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2nd Session, 41st Parliament,
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HOUSE OF COMMONS OF CANADA

BILL C-42

An Act to amend the Firearms Act and the Criminal Code and to make a related amendment and a consequential amendment to other Acts

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE

Short title

1. This Act may be cited as the *Common Sense Firearms Licensing Act*.
1995, c. 39

FIREARMS ACT

2003, c. 8, s. 9(1)

2. (1) The definition “autorisation de transport” in subsection 2(1) of the French version of the *Firearms Act* is replaced by the following:

« autorisation de transport »

“*authorization to transport*”

« autorisation de transport » Toute autorisation prévue à l’article 19.

(2) Subsection 2(2) of the Act is replaced by the following:

To be interpreted with *Criminal Code*

(2) Unless otherwise provided, words and expressions used in this Act have the meanings assigned to them by section 2 or 84 of the *Criminal Code*. Subsections 117.15(3) and (4) of that Act apply to those words and expressions.

3. Subsection 5(3) of the Act is replaced by the following:

Exception

(3) Despite subsection (2), in determining whether a non-resident who is 18 years old or older and by or on behalf of whom an application is made for a 60-day licence authorizing the non-resident to possess non-restricted firearms is eligible to hold a licence under subsection (1), a chief firearms officer or, on a reference under section 74, a provincial court judge may but need not have regard to the criteria described in subsection (2).

4. (1) The portion of subsection 7(1) of the French version of the Act before paragraph (b) is replaced by the following:

Cours sur la sécurité des armes à feu

7. (1) La délivrance d'un permis à un particulier est subordonnée à l'une des conditions suivantes :

a) la réussite du Cours canadien de sécurité dans le maniement des armes à feu, contrôlé par l'examen y afférent, dont est chargé un instructeur désigné par le contrôleur des armes à feu;

(2) Paragraph 7(1)(b) of the Act is replaced by the following:

(b) passed, before the commencement day, the tests, as administered by an instructor who is designated by a chief firearms officer, that form part of that Course;

(3) Paragraphs 7(1)(c) and (d) of the French version of the Act are replaced by the following:

c) avant le 1^{er} janvier 1995, la réussite d'un cours agréé — au cours de la période commençant le 1^{er} janvier 1993 et se terminant le 31 décembre 1994 — par le procureur général de la province où il a eu lieu pour l'application de l'article 106 de la loi antérieure;

d) avant le 1^{er} janvier 1995, la réussite d'un examen agréé — au cours de la période commençant le 1^{er} janvier 1993 et se terminant le 31 décembre 1994 — par le procureur général de la province où il a eu lieu pour l'application de l'article 106 de la loi antérieure.

(4) Subsection 7(1) of the Act is amended by striking out “or” at the end of paragraph (c), by adding “or” at the end of paragraph (d) and by adding the following after that paragraph:

(e) on the commencement day, was an individual referred to in paragraph 7(4)(c) as it read immediately before that day and held a licence.

2003, c. 8, s. 11

(5) The portion of subsection 7(2) of the French version of the Act before paragraph (b) is replaced by the following:

Cours sur la sécurité des armes à feu à autorisation restreinte

(2) La délivrance d'un permis de possession d'une arme à feu prohibée ou d'une arme à feu à autorisation restreinte à un particulier est subordonnée à l'une des conditions suivantes :

a) la réussite d'un cours sur la sécurité des armes à feu à autorisation restreinte, agréé par le ministre fédéral et contrôlé par un examen, dont est chargé un instructeur désigné par le contrôleur des armes à feu;

(6) Paragraph 7(2)(b) of the Act is replaced by the following:

(b) passed, before the commencement day, a restricted firearms safety test, as administered by an instructor who is designated by a chief firearms officer, that is approved by the federal Minister.

(7) Subsection 7(2) of the Act is amended by striking out “or” at the end of paragraph (a), by adding “or” at the end of paragraph (b) and by adding the following after that paragraph:

(c) on the commencement day, was an individual referred to in paragraph 7(4)(c) as it read immediately before that day and held a licence authorizing the individual to possess prohibited firearms or restricted firearms.

(8) Paragraph 7(4)(c) of the Act is repealed.

(9) Paragraph 7(4)(e) of the Act is replaced by the following:

(e) is a non-resident who is 18 years old or older and by or on behalf of whom an application is made for a 60-day licence authorizing the non-resident to possess non-restricted firearms.

2003, c. 8, s. 12

5. Subsection 9(3) of the Act is replaced by the following:

Employees — firearms

(3) Subject to subsection (3.1), a business other than a carrier is eligible to hold a licence that authorizes the possession of firearms only if every employee of the business who, in the course of duties of employment, handles or would handle firearms is the holder of a licence authorizing the holder to acquire non-restricted firearms.

2003, c. 8, s. 16(3)

6. Subsection 19(2) of the Act is replaced by the following:

Target practice or competition

(1.1) In the case of an authorization to transport issued for a reason referred to in paragraph (1)(a) within the province where the holder of the authorization resides, the specified places must include all shooting clubs and shooting ranges that are approved under section 29 and that are located in that province.

Exception for prohibited firearms other than prohibited handguns

(2) Despite subsection (1), an individual must not be authorized to transport a prohibited firearm, other than a handgun referred to in subsection 12(6.1), between specified places except for the purposes referred to in paragraph (1)(b).

Automatic authorization to transport — licence renewal

(2.1) Subject to subsection (2.3), an individual who holds a licence authorizing the individual to possess prohibited firearms or restricted firearms must, if the licence is renewed, be authorized to transport them within the individual's province of residence

(a) to and from all shooting clubs and shooting ranges that are approved under section 29;

(b) to and from any place a peace officer, firearms officer or chief firearms officer is located, for verification, registration or disposal in accordance with this Act or Part III of the *Criminal Code*;

(c) to and from a business that holds a licence authorizing it to repair or appraise prohibited firearms or restricted firearms;

(d) to and from a gun show; and

(e) to a port of exit in order to take them outside Canada, and from a port of entry.

Automatic authorization to transport — transfer

(2.2) Subject to subsection (2.3), if a chief firearms officer has authorized the transfer of a prohibited firearm or a restricted firearm to an individual who holds a licence authorizing the individual to possess prohibited firearms or restricted firearms, the individual must be authorized

(a) to transport the firearm within the individual's province of residence from the place where the individual acquires it to the place where they may possess it under section 17; and

(b) to transport their prohibited firearms and restricted firearms within the individual's province of residence to and from the places referred to in any of paragraphs (2.1)(a) to (e).

Exceptions

(2.3) An individual must not be authorized under subsection (2.1) or (2.2) to transport the following firearms to or from the places referred to in paragraph (2.1)(a):

(a) a prohibited firearm, other than a handgun referred to in subsection 12(6.1); and

(b) a restricted firearm or a handgun referred to in subsection 12(6.1) whose transfer was approved, in accordance with subparagraph 28(b)(ii), for the purpose of forming part of a gun collection.

2012, c. 6, s. 11

7. The portion of section 23 of the Act before paragraph (a) is replaced by the following:

Authorization to transfer non-restricted firearms

23. A person may transfer a non-restricted firearm if, at the time of the transfer,

8. The portion of subsection 35(4) of the Act before paragraph (a) is replaced by the following:

Non-compliance

(4) If a non-restricted firearm is declared at a customs office to a customs officer and 2012, c. 6, s. 16

9. Paragraph 36(1)(a) of the Act is replaced by the following:

(a) the expiry of 60 days after the importation, in the case of a non-restricted firearm; or

10. The Act is amended by adding the following before section 43:

Obligation to provide information

42.2 (1) A business may import a prohibited firearm or a restricted firearm only if the business completes the prescribed form containing the prescribed information and provides it by electronic or other means to the Registrar before the importation and to a customs officer before or at the time of the importation.

Information sharing

(2) The Registrar and a customs officer may provide each other with any form or information that they receive under subsection (1).

2003, c. 8, s. 36

11. Subsection 54(1) of the Act is replaced by the following:

Applications

54. (1) A licence, registration certificate or authorization, other than an authorization referred to in subsection 19(2.1) or (2.2), 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.

12. (1) Section 58 of the Act is amended by adding the following after subsection (1):

Exception — licence or authorization

(1.1) However, a chief firearms officer's power to attach a condition to a licence, an authorization to carry or an authorization to transport is subject to the regulations.

(2) Subsection 58(2) of the French version of the Act is replaced by the following:

Mineurs : consultation

(2) Dans le cas d'un particulier âgé de moins de dix-huit ans qui n'est pas admissible au permis prévu au paragraphe 8(2) (chasse de subsistance par les mineurs), le contrôleur des armes à feu consulte le père ou la mère du particulier ou la personne qui en a la garde avant d'assortir le permis d'une condition.

13. (1) Section 61 of the Act is amended by adding the following after subsection (3):

Automatic authorization to transport

(3.1) An authorization to transport referred to in subsection 19(1.1), (2.1) or (2.2) must take the form of a condition attached to a licence.

(2) Subsection 61(4) of the Act is replaced by the following:

Businesses

(4) A licence that is issued to a business must specify each particular activity that the licence authorizes in relation to firearms, cross-bows, prohibited weapons, restricted weapons, prohibited devices, ammunition or prohibited ammunition.

2003, c. 8, s. 40(1)

14. Subsection 64(1.1) of the Act is replaced by the following:

Extension period

(1.1) Despite subsection (1), if a licence for firearms is not renewed before it expires, the licence is extended for a period of six months beginning on the day on which it would have expired under that subsection.

No use or acquisition

(1.2) The holder of a licence that is extended under subsection (1.1) must not, until the renewal of their licence, use their firearms or acquire any firearms or ammunition.

Authorizations — no extension

(1.3) The extension of a licence under subsection (1.1) does not result in the extension of any authorization to carry or authorization to transport beyond the day on which the licence would have expired under subsection (1).

Authorizations — issuance

(1.4) During the extension period, the following authorizations must not be issued to the holder of the licence:

(a) an authorization to carry; and

(b) an authorization to transport, unless it is issued

(i) for a reason referred to in subparagraph 19(1)(b)(i) or (ii), or

(ii) because the holder wishes to transport a firearm for disposal through sale or exportation.

15. Subsection 83(1) of the Act is amended by adding the following after paragraph (d):

(d.1) all information provided to the Registrar under section 42.2;

16. Section 117 of the Act is amended by adding the following after paragraph (j):

(j.1) respecting the possession and transportation of firearms during the extension period referred to in subsection 64(1.1);

17. Subsection 121(2) of the Act is replaced by the following:

Authorizations

(2) A permit that is deemed to be a licence authorizes the holder to possess non-restricted firearms.

R.S., c. C-46

CRIMINAL CODE

18. Subsection 84(1) of the *Criminal Code* is amended by adding the following in alphabetical order:

“non-restricted firearm”

« *arme à feu sans restriction* »

“non-restricted firearm” means

(a) a firearm that is neither a prohibited firearm nor a restricted firearm, or

(b) a firearm that is prescribed to be a non-restricted firearm;

2012, c. 6, s. 2(1)

19. (1) The portion of subsection 91(1) of the Act before paragraph (a) is replaced by the following:

Unauthorized possession of firearm

91. (1) Subject to subsection (4), every person commits an offence who possesses a prohibited firearm, a restricted firearm or a non-restricted firearm without being the holder of

1995, c. 39, s. 139

(2) Paragraph 91(4)(a) of the Act is replaced by the following:

(a) a person who possesses a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition while

the person is under the direct and immediate supervision of a person who may lawfully possess it, for the purpose of using it in a manner in which the supervising person may lawfully use it; or 1995, c. 39, s. 139(E); 2012, c. 6, s. 2(2)(F)

(3) The portion of paragraph 91(4)(b) of the English version of the Act before subparagraph (i) is replaced by the following:

(b) a person who comes into possession of a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition by the operation of law and who, within a reasonable period after acquiring possession of it,
2012, c. 6, s. 3(1)

20. (1) The portion of subsection 92(1) of the Act before paragraph (a) is replaced by the following:

Possession of firearm knowing its possession is unauthorized

92. (1) Subject to subsection (4), every person commits an offence who possesses a prohibited firearm, a restricted firearm or a non-restricted firearm knowing that the person is not the holder of
1995, c. 39, s. 139

(2) Paragraph 92(4)(a) of the Act is replaced by the following:

(a) a person who possesses a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition while the person is under the direct and immediate supervision of a person who may lawfully possess it, for the purpose of using it in a manner in which the supervising person may lawfully use it; or 1995, c. 39, s. 139(E); 2012, c. 6, s. 3(2)(F)

(3) The portion of paragraph 92(4)(b) of the English version of the Act before subparagraph (i) is replaced by the following:

(b) a person who comes into possession of a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition by the operation of law and who, within a reasonable period after acquiring possession of it,
2008, c. 6, s. 6

21. The portion of subsection 93(1) of the Act before paragraph (a) is replaced by the following:

Possession at unauthorized place

93. (1) Subject to subsection (3), every person commits an offence who, being the holder of an authorization or a licence under which the person may possess a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device or prohibited ammunition, possesses them at a place that is
1995, c. 39, s. 139; 2012, c. 6, s. 4(1)

22. (1) The portion of subsection 94(1) of the Act before subparagraph (a)(i) is replaced by the following:

Unauthorized possession in motor vehicle

94. (1) Subject to subsections (3) and (4), every person commits an offence who is an occupant of a motor vehicle in which the person knows there is a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device, other than a replica firearm, or any prohibited ammunition, unless
(a) in the case of a prohibited firearm, a restricted firearm or a non-restricted firearm,

1995, c. 39, s. 139

(2) Subsections 94(3) and (4) of the English version of the Act are replaced by the following:

Exception

(3) Subsection (1) does not apply to an occupant of a motor vehicle who, on becoming aware of the presence of the firearm, weapon, device or ammunition in the motor vehicle, attempted to leave the motor vehicle, to the extent that it was feasible to do so, or actually left the motor vehicle.

Exception

(4) Subsection (1) does not apply to an occupant of a motor vehicle when the occupant or any other occupant of the motor vehicle is a person who came into possession of the firearm, weapon, device or ammunition by the operation of law.

1995, c. 39, s. 139

23. (1) The portion of subsection 99(1) of the Act after paragraph (b) is replaced by the following:

a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device, any ammunition or any prohibited ammunition knowing that the person is not authorized to do so under the *Firearms Act* or any other Act of Parliament or any regulations made under any Act of Parliament.

2008, c. 6, s. 10

(2) The portion of subsection 99(2) of the Act before paragraph (a) is replaced by the following:

Punishment — firearm

(2) Every person who commits an offence under subsection (1) when the object in question is a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device, any ammunition or any prohibited ammunition is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years and to a minimum punishment of imprisonment for a term of

1995, c. 39, s. 139

24. (1) The portion of subsection 100(1) of the Act before paragraph (a) is replaced by the following:

Possession for purpose of weapons trafficking

100. (1) Every person commits an offence who possesses a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device, any ammunition or any prohibited ammunition for the purpose of

2008, c. 6, s. 11

(2) The portion of subsection 100(2) of the Act before paragraph (a) is replaced by the following:

Punishment — firearm

(2) Every person who commits an offence under subsection (1) when the object in question is a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device, any ammunition or any prohibited ammunition is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years and to a minimum punishment of imprisonment for a term of

1995, c. 39, s. 139

25. Subsection 101(1) of the Act is replaced by the following:

Transfer without authority

101. (1) Every person commits an offence who transfers a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device, any ammunition or any prohibited ammunition to any person otherwise than under the authority of the *Firearms Act* or any other Act of Parliament or any regulations made under an Act of Parliament.

1995, c. 39, s. 139

26. (1) Paragraph 103(1)(a) of the Act is replaced by the following:

(a) a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition, or

2008, c. 6, s. 12

(2) The portion of subsection 103(2) of the Act before paragraph (a) is replaced by the following:

Punishment — firearm

(2) Every person who commits an offence under subsection (1) when the object in question is a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device or any prohibited ammunition is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years and to a minimum punishment of imprisonment for a term of

1995, c. 39, s. 139

27. Paragraph 104(1)(a) of the Act is replaced by the following:

(a) a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition, or

1995, c. 39, s. 139

28. Paragraphs 105(1)(a) and (b) of the Act are replaced by the following:

(a) having lost a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device, any prohibited ammunition, an authorization, a licence or a registration certificate, or having had it stolen from the person's possession, does not with reasonable despatch report the loss to a peace officer, to a firearms officer or a chief firearms officer; or

(b) on finding a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition that the person has reasonable grounds to believe has been lost or abandoned, does not with reasonable despatch deliver it to a peace officer, a firearms officer or a chief firearms officer or report the finding to a peace officer, a firearms officer or a chief firearms officer.

1995, c. 39, s. 139

29. Subsection 107(1) of the Act is replaced by the following:

False statements

107. (1) Every person commits an offence who knowingly makes, before a peace officer, firearms officer or chief firearms officer, a false report or statement concerning the loss, theft or destruction of a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited weapon, a restricted weapon, a prohibited device, any prohibited ammunition, an authorization, a licence or a registration certificate.

30. Subsection 109(1) of the Act is amended by adding the following after paragraph (a):

(a.1) an indictable offence in the commission of which violence was used, threatened or attempted against

(i) the person's current or former intimate partner,

(ii) a child or parent of the person or of anyone referred to in subparagraph (i), or
(iii) any person who resides with the person or with anyone referred to in subparagraph (i) or (ii),
1995, c. 39, s. 139

31. (1) Paragraph 110(1)(a) of the Act is replaced by the following:

(a) an offence, other than an offence referred to in any of paragraphs 109(1)(a) to (c), in the commission of which violence against a person was used, threatened or attempted, or

(2) Section 110 of the Act is amended by adding the following after subsection (2):

Exception

(2.1) Despite subsection (2), an order made under subsection (1) may be imposed for life or for any shorter duration if, in the commission of the offence, violence was used, threatened or attempted against

(a) the person's current or former intimate partner;

(b) a child or parent of the person or of anyone referred to in paragraph (a); or

(c) any person who resides with the person or with anyone referred to in paragraph (a) or (b).

32. The Act is amended by adding the following after section 110:

Definition of "intimate partner"

110.1 In sections 109 and 110, "intimate partner" includes a spouse, a common-law partner and a dating partner.

2012, c. 6, s. 8

33. Paragraph 117.03(1)(a) of the Act is replaced by the following:

(a) a person in possession of a prohibited firearm, a restricted firearm or a non-restricted firearm who fails, on demand, to produce, for inspection by the peace officer, an authorization or a licence under which the person may lawfully possess the firearm and, in the case of a prohibited firearm or a restricted firearm, a registration certificate for it, or

34. Section 117.15 of the Act is amended by adding the following after subsection (2):

Non-restricted firearm

(3) Despite the definitions "prohibited firearm" and "restricted firearm" in subsection 84(1), a firearm that is prescribed to be a non-restricted firearm is deemed not to be a prohibited firearm or a restricted firearm.

Restricted firearm

(4) Despite the definition "prohibited firearm" in subsection 84(1), a firearm that is prescribed to be a restricted firearm is deemed not to be a prohibited firearm.

R.S., c. 1 (2nd Supp.)

RELATED AMENDMENT TO THE CUSTOMS ACT

35. Subsection 107(5) of the *Customs Act* is amended by adding the following after paragraph (k):

(k.1) an official solely for the purpose of administering or enforcing the *Firearms Act*;

2012, c. 6

CONSEQUENTIAL AMENDMENT TO THE ENDING THE LONG-GUN REGISTRY ACT

36. Subsection 30(3) of the *Ending the Long-gun Registry Act* is amended by replacing the paragraph 36(1)(a) that it enacts with the following:

(a) the expiry of 60 days after the importation, in the case of a non-restricted firearm; or

TRANSITIONAL PROVISION

Conversion of possession only licence

37. A licence that is issued under the *Firearms Act* and that is held by an individual referred to in paragraph 7(4)(c) of that Act, as it read immediately before the day on which this section comes into force, authorizes the holder to acquire any firearms that they are authorized to possess under the licence and that are acquired by the holder on or after that day and before the expiration or revocation of the licence.

COMING INTO FORCE

Order in council

38. (1) Subsections 4(4), (7) and (8) and section 37 come into force on a day to be fixed by order of the Governor in Council.

Order in council

(2) Subsection 2(1), sections 6 and 11 and subsection 13(1) come into force on a day to be fixed by order of the Governor in Council.

Order in council

(3) Sections 10 and 15 come into force on a day to be fixed by order of the Governor in Council.

Order in council

(4) Sections 14 and 35 come into force on a day or days to be fixed by order of the Governor in Council.

Published under authority of the Speaker of the House of Commons

EXPLANATORY NOTES

Firearms Act

Clause 2: (1) Existing text of the definition:

“authorization to transport” means an authorization described in section 19;

(2) Existing text of subsection 2(2):

(2) For greater certainty, unless otherwise provided, words and expressions used in this Act have the meanings assigned to them by section 2 or 84 of the *Criminal Code*.

Clause 3: Existing text of subsection 5(3):

(3) Notwithstanding subsection (2), in determining whether a non-resident who is eighteen years old or older and by or on behalf of whom an application is made for a sixty-day licence authorizing the non-resident to possess firearms that are neither prohibited firearms nor restricted firearms is eligible to hold a licence under subsection (1), a chief firearms officer or, on a reference under section 74, a provincial court judge may but need not have regard to the criteria described in subsection (2).

Clause 4: (1) to (3) Existing text of subsection 7(1):

7. (1) An individual is eligible to hold a licence only if the individual

(a) successfully completes the Canadian Firearms Safety Course, as given by an instructor who is designated by a chief firearms officer, and passes the tests, as administered by an instructor who is designated by a chief firearms officer, that form part of that Course;

(b) except in the case of an individual who is less than eighteen years old, passes the tests, as administered by an instructor who is designated by a chief firearms officer, that form part of that Course;

(c) successfully completed, before January 1, 1995, a course that the attorney general of the province in which the course was given had, during the period beginning on January 1, 1993 and ending on December 31, 1994, approved for the purposes of section 106 of the former Act; or

(d) passed, before January 1, 1995, a test that the attorney general of the province in which the test was administered had, during the period beginning on January 1, 1993 and ending on December 31, 1994, approved for the purposes of section 106 of the former Act.

(4) New.

(5) and (6) Existing text of subsection 7(2):

(2) An individual is eligible to hold a licence authorizing the individual to possess prohibited firearms or restricted firearms only if the individual

(a) successfully completes a restricted firearms safety course that is approved by the federal Minister, as given by an instructor who is designated by a chief firearms officer, and passes any tests, as administered by an instructor who is designated by a chief firearms officer, that form part of that course; or

(b) passes a restricted firearms safety test, as administered by an instructor who is designated by a chief firearms officer, that is approved by the federal Minister.

(7) New.

(8) and (9) Relevant portion of subsection 7(4):

(4) Subsections (1) and (2) do not apply to an individual who

...

(c) on the commencement day, possessed one or more firearms and does not require a licence to acquire other firearms;

...

(e) is a non-resident who is eighteen years old or older and by or on behalf of whom an application is made for a sixty-day licence authorizing the non-resident to possess firearms that are neither prohibited firearms nor restricted firearms.

Clause 5: Existing text of subsection 9(3):

(3) Subject to subsection (3.1), a business other than a carrier is eligible to hold a licence that authorizes the possession of firearms only if every employee of the business who, in the course of duties of employment, handles or would handle firearms is the holder of a licence authorizing the holder to acquire firearms that are neither prohibited firearms nor restricted firearms.

Clause 6: Existing text of subsection 19(2):

(2) Notwithstanding subsection (1), an individual may not be authorized to transport a prohibited firearm, other than a handgun referred to in subsection 12(6.1), under that subsection, except for the purposes referred to in paragraph (1)(b).

Clause 7: Relevant portion of section 23:

23. A person may transfer a firearm that is neither a prohibited firearm nor a restricted firearm if, at the time of the transfer,

Clause 8: Relevant portion of subsection 35(4):

(4) Where a firearm that is neither a prohibited firearm nor a restricted firearm is declared at a customs office to a customs officer and

Clause 9: Relevant portion of subsection 36(1):

36. (1) A declaration that is confirmed under paragraph 35(1)(b) has the same effect after the importation of the firearm as a licence authorizing the non-resident to possess only that firearm and, in the case of a restricted firearm, as a registration certificate for the firearm until (a) the expiry of 60 days after the importation, in the case of a firearm that is neither a prohibited firearm nor a restricted firearm; or

Clause 10: New.

Clause 11: Existing text of subsection 54(1):

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.

Clause 12: (1) New.

(2) Existing text of subsection 58(2):

(2) Before attaching a condition to a licence that is to be issued to an individual who is less than eighteen years old and who is not eligible to hold a licence under subsection 8(2) (minors hunting as a way of life), a chief firearms officer must consult with a parent or person who has custody of the individual.

Clause 13: (1) New.

(2) Existing text of subsection 61(4):

(4) A licence that is issued to a business must specify each particular activity that the licence authorizes in relation to prohibited firearms, restricted firearms, firearms that are neither prohibited firearms nor restricted firearms, cross-bows, prohibited weapons, restricted weapons, prohibited devices, ammunition or prohibited ammunition.

Clause 14: Existing text of subsection 64(1.1):

(1.1) 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 December 31, 2001, extend the period for which the licence is expressed to be issued by an additional period of up to four years.

Clause 15: Relevant portion of subsection 83(1):

83. (1) The Registrar shall establish and maintain a registry, to be known as the Canadian Firearms Registry, in which shall be kept a record of

Clause 16: Relevant portion of section 117:

117. The Governor in Council may make regulations

Clause 17: Existing text of subsection 121(2):

(2) A permit that is deemed to be a licence authorizes the holder to possess firearms that are neither prohibited firearms nor restricted firearms.

Criminal Code

Clause 18: New.

Clause 19: (1) Relevant portion of subsection 91(1):

91. (1) Subject to subsection (4), every person commits an offence who possesses a firearm without being the holder of

(2) and (3) Relevant portion of subsection 91(4):

(4) Subsections (1) and (2) do not apply to

(a) a person who possesses a firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition while the person is under the direct and immediate supervision of a person who may lawfully possess it, for the purpose of using it in a manner in which the supervising person may lawfully use it; or

(b) a person who comes into possession of a firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition by the operation of law and who, within a reasonable period after acquiring possession of it,

Clause 20: (1) Relevant portion of subsection 92(1):

92. (1) Subject to subsection (4), every person commits an offence who possesses a firearm knowing that the person is not the holder of

(2) and (3) Relevant portion of subsection 92(4):

(4) Subsections (1) and (2) do not apply to

(a) a person who possesses a firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition while the person is under the direct and immediate supervision of a person who may lawfully possess it, for the purpose of using it in a manner in which the supervising person may lawfully use it; or

(b) a person who comes into possession of a firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition by the operation of law and who, within a reasonable period after acquiring possession of it,

Clause 21: Relevant portion of subsection 93(1):

93. (1) Subject to subsection (3), every person commits an offence who, being the holder of an authorization or a licence under which the person may possess a firearm, a prohibited weapon, a restricted weapon, a prohibited device or prohibited ammunition, possesses the firearm, prohibited weapon, restricted weapon, prohibited device or prohibited ammunition at a place that is

Clause 22: (1) Relevant portion of subsection 94(1):

94. (1) Subject to subsections (3) and (4), every person commits an offence who is an occupant of a motor vehicle in which the person knows there is a firearm, a prohibited weapon, a restricted weapon, a prohibited device, other than a replica firearm, or any prohibited ammunition, unless

(a) in the case of a firearm,

(2) Existing text of subsections 94(3) and (4):

(3) Subsection (1) does not apply to an occupant of a motor vehicle who, on becoming aware of the presence of the firearm, prohibited weapon, restricted weapon, prohibited device or prohibited ammunition in the motor vehicle, attempted to leave the motor vehicle, to the extent that it was feasible to do so, or actually left the motor vehicle.

(4) Subsection (1) does not apply to an occupant of a motor vehicle where the occupant or any other occupant of the motor vehicle is a person who came into possession of the firearm, prohibited weapon, restricted weapon, prohibited device or prohibited ammunition by the operation of law.

Clause 23: (1) Existing text of subsection 99(1):

99. (1) Every person commits an offence who

(a) manufactures or transfers, whether or not for consideration, or

(b) offers to do anything referred to in paragraph (a) in respect of

a firearm, a prohibited weapon, a restricted weapon, a prohibited device, any ammunition or any prohibited ammunition knowing that the person is not authorized to do so under the *Firearms Act* or any other Act of Parliament or any regulations made under any Act of Parliament.

(2) Relevant portion of subsection 99(2):

(2) Every person who commits an offence under subsection (1) where the object in question is a firearm, a prohibited device, any ammunition or any prohibited ammunition is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years and to a minimum punishment of imprisonment for a term of

Clause 24: (1) Relevant portion of subsection 100(1):

100. (1) Every person commits an offence who possesses a firearm, a prohibited weapon, a restricted weapon, a prohibited device, any ammunition or any prohibited ammunition for the purpose of

(2) Relevant portion of subsection 100(2):

(2) Every person who commits an offence under subsection (1) where the object in question is a firearm, a prohibited device, any ammunition or any prohibited ammunition is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years and to a minimum punishment of imprisonment for a term of

Clause 25: Existing text of subsection 101(1):

101. (1) Every person commits an offence who transfers a firearm, a prohibited weapon, a restricted weapon, a prohibited device, any ammunition or any prohibited ammunition to any person otherwise than under the authority of the *Firearms Act* or any other Act of Parliament or any regulations made under an Act of Parliament.

Clause 26: (1) Relevant portion of subsection 103(1):

103. (1) Every person commits an offence who imports or exports

(a) a firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition, or

(2) Relevant portion of subsection 103(2):

(2) Every person who commits an offence under subsection (1) where the object in question is a firearm, a prohibited device or any prohibited ammunition is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years and to a minimum punishment of imprisonment for a term of

Clause 27: Relevant portion of subsection 104(1):

104. (1) Every person commits an offence who imports or exports

(a) a firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition, or

Clause 28: Existing text of subsection 105(1):

105. (1) Every person commits an offence who

(a) having lost a firearm, a prohibited weapon, a restricted weapon, a prohibited device, any prohibited ammunition, an authorization, a licence or a registration certificate, or having had it stolen from the person's possession, does not with reasonable despatch report the loss to a peace officer, to a firearms officer or a chief firearms officer; or

(b) on finding a firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition that the person has reasonable grounds to believe has been lost or abandoned, does not with reasonable despatch deliver it to a peace officer, a firearms officer or a chief firearms officer or report the finding to a peace officer, a firearms officer or a chief firearms officer.

Clause 29: Existing text of subsection 107(1):

107. (1) Every person commits an offence who knowingly makes, before a peace officer, firearms officer or chief firearms officer, a false report or statement concerning the loss, theft or destruction of a firearm, a prohibited weapon, a restricted weapon, a prohibited device, any prohibited ammunition, an authorization, a licence or a registration certificate.

Clause 30: Relevant portion of subsection 109(1):

109. (1) Where a person is convicted, or discharged under section 730, of

Clause 31: (1) Relevant portion of subsection 110(1):

110. (1) Where a person is convicted, or discharged under section 730, of

(a) an offence, other than an offence referred to in any of paragraphs 109(1)(a), (b) and (c), in the commission of which violence against a person was used, threatened or attempted, or

(2) New.

Clause 32: New.

Clause 33: Relevant portion of subsection 117.03(1):

117.03 (1) Despite section 117.02, a peace officer who finds

(a) a person in possession of a firearm who fails, on demand, to produce, for inspection by the peace officer, an authorization or a licence under which the person may lawfully possess the firearm and, in the case of a prohibited firearm or a restricted firearm, a registration certificate for it, or

Clause 34: New.

Customs Act

Clause 35: Relevant portion of subsection 107(5):

(5) An official may provide, allow to be provided or provide access to customs information to the following persons: