

INFORMATION UPDATE - JUNE 2006

GOVERNMENT ANNOUNCES AMNESTY

The Federal Government has announced a partial amnesty for individuals who find themselves with an expired firearms license or an unregistered rifle or shotgun. This amnesty is very limited as to who is protected and who is not. If your license includes anything in addition to non-restricted firearms (such as restricted and/or prohibited), you are out of luck as there is no protection in that case. Following is a Q&A from the government on the amnesty.

Q1. What is an amnesty and who is protected?

A1. The amnesty protects individuals from prosecution for possessing a non-restricted rifle or shotgun without a valid licence or registration certificate if:

- they were licensed to possess that class of firearm in the past but their licence has expired since January 1, 2004; or
- they currently hold, or have held a firearms licence but have not yet registered the firearm.

Q2. Why is there an amnesty?

A2. The current system is broken. The confidence of many Canadians in our firearms control system has been shattered. Tens of thousands of licences are not being renewed even though individuals continue to possess firearms. We want to do everything we can to encourage law-abiding Canadians to come back into the legal system.

It will take time to make some of the legislative changes that are necessary to reform the *Firearms Act*. In the meantime, the amnesty gives owners of non-restricted rifles and shotguns time to comply with current licensing and registration requirements without fear of prosecution.

Q3. Why do I still need a licence to possess non-restricted rifles and shotguns if the Government is planning to abolish the long-gun registry?

A3. The Government is committed to continued firearms licences to control the criminal or unsafe use of firearms. For example, persons acquiring licences for the first time must meet safety-training requirements to help to ensure public safety. Background checks help to screen out criminals and others who are likely to be a danger to public safety.

Q4. I received a notice from the Registrar that my registration certificates were revoked because my licence had expired. Am I still required to take action to obtain a licence or dispose of my firearms?

A4. Until Parliament changes the law, current requirements remain in force. However, the amnesty gives you until May 17, 2007 to meet the requirements of the law.

Q5. I have never held a firearms licence; would the amnesty protect me if I apply now?

A5. Although the amnesty does not specifically protect people who have never had a licence, the Government does not intend to penalize those who are trying to bring themselves into compliance with the law unless particular circumstances warrant it. Every effort will be made to help people comply. If you have firearms and do not have a licence, we urge you to submit an application for a licence as soon as possible.

Q6. How long does the amnesty last?

A6. The amnesty deadline is May 17, 2007. This should give affected firearm owners plenty of time to meet the safety training requirements and obtain a Possession and Acquisition licence (PAL).

Q7. During the amnesty, do I still need a licence to buy ammunition for my non-restricted rifles and shotguns?

A7. Yes.

Fee waiver and refunds

Q8. If I apply for a licence now, will I have to pay a fee?

A8. You will have to pay a fee if this is your first licence under the *Firearms Act*, or if you had a minor's licence but are now applying for a PAL. The fee for a PAL is \$60 for non-restricted firearms only, or \$80 for any combination of non-restricted and restricted firearms. The fee for a minor's licence is \$10 for up to one year, \$20 for up to two years, or \$30 for more than two years.

You will not have to pay a fee to renew an existing licence, replace an expired licence or change your licence privileges -- for example, by upgrading from a Possession Only licence (POL) to a PAL or adding privileges for restricted firearms.

Q9. I have already paid to renew my licence/upgrade my licence privileges; will I get a refund?

A9. You will get a refund if your licence was issued. You will not get a refund if your application was refused.

Q10. How long will it take to get a refund?

A10. It will likely take a few months to determine who is eligible for a refund and to issue a cheque. The refund will be mailed to the address indicated in our records. If your address has changed, it is important to let us know. Address changes can be made online through the Canada Firearms Centre's website at www.cfc-cafc.gc.ca or by calling 1 800 731-4000.

Q11. Do I still have to pay to replace a lost, stolen or damaged licence, and if so, why?

A11. There is still a fee of \$25 to replace a lost or stolen licence. The fee waiver for licence renewals and upgrades was intended to make compliance as easy as possible for firearm owners and users. Once they have their licence, individuals have a responsibility to protect it from loss, theft or damage.

Q12. Why would I have to pay a fee if my application to renew or upgrade a licence is refused?

A12. The licence fee is a processing fee. Applications that are refused generally require more investigation, and consequently, incur more costs.

Verification

Q13. How will telephone verification affect the quality of data in the registration database?

A13. There will be little or no effect. When firearm owners call a Verifier, they will need to provide a detailed description of the firearm. The information provided will be compared to information in the Firearms Reference Table of known firearms. If there are any problems confirming the existence, identity or classification of the firearm, a physical examination by a professional verifier, such as a firearms officer, may be requested. Restricted and prohibited firearms will still have to be verified physically by a trained, professional verifier.

Until Parliament changes the law, current requirements remain in force. However, the amnesty gives you until May 17, 2007 to meet the requirements of the law.

Q14. Can police, firearms businesses or shooting clubs still verify firearms for individuals?

A14. Yes, if they have an approved verifier on staff, they can choose to provide this service, and they can examine the firearms physically.

Transferring responsibility for the Firearms Act to the Royal Canadian Mounted Police

Q15. Why is responsibility for the *Firearms Act* and regulations being transferred to the RCMP?

A15. The transfer of responsibility for the *Firearms Act* and regulations, including the firearms registry, to the RCMP will provide a cost-effective firearms program that will meet the Government's commitment to accountability. The transfer will also make it easier for Canadian police authorities to co-

ordinate gun control activities with other crime control measures.

Q16. Will the transfer of responsibility to the RCMP increase the risk of prosecution for people who let their licence expire?

A16. The transfer to the RCMP will not impact on the current consequences of allowing a firearms licence to expire. As stated earlier, the amnesty protects individuals from prosecution for possessing a non-restricted rifle or shotgun without a valid licence or registration certificate if:

- they were licensed to possess that class of firearm in the past but their licence has expired since January 1, 2004; or
- they currently hold, or have held, a firearms licence but have not registered the firearm.

Q17. Is the gun registry information useful for police officers to know whether a firearm is at a particular location?

A17. The fact an individual has a firearms licence will still be known to the police. They will know whether a legal firearm is at a particular location by virtue of the fact that an individual has a licence. The abolition of the long-gun registry doesn't affect that. Even so, it is the illegal firearms that police are usually the most concerned about.

Q18. How can you say that the gun registry is a useless criminal justice tool when the police use it 6,500 times per day?

A18. The "6,500 hits" figure for the Canadian Firearms Registry On-Line (CFRO) is misleading. Whenever police officers access the Canadian Police Information Centre (CPIC) for any reason, such as for a simple address check, an automatic hit is generated with CFRO whether the information is desired or not. This is the case, for example, with the Toronto Police Service (5,000 officers), the Vancouver Police (1,400 officers), and the BC RCMP (5,000 officers).

Again, a word of caution. The amnesty provides no protection to those with restricted or prohibited classes on their firearms license. If

your license has expired, renew it ASAP to avoid possible criminal charges.

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OPERATION FIRE-BACK – Your Chance to Support the Fight

On May 17, the government announced several initiatives relating to the Firearms Act, one of which will give you a chance to help us out in defending your rights. According to the announcement, you will be receiving a reimbursement for any license fees you paid after December 31, 1998. It may take a few months for the cheques to arrive, but we have a great suggestion on what to do with that cheque.

Endorse it, and Fire it Back to the CSSA Legal/Court Action Fund!!! – Operation Fire-Back.

At this moment, we have 5 court cases on the go (including 2 class action challenges) with several others waiting for funding. We need your support and the government has given you a painless way to help.

Yes, we now have a more friendly government, but with a minority, they are limited as to what they can do. Many of these cases will be in court long before the next election and we have to win them.

What better place to Fire Back your rebate then to our ***Legal/Court Action fund.***

Contact all of your shooting buddies and get them to do the same. The guns you save may be your own.

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AIR CANADA – TO FLY OR NOT TO FLY

For those of you who still use Air Canada for your air travel, here is just one more reason not to.

Effective June 1, 2006 a one-way handling fee of \$65 (CAD) will apply for firearms.

Firearms

- Hunting rifles and shotguns are accepted as checked baggage only, and must be unloaded.
- The firearm must be inhibited from being fired by using a secure, locking device mechanism on the weapon.
- The firearm must be packaged in a specially designed, non-see through case that cannot be easily broken into during transport.
- Before Air Canada accepts the firearm you must sign a declaration form attesting that the gun is unloaded as well as a limited release form.

Restricted firearms such as handguns require government documentation for transport. Consult the Canadian Firearm Center and/or Canada Customs for complete details.

Ammunition

- Ammunition is only accepted in checked baggage and must be packaged separately from the firearm.
- Ammunition allowance is limited to 5 kg (11 LB) per passenger.
- Only shells or cartridges are acceptable types of ammunition.
- Gunpowder and gunpowder pellets are strictly prohibited.
- Ammunition must be packed securely in a strong container of wood, metal or fiberboard, plainly marked 'ammunition', or in the original inner carton.
- To avoid shock movement, the carton must be placed inside a suitcase and cushioned with clothing.

<http://www.aircanada.com/en/travelinfo/airport/baggage/dangerous.html#r2s1>

As far as we can determine, Air Canada is the only Canadian airline with this rather discriminatory policy. WestJet does not charge any extra for firearms and we would suggest that firearms owners take this into consideration when planning your next trip. All official CSSA travel from now on will be with carriers other than Air Canada.

COURT ACTION UPDATE

12(6) – Prohibited Handgun Court Challenge
This case is slowly winding its way through the court system. We have had, and will continue to have appearances and meetings with the Federal Crown and the presiding judge. The 10 day hearing date is set for February 5, 2007. This will give the government plenty of time to rectify the situation (if they so desire). We are advising that if you have a separate hearing date, that you ask to be included with the test case in February (if you reside in Ontario) or delay your case until after the hearing (outside of Ontario).

For updates and a history of this case, go to www.twelvesix.ca

Special Authority to Possess (SAP)

We have decided to appeal a test case in St. Thomas on this issue. The hearing date is set for September 28, again, giving the government plenty of time to fix the problem.

Just as a review, an SAP is necessary for anyone to legally transport a prohibited rifle (12-3,12-4, 12-5) to a range to shoot. The bureaucrats at the Canadian Firearms Centre have taken the interpretation that they will no longer allow the issuance of these permits, even though every legal opinion so far, including the Library of Parliament, disagrees with them. In the meantime, anyone who owns one of these firearms, can obtain an ATT for a show, gun smith, sale or display, but they cannot shoot it. A ridiculous situation that has no logic at all, typical of most of this legislation

These court cases, and several other individual cases that we are supporting, are causing a large drain on our Legal/Legislative Fund. We need your help to keep up the fight. You can help by joining Operation Fire-Back.

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