

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Stephen Waldie
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Bill C-71: An Act to amend certain Acts and Regulations
in relation to firearms**

DATE OF ISSUE:	July 17, 2019
CLASSIFICATION:	General Information
RETENTION:	Indefinite
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PRIORITY:	Low

On June 21, 2019, Bill C-71: *An Act to amend certain Acts and Regulations in relation to firearms* received Royal Assent.

Part 1 of the bill amends the *Firearms Act*, the *Criminal Code (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*.

Part 2 of the bill reintroduces the legislative amendments contained in Bill C-52, *An Act to amend Chapter 6 of the Statutes of Canada, 2012* (short title: *Supporting Vested Rights Under Access to Information Act*), which amends the *Ending the Long-gun Registry Act (ELRA)*, the *Access to Information Act (ATIA)* and the *Privacy Act*.

The key amendments to the *Criminal Code* and *Firearms Act* include:

Background check prior to issuing a firearms license

- Mandatory consideration of eligibility criteria that may span a person's lifetime, rather than within the previous five years, including a history of domestic violence and making online threats.
- It is anticipated this amendment will come into force at a later date, once necessary administrative changes have been put in place.

Transfer of non-restricted firearms

- Individuals and businesses must verify the firearms licence with the RCMP-Canadian Firearms Program before the transfer of a non-restricted firearm.
- It is anticipated this amendment will come into force at a later date, once necessary administrative changes have been put in place.

Business Record-Keeping

- Businesses that transfer ownership of non-restricted firearms must keep records confirming licence validation with the RCMP-Canadian Firearms Program and on the firearm being transferred, as was the case between 1979 and 2005.
- Neither the RCMP nor the Government of Canada will hold information on the firearm transferred.
- Individuals are not required to keep records of sale.
- It is anticipated this amendment will come into force at a later date, once necessary administrative changes have been put in place.

Classification of firearms

- The bill repeals the power of the Governor-in-Council to deem prohibited or restricted firearms as being a less restrictive class.
- Some firearms (CZ858 and SA) that were classified as non-restricted or restricted will return to prohibited, consistent with their Criminal Code definitions.
- Grandfathering may be available for those who owned the affected (CZ858 and SA) firearms on June 30, 2018.
- This amendment will come into force at a later date, once necessary administrative changes have been put in place. Consult the Canadian Firearms Program website for more information.

Transport of restricted and prohibited firearms

- Authorization to transport to a range remains automatic.
- Re-instatement of requirement to apply for an authorization to transport restricted and prohibited firearms to locations other than a shooting range (i.e., gunsmith, gun show, port of entry, police or peace officer).
- It is anticipated this amendment will come into force at a later date, once necessary administrative changes have been put in place.

Expansion of forfeiture powers

- Subsection 115(1) of the Criminal Code is replaced by the following:
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.***

The bill itself can be found at:

<https://www.parl.ca/DocumentViewer/en/42-1/bill/C-71/royal-assent>.

A summary of the legislation can be found at:

https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/LegislativeSummaries/421C71E#ftn1.

I trust this information will be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Waldie', is positioned above the typed name.

Stephen Waldie
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division