firearm to a gun show.</p>	<p>Sections 17 and 18 of the Act are replaced by the following:</p> <p>Places where prohibited and restricted firearms may be possessed</p> <p><b>17.</b> Subject to <a href="#">sections 19 and 20</a>, a prohibited firearm or restricted firearm, the holder of the registration certificate for which is an individual, may be possessed only at the dwelling-house of the individual, <u>as recorded in the Canadian Firearms Registry</u>, or at a place authorized by a chief firearms officer.</p>	<p>Sections 17 and 18 of the Act are replaced by the following:</p> <p>Places where prohibited and restricted firearms may be possessed</p> <p><b>17.</b> Subject to <a href="#">sections 18 and 19</a>, a prohibited firearm or restricted firearm, the holder of the registration certificate for which is an individual, may be possessed only at the dwelling-house of the individual, <u>as recorded in the Canadian Firearms Registry</u>, or at a place authorized by a chief firearms officer.</p> <p><b>18.</b> An individual who holds a licence authorizing the individual to possess prohibited firearms may be authorized to transport a particular prohibited firearm between two or more specified places</p> <p>(a) in the case of a handgun referred to in <a href="#">subsection 12(6.1)</a> (pre-December 1, 1998 handguns), for use in target practice, or a target shooting competition, under specified conditions or under the auspices of a shooting club or shooting range that is approved under <a href="#">section 29</a>.</p> <p>b) if the individual</p> <p>(i) changes residence,</p> <p>(ii) wishes to transport the firearm to a peace officer, firearms officer or chief firearms officer for registration or disposal in accordance with this Act or Part III of the <i>Criminal Code</i>,</p> <p>(iii) wishes to transport the firearm for repair, storage, sale, exportation or appraisal, or</p> <p>(iv) wishes to transport the firearm to a gun show.</p>
<p><b>19.</b> An individual who holds a licence authorizing the individual to possess <u>restricted firearms</u> may</p>	<p><b>19 (1)</b> An individual who holds a licence authorizing the individual</p>	

be authorized to transport a particular restricted firearm between two or more specified places for any good and sufficient reason, including, without restricting the generality of the foregoing,

(a) for use in target practice, or a target shooting competition, under specified conditions or under the auspices of a shooting club or shooting range that is approved under [section 29](#); or

(b) if the individual

(i) changes residence,

(ii) wishes to transport the firearm to a peace officer, firearms officer or chief firearms officer for registration or disposal in accordance with this Act or Part III of the *Criminal Code*,

(iii) wishes to transport the firearm for repair, storage, sale, exportation or appraisal, or

(iv) wishes to transport the firearm to a gun show.

*The Firearms Regulations states:*

**14. (1)** The chief firearms officer of the province in which the following activities are to take place may, if the safety of any person will not be endangered, authorize the possession of a firearm referred to in [section 13](#) at a shooting range and in the course of transporting the firearm by a route that is, in all the circumstances, reasonably direct between the place authorized under [section 17](#) of the Act with respect to that firearm and the shooting range

(a) in the case of an automatic firearm, if it is being used for test firing or demonstration purposes on an occasional basis, at a shooting range maintained by the Minister of National Defence under the *National Defence Act*; and

(b) in the case of any other prohibited firearm, if it is being used for test firing or demonstration purposes or for target shooting or competitive events, on an occasional basis, at a shooting range approved under [section 29](#) of the Act or maintained by the Minister of National Defence under the *National Defence Act*.

to possess prohibited firearms or restricted firearms may be authorized to transport a particular prohibited firearm or restricted firearm between two or more specified places for any good and sufficient reason, including, without restricting the generality of the foregoing,

**19. (1)** The chief firearms officer of the province in which the following activities are to take place may, if the safety of any person will not be endangered, authorize the possession of a firearm referred to in [section 13](#) at a shooting range and in the course of transporting the firearm by a route that is, in all the circumstances, reasonably direct between the place authorized under [section 17](#) of the Act with respect to that firearm and the shooting range

(a) in the case of an automatic firearm, if it is being used for test firing or demonstration purposes on an occasional basis, at a shooting range maintained by the Minister of National Defence under the *National Defence Act*; and

(b) in the case of any other prohibited firearm other than prohibited handguns specified in S. 12(6.1), if it is being used for test firing or demonstration purposes or for target shooting or competitive events, on an occasional basis, at a shooting range approved under [section 29](#) of the Act or maintained by the Minister of National Defence under the *National Defence Act*.

The *Firearms Act* includes handguns and military assault weapons in its “prohibited weapons” category. While fully automatic weapons were banned in 1978, semi-automatic weapons which can be converted to automatic fire were deemed “prohibited” in 1991 and further semi-automatic weapons were prohibited by Order in Council no.12 in July 27, 1992 and by Order in Council no. 13 on February 14, 1995 (including AK-47 variants).

Therefore, the proposed amendment which adds “prohibited firearms” to the type of firearms that may be transported (S.19), moves semi-automatic military assault weapons which can be converted to fully automatic fire into the class that may be transported for target shooting. This has not been permitted since Bill C-17 in 1991 when such weapons were prohibited (see *Firearms Act* S.12(3)).

Although definitions vary, both fully and semi automatic assault weapons are banned in most industrialized countries. At the international level, the United Nations is currently working on a world-wide ban of military assault weapons. That being said, the approach favoured in Canada has been to prohibit semi automatic weapons as the risk they pose outweighs their utility.

Military weapons are not designed for hunting or target shooting. They are designed to easily and efficiently kill people during combat and they have no place in the hands of civilians. Police in Canada have called for a ban on fully automatic and semi automatic assault weapons for almost 30 years. However, it was not until the December 6 massacre at l’École Polytechnique in Montreal that the government chose to prohibit semi automatic military assault weapons. Following the massacre, more than 600 000 Canadians signed a petition calling for a complete ban on military assault weapons.

Although we do not oppose provisions allowing prohibited handguns to be used in target shootings, we do not understand why the government considers it necessary to allow target shooting with military assault weapons, particularly as there is no Olympic discipline requiring this type of firearm. Moreover, under the *Firearms Regulations* 14.(1), the transport of these weapons is allowed on an occasional basis if it is being used for test firing or demonstration purposes or for target shooting or competitive events, at a shooting range approved under S.29 of the Act or maintained by the Minister of National Defence under the *National Defence Act*.

### 3- Licences, Registration Certificates and Authorizations

#### Application

The <i>Firearms Act</i> states:	The amendment proposes:	We suggest:
<p>54. (1) A licence or registration certificate must be in the prescribed form and include the prescribed information and any conditions attached to it.</p> <p>(2) An authorization to carry, authorization to transport, authorization to export or authorization to import may be in the prescribed form and include the prescribed information, including any conditions attached to it.</p>	<p>54. (1) A licence, registration certificate or authorization may be issued only on application made in the prescribed form — which form may be in writing or electronic — or in the prescribed manner. The application must set out the prescribed information and be accompanied by payment of the prescribed fees.</p>	<p>While we do not object to this amendment, informed regulations must be developed with close consultation with public safety experts.</p>

In general, we support means to accommodate electronic submission provided that essential screening elements remain. It is essential, for example, that the signature of referees as per S.3 (1)b and S.3(1)c of the *Firearms Regulations*, *Firearms Licences Regulations* be provided on

new licence applications. The purpose of this mechanism is to ensure that the information is verified, and, more importantly, that it demonstrates that referees have read and are comfortable with the information contained in the form. This mechanism gives an added level of assurance and has been in place since 1993. The alternative -- which would be more costly -- would be to contact each referee.

The *Firearms Act* intends to ensure that individuals who may pose a threat to themselves or others do not have access to firearms. The results of the licensing program have shown that more than ever, the screening process is critical. The process was developed with the public safety in mind and was the result of more than 6 public inquests in order to prevent further tragedies. Police, domestic violence, suicide prevention, injury prevention, child safety and victims experts such as the Canadian Association of Chiefs of Police, the Canadian Criminal Justice Association, the Canadian Paediatric Society, the Quebec Public Health Association, CAVEAT and the YWCA of Canada, were extensively consulted during the development of the screening process and forms. It is critical that public safety experts are consulted before changes are made to these processes by regulation.

**4- Licences, Registration Certificates and Authorizations**

*Term*

**S. 64 Terms of Licenses**

The <i>Firearms Act</i> states:	The amendment proposes:	We suggest:
<p><b>64.</b> (1) A licence that is issued to an individual who is eighteen years old or older expires on the earlier of</p> <p>(a) five years after the birthday of the holder next following the day on which it is issued, and</p> <p>(b) the expiration of the period for which it is expressed to be issued.</p>	<p><b>64</b> (1.1) <u>Despite subsection (1), a chief firearms officer may, until January 1, 2005, with respect to any licence referred to in that subsection that is issued before June 30, 2001, extend the period for which the licence is expressed to be issued by an additional period of up to four years.</u></p>	<p>We suggest to consider other techniques to manage volume and would be preferable in terms of public safety</p>

It is proposed that the first firearms license be extended for up to 9 years. While this is one way to manage volume, we believe this is a significant relaxation of public safety standards and we believe that other techniques can be used to achieve the same goal. For example, we would suggest that as of January 2003, incentives to register early such as reduced fees should be proposed.

If the term of the first firearms licence is extended, we need assurance that mechanisms will be put in place to identify the risks addressed by the initial screening process. There is a risk that by extending the term of the first licence, it amounts to a “rubber stamp” renewal process.

Questions on the firearms application form have been in place since 1991 and are the result of extensive studies of domestic homicide and suicide involving firearms. These studies have identified a number of risk factors: history of violent dispute, history of substance abuse (drugs and alcohol), existing criminal record, separation or pending separation, depressive illness, employment and financial problems. The current form also includes a spousal notification section (*Firearms Regulations, Firearms Licences Regulations* S.3(1)d) that requires applicants to provide contact information for current or previous (past two years) spouses or common-law partners, as well as their signature. The purpose of this provision is to notify the spouse of an individual intending to acquire a firearm and was created in response to the Vernon Massacre

(1997) in which Mark Chahal killed his estranged wife, eight people in her family, and then himself with his legally-acquired gun. The inquest into the massacre confirmed the importance of licensing and registration as preventative measures and BC’s Chief Coroner also called for notification of spouses and ex-spouses before firearms permits are approved.

In terms of prevention, particularly where spousal notification is concerned, we cannot rely solely on the Firearms Interest to Police (FIP) system-- part of the Persons File of CPIC-- which was never intended to replace the renewal system, and does not assess all risk criteria.

**S. 65(3) Terms of the Authorization to Transport (ATT)**

The <i>Firearms Act</i> states:	The amendment proposes:	We suggest
<p><b>65</b> (3) An authorization to transport a restricted firearm or a handgun referred to in <a href="#">subsection 12(6)</a> (pre-February 14, 1995 handguns) for use in target practice, or a target shooting competition, under specified conditions or under the auspices of a shooting club or shooting range that is approved under <a href="#">section 29</a> expires</p> <p>(a) in the case of an authorization to transport that takes the form of a condition attached to a licence, on the earlier of</p> <p>(i) the expiration of the period for which the condition is expressed to be attached, which period may not be less than one year or more than three years, and</p> <p>(ii) the expiration of the licence; and</p> <p>(b) in the case of an authorization to transport that does not take the form of a condition attached to a licence, on the expiration of the period for which the authorization is expressed to be issued, which period may not be less than one year or more than three years.</p>	<p><b>65</b> (3) An authorization to transport a prohibited firearm, except for an automatic firearm, or a restricted firearm for use in target practice, or a target shooting competition, under specified conditions or under the auspices of a shooting club or shooting range that is approved under section 29, whether or not the authorization takes the form of a condition attached to the licence of the holder of the authorization, expires on the earlier of</p> <p>(a) the expiration of the period for which the authorization is expressed to be issued, which period may be no more than five years, and</p> <p>(b) the expiration of the licence.</p>	<p><b>65</b> (3) An authorization to transport a restricted firearm or a handgun referred to in <a href="#">subsection 12 (6.1)</a> (pre-December 1, 1998 handguns) or a restricted firearm for use in target practice, or a target shooting competition, under specified conditions or under the auspices of a shooting club or shooting range that is approved under section 29, whether or not the authorization takes the form of a condition attached to the licence of the holder of the authorization, expires on the earlier of</p> <p>(a) the expiration of the period for which the authorization is expressed to be issued, which period may be no more than five years, and</p> <p>(b) the expiration of the licence.</p>

While this change is intended to make the ATT period correspond with the license renewal, it has, once again, the effect of reducing the scrutiny on those possessing and transporting prohibited firearms, including semi automatic weapons that can be converted to automatic fire. We should be mindful that these weapons were deemed prohibited by Parliament since 1991 because the risk they pose outweighs their utility.

**S. 67(1) Firearms License Renewal**

The <i>Firearms Act</i> states:	The amendment proposes:
<p><b>67</b>(1) A chief firearms officer may renew a licence, authorization to carry or authorization to transport in the same manner and in the same circumstances in which a licence, authorization to carry or authorization to transport may be issued.</p>	<p><b>67</b>(1) A chief firearms officer may renew a licence, authorization to carry or authorization to transport in the <u>prescribed</u> manner.</p>

The legislation previously specified that renewals must be conducted in the same way as in the initial application which include: the screening of risk factors, the spousal notification, referees' confirmation, etc. The process was developed with the public safety in mind and was result of more than 6 public inquests focused on preventing similar tragedies.

While we recognize the need to streamline the system, we are concerned that renewals must not become a “rubber stamp”. Once again, the FIP system, while providing “continuous background checks”, does not provide access to all relevant risk assessment information to ensure public safety. There is no question that this represents a significant diminution in the level of public safety provided by the *Firearms Act*.

Public safety groups remain convinced that the strict screening on the application procedure is essential. These measures help ensure that those who may pose a threat to themselves or to others do not have access to guns. The screening has been in place for more than 20 years and was the subject of extensive research. While the law allows for a thorough investigation of all firearms applicants, we have used risk assessment tools, including questions on the application, a criminal record check and references in order to streamline the process.

**S. 67(2) Change of Purpose on Renewal of Restricted Weapons**

The <i>Firearms Act</i> states:	The amendment proposes:
<p>Restricted firearms and pre-February 14, 1995 handguns  <b>67(2)</b> On renewing a licence authorizing an individual to possess restricted firearms or handguns referred to in <a href="#">subsection 12(6)</a> (pre-February 14, 1995 handguns), a chief firearms officer shall decide whether any of those firearms or handguns that the individual possesses are being used for                      (a) the purpose described in <a href="#">section 28</a> for which the individual acquired the restricted firearms or handguns; or                      (b) in the case of any of those firearms or handguns that were possessed by the individual on the commencement day, the purpose described in that section that was specified by the individual in the licence application.</p>	<p>Restricted firearms and pre-December 1, 1998 handguns  <b>67(2)</b> On renewing a licence authorizing an individual to possess restricted firearms or handguns referred to in subsection 12(6.1) (pre-December 1, 1998 handguns), a chief firearms officer shall decide whether any of those firearms or handguns that the individual possesses are being used for a purpose described in section 28.</p>
<p>The <i>Firearms Regulations</i> states:  <b>28.</b> A chief firearms officer may approve the transfer to an individual of a restricted firearm or a handgun referred to in <a href="#">subsection 12(6)</a> (pre-February 14, 1995 handguns) or the importation by an individual of a restricted firearm under <a href="#">paragraph 40(1)(c)</a> only if the chief firearms officer is satisfied                      (a) that the individual needs the restricted firearm or handgun                      i) to protect the life of that individual or of other individuals, or                      (ii) for use in connection with his or her lawful profession or occupation; or                      (b) that the purpose for which the individual wishes to acquire the restricted firearm or handgun is                      (i) for use in target practice, or a target shooting competition, under conditions specified in an authorization to transport or under the auspices of a shooting club or shooting range that is approved under <a href="#">section 29</a>, or                      (ii) to form part of a gun collection of the individual, in the case of an individual who satisfies the criteria described in <a href="#">section 30</a></p>	

We will accept the proposal that would allow owners to change the stated purpose for owning a restricted firearm, provided they satisfy the Chief Firearms Officer (CFO) that it is legitimate. Classes of firearms were introduced in 1968 - prohibited, restricted and non-restricted and the current system of handgun registration - one certificate per handgun—in 1969. Permits for

handguns were issued only if the firearm was required for lawful occupation, for self-protection (under very restricted circumstances - proof that life was in danger and the police could not offer protection), gun club membership, or approved target practice. In 1995, there were further attempts to strengthen controls over handguns. Again, the premise of the *Firearms Act* was that handguns are dangerous and that their possession should be very strictly controlled. However, we need reassurance that the legitimate possession of restricted weapons will continue to be vigorously enforced and that casual handgun use will be discouraged as was intended by the law, as described in S.28 of the *Firearms Act*.

## **5- Commissioner**

### **S.81 Commissioner of Firearms:**

The amendments propose to allow for a crown agency to manage licensing and registration – which are currently handled by the Canadian Firearms Centre. In principle, we agree with this amendment as it is proposed that the Commissioner will report to the Minister of Justice and we are not opposed to civilianizing some functions for licensing and registration. However, we would be concerned about efforts to “outsource” or privatize critical public safety functions and would strongly recommend that public safety experts sit on the Commissioner’s board.

We know there has been pressure to “streamline” and to cut costs on this program but surely the recent experience in Walkerton, Ontario has taught us some lessons about what may occur when we lose sight of public health and safety objectives. It is true that one cannot easily measure prevention but we can certainly measure the effects of ignoring it.

## **6- Import/Export of Firearms**

### **S.37-41, 117**

We recognize the need for amendments on importation and exportation of firearms as a way to bring Canada in line with various international agreements. In particular, we agree with the proposal of regulatory offences related to marking. These should be criminal offences subject to definition of the marking standards as per the *Firearms Regulations* in order to allow serious violations to be dealt with severely. At the same time, we are keenly aware that the implementation process must be carefully monitored as it has a long way to go.

## **Conclusion**

While the Coalition for Gun Control supports, in principle, the ambit of the proposed amendments, we hope that you will give our comments and concerns due consideration in your deliberation. We hope you will endeavour to ensure that the concerns of public safety experts, victims, and others are given appropriate consideration and ensure that there will not be any more watering down of the law and its mechanisms.