



Submitted for: November 29th, 2018

Motion Regarding SSMU's Position on Gun Control in Canada 2018-11-29

WHEREAS, the Students' Society of McGill University (SSMU) Constitution outlines in the preamble that the SSMU serves to “strengthen the educational, cultural, environmental, political and social conditions of our members,” to which advocacy and support for stringent gun control regulations by the Government of Canada is a necessary aspect;

WHEREAS, there have been a number of deadly mass shootings in schools and universities in Canada, including, but not limited, those at Ecole Polytechnique in 1989, Concordia University in 1992, and Dawson College in 2006;

WHEREAS, a McGill University study demonstrated “large racial inequalities in firearm homicide” with black men being most likely to die by gun violence¹;

WHEREAS, Canada has levels of gun homicide higher than all but three of the countries in the European Union²;

WHEREAS, in 2017, 7,700 people were victims of a crime that involved a firearm in a Statistics Canada report and youth account for one in five persons accused of firearm-related violent crime³;

WHEREAS, not all semi-automatic weapons are restricted in Canada⁴;

WHEREAS, the City of Montreal unanimously passed motions in favour of a nationwide ban on handguns and assault weapons⁵;

¹ <http://annals.org/aim/fullarticle/2679556/comparison-rates-firearm-nonfirearm-homicide-suicide-black-white-non-hispanic>

² <https://www.macleans.ca/opinion/gun-violence-isnt-just-a-u-s-problem-and-canada-isnt-immune/>

³ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2014001/article/11925-eng.htm#a1>

⁴ <https://www.cbc.ca/radio/the180/the-positives-of-climate-change-the-ar-15-in-canada-and-elective-c-sections-are-a-feminist-issue-1.3638725/the-look-of-the-ar-15-where-symbolism-fits-in-to-the-gun-debate-1.3640948>

⁵ <https://www.cbc.ca/news/canada/montreal/montreal-motion-ban-handguns-canada-1.4792398>



Office of the Speaker | Bureau de Président du conseil

Tel: (514) 398-6800 | Fax: (514) 398-7490 | speaker@ssmu.ca
3600 McTavish Street, Suite 1200, Montréal, Québec, H3A 0G3
Located on unceded, Kanien'kehá:ka traditional territory

WHEREAS, the effectiveness of the “March For Our Lives” campaign in the U.S. shows the general desire of students to take action on gun control;

WHEREAS, the involvement of student associations in the anti-gun violence campaign of “Pas Ici/Not Here” would provide increased weight and impact;

WHEREAS, there is currently a window of opportunity in Canada to advance the cause of gun control through the forthcoming introduction of Bill C-71 (Appendix A) to the Canadian Senate;

BE IT RESOLVED, THAT the SSMU endorse Bill C-71, which calls for implementation of a ban on civilian ownership of handguns and military assault weapons in Canada;

BE IT FURTHER RESOLVED, THAT the SSMU communicate this position to the Member of Parliament for Ville-Marie—Le Sud-Ouest—Île-des-Sœurs and to the Minister of Public Safety of Canada;

BE IT FURTHER RESOLVED, THAT the SSMU, with other participating associations, make specific and concerted efforts to push for better gun control. Such actions must include, but will not be limited to, signing the petition started by Pas Ici/ Not here (Appendix B); making a public statement of position on the SSMU Facebook page; and sending an email to key Canadian Senators, calling on them to support Bill C-71 (template in Appendix C).

Moved By:

Sophia Esterle, Vice-President (Student Life)

Matthew McLaughlin, Vice-President (Internal Affairs)

Ana Paula Sanchez, Arts Representative

Rowan Fletcher, Athletics Representative

Bryan Buraga, Arts & Science Senator



Appendix A

PETITION TO THE HOUSE OF COMMONS

Whereas:

- Handguns account for 58% of shooting homicides;
- Military assault weapons such as the AR-15 used in the Parkland Florida massacre are sold to civilians in Canada;
- There are now nearly 1 million legally owned handguns in Canada;
- Many legal handguns end up in the hands of violent criminals as a result of illegal sales, theft and diversion;
- More crime guns that are traced come from Canadian sources;
- Handguns and military weapons are not used for hunting, by farmers or indigenous people for legitimate purposes and United States style arming for “self- protection” is rising;
- The Supreme Court of Canada has said there is no “right” to own guns, like the United States Second Amendment, in Canada;
- Easy access to handguns and other restricted and prohibited weapons fuels gang violence, domestic violence, suicide and undermines community safety;
- Canada has the fourth highest rate of gun deaths among OECD countries and is one of few developed countries to have loosened its gun laws in past decades;
- Countries like the United Kingdom, Australia and Japan have shown that strict gun control laws lead to dramatically lower gun homicide, crime and death rates;
- The majority of Canadians support stronger gun laws; and
- Reducing easy access to handguns and military assault weapons will increase safety in both urban and rural Canada.

We, the undersigned, **Canadian citizens**, call upon the **Government of Canada** to implement a ban on the civilian ownership of handguns and military assault weapons.



Appendix B

Note: template may be modified as necessary.

Dear Senators,

The Students' Society of McGill University, a union of over 23,000 undergraduates are sharing our stance on gun control and Bill C-71.

On the basis of our shared values of peace, order and good government, and given the recent increases in gun-related homicides and other gun crimes, we emphasize our strong and unwavering support for stricter gun control, as well as my wish to see Bill C-71 strengthened and passed. To that end, we support the following amendments:

1. Reinstate the former authorizations to transport restricted weapons that specify the specific locations to/from which the transport of a gun is permitted (such as the specific gun club of which the owner of a handgun is a member);
2. Include in the reinstated sales controls the obligation to report private sales as well, and ensure that the sales data is kept indefinitely;
3. Enable easy and timely access by police to gun sales data, as was the case from 1977 to 2012;
4. Further tighten the eligibility criteria and screening process to obtain, renew or keep possession and acquisition licenses.

Ban on handguns and assault weapons:

In addition, as long as it is not a diversionary tactic and the government sincerely intends to listen to experts and the Canadian public in order to take action before the next election, we welcome the consultation on the prohibition of handguns and assault weapons.

Although gun owners are generally no more violent than other citizens, it only takes one ill-intentioned individual with a military-style weapon to cause enormous suffering and loss of human lives. It is critical to remember that most of the perpetrators of the worst mass shootings in recent Canadian history (Polytechnique, Concordia, Dawson City, Quebec City Mosque, Moncton, Fredericton, PQ election night, etc.) were legal gun owners.



Office of the Speaker | Bureau de Président du conseil

Tel: (514) 398-6800 | Fax: (514) 398-7490 | speaker@ssmu.ca
3600 McTavish Street, Suite 1200, Montréal, Québec, H3A 0G3
Located on unceded, Kanien'kehá:ka traditional territory

That is why we, as a body of representatives, are calling on all senators, who are required by their roles to be concerned about public safety, and to remind the Liberal government of the need to rely on solid scientific research as well as the experience of other countries such as Australia, Japan and the United Kingdom, in addition to respecting public opinion. Indeed, the majority of Canadians support a ban on assault weapons (8 out of 10) and a ban on handguns (7 out of 10). I therefore hope you can communicate to the Trudeau government your support for the following measures:

1. Banning the private ownership of handguns and assault weapons;
2. Limiting magazines to 5 cartridges;
3. Banning "pinned magazines" that can be converted to full capacity (ex: magazines originally designed for 30 rounds but where a rivet prevents more than 5 to be inserted).

FOR APPROVAL



Appendix C

Bill C-71 Summary and Full Text

SUMMARY

Part 1 of this Act amends the *Firearms Act* to, among other things,

- (a) remove the reference to the five-year period, set out in subsection 5(2) of that Act, that applies to the mandatory consideration of certain eligibility criteria for holding a licence;
- (b) require, when a non-restricted firearm is transferred, that the transferee's firearms licence be verified by the Registrar of Firearms and that businesses keep certain information related to the transfer; and
- (c) remove certain automatic authorizations to transport prohibited and restricted firearms.

Part 1 also amends the *Criminal Code* to repeal the authority of the Governor in Council to prescribe by regulation that a prohibited or restricted firearm be a non-restricted firearm or that a prohibited firearm be a restricted firearm and, in consequence, the Part

- (a) repeals certain provisions of regulations made under the *Criminal Code*; and
- (b) amends the *Firearms Act* to grandfather certain individuals and firearms, including firearms previously prescribed as restricted or non-restricted firearms in those provisions.

Furthermore, Part 1 amends section 115 of the *Criminal Code* to clarify that firearms and other things seized and detained by, or surrendered to, a peace officer at the time a prohibition order referred to in that section is made are forfeited to the Crown.

Part 2, among other things,

- (a) amends the *Ending the Long-gun Registry Act*, by repealing the amendments made by the *Economic Action Plan 2015 Act, No. 1*, to retroactively restore the application of the *Access to Information Act* and the *Privacy Act* to the records related to the registration of non-restricted firearms until the day on which this enactment receives royal assent;
- (b) provides that the *Access to Information Act* and the *Privacy Act* continue to apply to proceedings that were initiated under those Acts before that day until the proceedings are finally disposed of, settled or abandoned; and



(c) directs the Commissioner of Firearms to provide the minister of the Government of Quebec responsible for public security with a copy of such records, at that minister's request.

BILL C-71

An Act to amend certain Acts and Regulations in relation to firearms

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

PART 1

Amendments to the Firearms Act, the Criminal Code and the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted

1995, c. 39

Firearms Act

2015, c. 27, s. 2(2)

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

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*.

(2) Section 2 of the Act is amended by adding the following after subsection (3):

For greater certainty

(4) For greater certainty, nothing in this Act shall be construed so as to permit or require the registration of non-restricted firearms.

2 (1) The portion of subsection 5(2) of the Act before paragraph (a) is replaced by the following:



Criteria

(2) In determining whether a person is eligible to hold a licence under subsection (1), a chief firearms officer or, on a reference under section 74, a provincial court judge shall have regard to whether the person

(2) Subsection 5(2) of the Act is amended by striking out “or” at the end of paragraph (b) and by replacing paragraph (c) with the following:

(c) has a history of behaviour that includes violence or threatened or attempted violence or threatening conduct on the part of the person against any person;

(d) is or was previously prohibited by an order — made in the interests of the safety and security of any person — from communicating with an identified person or from being at a specified place or within a specified distance of that place, and presently poses a threat or risk to the safety and security of any person;

(e) in respect of an offence in the commission of which violence was used, threatened or attempted against the person's intimate partner or former intimate partner, was previously prohibited by a prohibition order from possessing any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device or prohibited ammunition; or

(f) for any other reason, poses a risk of harm to any person.

(3) Section 5 of the Act is amended by adding the following after subsection (2):

For greater certainty

(2.1) For greater certainty, for the purposes of paragraph (2)(c), threatened violence and threatening conduct include threats or conduct communicated by the person to a person by means of the Internet or other digital network.

3 (1) Section 12 of the Act is amended by adding the following after subsection (8):

Grandfathered individuals — regulations



(9) An individual is eligible to hold a licence authorizing the individual to possess prohibited firearms of a prescribed class if the individual

(a) possesses one or more firearms of that class on a day that is prescribed with respect to that class;

(b) holds a registration certificate for one or more firearms of that class in the circumstances prescribed with respect to that class; and

(c) was continuously the holder of a registration certificate for one or more firearms of that class beginning on the day that is prescribed — or that is determined under the regulations — with respect to that class.

(2) Section 12 of the Act is amended by adding the following after subsection (9):

Grandfathered individuals — CZ rifle

(10) An individual is eligible to hold a licence authorizing the individual to possess one or more firearms referred to in subsection (11) if

(a) the individual possessed one or more such firearms on June 30, 2018;

(b) the individual

(i) held on that day a registration certificate for one or more such firearms, in the case where at least one of those firearms was on that day a restricted firearm, or

(ii) applies, before the first anniversary of the commencement day, for a registration certificate that is subsequently issued for a firearm referred to in subsection (11), in any other case; and

(c) the individual was continuously the holder of a registration certificate for one or more such firearms beginning on

(i) June 30, 2018, in the case where at least one of those firearms was on that day a restricted firearm, or



Office of the Speaker | Bureau de Président du conseil

Tel: (514) 398-6800 | Fax: (514) 398-7490 | speaker@ssmu.ca
3600 McTavish Street, Suite 1200, Montréal, Québec, H3A 0G3
Located on unceded, Kanien'kehá:ka traditional territory

(ii) the day on which a registration certificate referred to in subparagraph (b)(ii) is issued to the individual, in any other case.

Grandfathered firearms — CZ rifle

(11) Subsection (10) applies in respect of a firearm that

(a) is a

(i) Česká Zbrojovka (CZ) Model CZ858 Tactical-2P rifle,

(ii) Česká Zbrojovka (CZ) Model CZ858 Tactical-2V rifle,

(iii) Česká Zbrojovka (CZ) Model CZ858 Tactical-4P rifle, or

(iv) Česká Zbrojovka (CZ) Model CZ858 Tactical-4V rifle; and

(b) was registered as a restricted firearm on June 30, 2018 or, in the case of a firearm that was not a restricted firearm on that day, is the subject of an application made before the first anniversary of the commencement day for a registration certificate that is subsequently issued.

For greater certainty

(12) For greater certainty, the firearms referred to in subparagraphs (11)(a)(i) to (iv) include only firearms that are prohibited firearms on the commencement day.

Grandfathered individuals — SAN Swiss Arms

(13) An individual is eligible to hold a licence authorizing the individual to possess one or more firearms referred to in subsection (14) if

(a) the individual possessed one or more such firearms on June 30, 2018;

(b) the individual

(i) held on that day a registration certificate for one or more such firearms, in the case where at least one of those firearms was on that day a restricted firearm, or



(ii) applies, before the first anniversary of the commencement day, for a registration certificate that was subsequently issued for a firearm referred to in subsection (14), in any other case; and

(c) the individual was continuously the holder of a registration certificate for one or more such firearms beginning on

(i) June 30, 2018, in the case where at least one of the firearms was on that day a restricted firearm, or

(ii) the day on which a registration certificate referred to in subparagraph (b)(ii) is issued to the individual, in any other case.

Grandfathered firearms — SAN Swiss Arms

(14) Subsection (13) applies in respect of a firearm that

(a) is a

(i) SAN Swiss Arms Model Classic Green rifle,

(ii) SAN Swiss Arms Model Classic Green carbine,

(iii) SAN Swiss Arms Model Classic Green CQB rifle,

(iv) SAN Swiss Arms Model Black Special rifle,

(v) SAN Swiss Arms Model Black Special carbine,

(vi) SAN Swiss Arms Model Black Special CQB rifle,

(vii) SAN Swiss Arms Model Black Special Target rifle,

(viii) SAN Swiss Arms Model Blue Star rifle,

(ix) SAN Swiss Arms Model Heavy Metal rifle,

(x) SAN Swiss Arms Model Red Devil rifle,



- (xi) SAN Swiss Arms Model Swiss Arms Edition rifle,
- (xii) SAN Swiss Arms Model Classic Green Sniper rifle,
- (xiii) SAN Swiss Arms Model Ver rifle,
- (xiv) SAN Swiss Arms Model Aestas rifle,
- (xv) SAN Swiss Arms Model Autumnus rifle, or
- (xvi) SAN Swiss Arms Model Hiemis rifle; and

(b) was registered as a restricted firearm on June 30, 2018 or, in the case of a firearm that was not a restricted firearm on that day, is the subject of an application made before the first anniversary of the commencement day for a registration certificate that is subsequently issued.

2015, c. 27, s. 6

4 (1) Subsections 19(1.1) and (2) of the Act are 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 — except in the case of an authorization that is issued for a prohibited firearm referred to in subsection 12(9) — 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) or a prohibited firearm referred to in subsection 12(9) — between specified places except for the purposes referred to in paragraph (1)(b).

(2) Subsections 19(1.1) and (2) of the Act are 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 — except in the case of an authorization that is issued for a prohibited firearm referred to in subsection 12(9), (11) or (14) — 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) or a prohibited firearm referred to in subsection 12(9), (11) or (14) — between specified places except for the purposes referred to in paragraph (1)(b).

2015, c. 27, s. 6

(3) Subsections 19(2.1) to (2.3) of the Act are replaced by the following:

Automatic authorization to transport — licence renewal

(2.1) An individual who holds a licence authorizing the individual to possess restricted firearms or handguns referred to in subsection 12(6.1) must, if the licence is renewed, be authorized to transport them within the individual's province of residence to and from all shooting clubs and shooting ranges that are approved under section 29. However, the authorization does not apply to a restricted firearm or a handgun referred to in subsection 12(6.1) whose transfer to the individual was approved, in accordance with subparagraph 28(b)(ii), for the purpose of having it form part of a gun collection.

Automatic authorization to transport — transfer

(2.2) 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 to transport the firearm within the individual's province of residence from the place where they acquire it to the place where they may possess it under section 17.

Automatic authorization to transport — transfer



(2.3) If a chief firearms officer has authorized the transfer of a restricted firearm or a handgun referred to in subsection 12(6.1) to an individual who holds a licence authorizing the individual to possess a restricted firearm or such a handgun, the individual must be authorized to transport their restricted firearm or handgun within the individual's province of residence to and from all shooting clubs and shooting ranges that are approved under section 29, unless the transfer of the restricted firearm or handgun was approved, in accordance with subparagraph 28(b)(ii), for the purpose of having it form part of a gun collection.

2012, c. 6, s. 11; 2015, c. 27, s. 7

5 Sections 23 and 23.1 of the Act are replaced by the following:

Authorization to transfer non-restricted firearms

23 (1) A person may transfer one or more non-restricted firearms if, at the time of the transfer,

- (a) the transferee holds a licence authorizing the transferee to acquire and possess a non-restricted firearm;
- (b) the Registrar has, at the transferor's request, issued a reference number for the transfer and provided it to the transferor; and
- (c) the reference number is still valid.

Information — transferee's licence

(2) The transferee shall provide to the transferor the prescribed information that relates to the transferee's licence, for the purpose of enabling the transferor to request that the Registrar issue a reference number for the transfer.

Reference number

(3) The Registrar shall issue a reference number if he or she is satisfied that the transferee holds and is still eligible to hold a licence authorizing them to acquire and possess a non-restricted firearm.

Period of validity



(4) A reference number is valid for the prescribed period.

Registrar not satisfied

(5) If the Registrar is not satisfied as set out in subsection (3), he or she may so inform the transferor.

2015, c. 27, s. 11

6 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), (2.2) or (2.3), 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.

7 The Act is amended by adding the following after section 58:

Conditions — licence issued to business

58.1 (1) A chief firearms officer who issues a licence to a business must attach the following conditions to the licence:

(a) the business must record and, for the prescribed period, keep the prescribed information that relates to the business' possession and disposal of non-restricted firearms;

(b) the business must record and — for a period of 20 years from the day on which the business transfers a non-restricted firearm, or for a longer period that may be prescribed — keep the following information in respect of the transfer:

(i) the reference number issued by the Registrar,

(ii) the day on which the reference number was issued,

(iii) the transferee's licence number, and



Office of the Speaker | Bureau de Président du conseil

Tel: (514) 398-6800 | Fax: (514) 398-7490 | speaker@ssmu.ca
3600 McTavish Street, Suite 1200, Montréal, Québec, H3A 0G3
Located on unceded, Kanien'kehá:ka traditional territory

(iv) the firearm's make, model and type and, if any, its serial number; and

(c) the business must, unless otherwise directed by a chief firearms officer, transmit any records containing the information referred to in paragraph (a) or (b) to a prescribed official if it is determined that the business will cease to be a business.

Destruction of records

(2) The prescribed official may destroy the records transmitted to them under paragraph (1)(c) at the times and in the circumstances that may be prescribed.

2015, c. 27, s. 13(1)

8 Subsection 61(3.1) of the Act is replaced by the following:

Automatic authorization to transport

(3.1) An authorization to transport referred to in subsection 19(1.1), (2.1), (2.2) or (2.3) must take the form of a condition attached to a licence.

9 Paragraph 70(1)(a) of the Act is amended by adding the following after subparagraph (i):

(i.1) transfers, as defined in section 21, a non-restricted firearm other than in accordance with section 23,

10 (1) The portion of subsection 85(1) of the French version of the Act before subparagraph (a)(i) is replaced by the following:

Autres registres du directeur

85 (1) Le directeur établit un registre :

a) des armes à feu acquises ou détenues par les personnes précisées ci-après et utilisées par celles-ci dans le cadre de leurs fonctions :

(2) Paragraph 85(1)(b) of the French version of the Act is replaced by the following:



b) des armes à feu acquises ou détenues par des particuliers sous les ordres et pour le compte des forces policières ou d'un ministère fédéral ou provincial;

(3) Subsection 85(1) of the Act is amended by striking out “and” at the end of paragraph (a) and by adding the following after paragraph (b):

(c) every request for a reference number made to the Registrar under section 23 and, if the request is refused, the reasons for refusing the request; and

(d) every reference number that is issued by the Registrar under subsection 23(3) and, with respect to each reference number, the day on which it was issued and the licence numbers of the transferor and transferee.

(4) Subsection 85(2) of the Act is replaced by the following:

Reporting of acquisitions and transfers

(2) A person referred to in paragraph (1)(a) or (b) who acquires or transfers a firearm shall have the Registrar informed of the acquisition or transfer.

2012, c. 6, s. 25

11 Section 90.1 of the Act is repealed.

12 The portion of section 109 of the Act before paragraph (a) is replaced by the following:

Punishment

109 Every person who commits an offence under section 106, 107 or 108, who contravenes subsection 29(1) or who contravenes a regulation made under paragraph 117(d), (e), (f), (g), (i), (j), (k.2), (l), (m) or (n) the contravention of which has been made an offence under paragraph 117(o)

13 (1) Section 117 of the Act is amended by adding the following after paragraph (c):



(c.1) regulating, for the purpose of issuing a reference number under section 23, the provision of information by a transferor, a transferee and the Registrar;

(2) Paragraph 117(m) of the Act is replaced by the following:

(m) regulating the keeping, transmission and destruction of records in relation to firearms, prohibited weapons, restricted weapons, prohibited devices and prohibited ammunition;

(3) Section 117 of the Act is amended by adding the following after paragraph (n):

(n.1) regulating the transmission of records under paragraph 58.1(1)(c) by a business to a prescribed official;

14 The Act is amended by adding the following after section 126:

Licence of business — deemed conditions

126.1 Every licence of a business that is valid on the commencement day is deemed to include the conditions set out in paragraphs 58.1(1)(a) to (c).

15 The Act is amended by adding the following after section 135:

Revocation of authorization to transport

135.1 All of the following authorizations to transport a prohibited firearm or a restricted firearm are revoked:

(a) authorizations issued under any of paragraphs 19(2.1)(b) to (e), as those paragraphs read immediately before the commencement day; and

(b) authorizations issued under paragraph 19(2.2)(b), as that paragraph read immediately before the commencement day, in respect of transportation to and from the places referred to in any of the paragraphs that are set out in paragraph (a).

R.S., c. C-46



Criminal Code

2015, c. 27, s. 18

16 The definition *non-restricted firearm* in subsection 84(1) of the *Criminal Code* is replaced by the following:

non-restricted firearm means a firearm that is neither a prohibited firearm nor a restricted firearm; (*arme à feu sans restriction*)

1995, c. 39, s. 139

17 Subsection 115(1) of the Act is replaced by the following:

Forfeiture

115 (1) Unless a prohibition order against a person specifies otherwise, every thing the possession of which is prohibited by the order is forfeited to Her Majesty if, on the commencement of the order, the thing is in the person's possession or has been seized and detained by, or surrendered to, a peace officer.

2015, c. 27, s. 34

18 Subsections 117.15(3) and (4) of the Act are repealed.

SOR/98-462; SOR/2015-213, s. 1

Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted

19 The title of the *Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted* is replaced by the following:

Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted

20 Sections 3.1 and 3.2 of the Regulations are repealed.



21 Part 2.1 of the schedule to the Regulations is repealed.

Coming into Force

Order in council

22 (1) Section 1, subsections 3(2) and 4(2) and sections 16 and 18 to 21 come into force on a day to be fixed by order of the Governor in Council.

Order in council

(2) Section 2 comes into force on a day to be fixed by order of the Governor in Council.

Order in council

(3) Subsection 4(3) and sections 6, 8 and 15 come into force on a day to be fixed by order of the Governor in Council.

Order in council

(4) Sections 5 and 9 to 11 and subsection 13(1) come into force on a day to be fixed by order of the Governor in Council.

Order in council

(5) Section 7, subsection 13(3) and section 14 come into force on a day to be fixed by order of the Governor in Council, but that day must not be before the day referred to in subsection (4).

PART 2

2012, c. 6

Ending the Long-gun Registry Act

Amendments to the Act

2015, c. 36, s. 230

23 (1) Subsection 29(3) of the *Ending the Long-gun Registry Act* is deemed never to have been amended by section 230 of the *Economic Action Plan 2015 Act, No. 1*.



2015, c. 36, s. 230

(2) Subsections 29(4) to (7) of the *Ending the Long-gun Registry Act* are deemed never to have come into force and are repealed.

2015, c. 36, s. 231

24 Section 30 of the *Ending the Long-gun Registry Act* is deemed never to have come into force and is repealed.

Transitional Provisions

Definitions

25 The following definitions apply in this section and in sections 26 to 28.

commencement day means the day on which this Act receives royal assent. (*date d'entrée en vigueur*)

copy means a copy referred to in subsection 29(1) or (2) of the *Ending the Long-gun Registry Act*. (*copie*)

personal information means any *personal information*, as defined in section 3 of the *Privacy Act*, that is contained in a record or copy. (*renseignements personnels*)

record means, other than in section 28, a record referred to in subsection 29(1) or (2) of the *Ending the Long-gun Registry Act*. (*registres*)

specified proceeding means any request, complaint, investigation, application, judicial review, appeal or other proceeding under the *Access to Information Act* or the *Privacy Act* that is with respect to a record or copy or to personal information and that

(a) was made or initiated on or before June 22, 2015 and was not concluded, or in respect of which no decision was made, on or before that day; or

(b) was made or initiated after June 22, 2015 but before the commencement day. (*procédure désignée*)



Non-application — *Access to Information Act*

26 (1) Subject to section 27, the *Access to Information Act* does not apply as of the commencement day with respect to records and copies.

Non-application — *Privacy Act*

(2) Subject to section 27, the *Privacy Act*, other than its subsections 6(1) and (3), does not apply as of the commencement day with respect to personal information.

Non-application — subsections 6(1) and (3) of the *Privacy Act*

(3) For greater certainty, by reason of subsection 29(3) of the *Ending the Long-gun Registry Act*, subsections 6(1) and (3) of the *Privacy Act* do not apply as of April 5, 2012 with respect to personal information.

Continued application

27 (1) The *Privacy Act*, other than its subsections 6(1) and (3), and the *Access to Information Act* continue to apply with respect to any specified proceeding and to any complaint, investigation, application, judicial review or appeal that results from a specified proceeding.

Period running on June 22, 2015 restarts

(2) A time limit, or other period of time, under the *Access to Information Act* or the *Privacy Act* that was running on June 22, 2015 with respect to a specified proceeding described in paragraph (a) of the definition of that expression in section 25 is deemed to restart, from the beginning, on the commencement day.

Specified proceeding initiated after June 22, 2015

(3) A specified proceeding described in paragraph (b) of the definition of that expression in section 25 is deemed to be made or initiated on the commencement day.

For greater certainty

(4) For greater certainty, no destruction of records or copies that are the subject of proceedings referred to in subsection (1) is to occur until all proceedings referred to in that subsection are finally disposed of, settled or abandoned.



Permission to view records

28 The Commissioner of Firearms shall permit the Information Commissioner to view — for the purpose of settling the Federal Court proceeding *Information Commissioner of Canada v. Minister of Public Safety and Emergency Preparedness*, bearing court file number T-785-15 — any record that was in the Canadian Firearms Registry on April 3, 2015.

Copy to Government of Quebec

29 (1) The Commissioner of Firearms shall — for the purpose of the administration and enforcement of the *Firearms Registration Act*, chapter 15 of the Statutes of Quebec, 2016 — provide the Quebec Minister with a copy of all records that were in the Canadian Firearms Registry on April 3, 2015 and that relate to firearms registered, as at that day, as non-restricted firearms, if the Quebec Minister provides the Commissioner with a written request to that effect before the end of the 120th day after the day on which the Commissioner sends written notice under subsection (2).

Notice

(2) If no request is provided under subsection (1) before the Commissioner is in a position to proceed with ensuring the destruction of the records referred to in that subsection, the Commissioner shall, as soon as he or she is in that position, send written notice to the Quebec Minister of that fact.

Destruction of records

(3) Despite subsection 29(1) of the *Ending the Long-gun Registry Act*, the Commissioner shall proceed with ensuring the destruction of the records referred to in subsection (1) only after

(a) he or she provides the Quebec Minister with a copy of the records, in the case where that Minister provides a written request in accordance with subsection (1); or

(b) the end of the 120th day after the day on which the Commissioner sends written notice under subsection (2), in any other case.

Definition of *Quebec Minister*

(4) In this section, *Quebec Minister* means the minister of the Government of Quebec responsible for public security.



Office of the Speaker | Bureau de Président du conseil

Tel: (514) 398-6800 | Fax: (514) 398-7490 | speaker@ssmu.ca
3600 McTavish Street, Suite 1200, Montréal, Québec, H3A 0G3
Located on unceded, Kanien'kehá:ka traditional territory

Extension

30 The Minister of Public Safety and Emergency Preparedness may, during the 120-day period referred to in subsection 29(1), make an order extending that period for another 120 days, and in that case the references in subsections 29(1) and (3) to “the 120th day” are to be read as references to “the 240th day”.

FOR APPROVAL



Office of the Speaker | Bureau de Président du conseil

Tel: (514) 398-6800 | Fax: (514) 398-7490 | speaker@ssmu.ca
3600 McTavish Street, Suite 1200, Montréal, Québec, H3A 0G3
Located on unceded, Kanien'kehá:ka traditional territory

FOR APPROVAL