

# RCMP



ROYAL CANADIAN MOUNTED POLICE

**SECRET**

# Firearms Classification/Registration Issues

The RCMP Canadian Firearms Program  
May 12, 2010



Royal Canadian Mounted Police  
Gendarmerie royale du Canada

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- **Firearms are classified pursuant to the definitions in Subsection 84(1) of the Criminal Code and the corresponding Regulations Prescribing Certain Firearms and Other Weapons.**
- **Existing Criminal Code Regulations impact the classification of firearms**
- **Technical gaps have emerged since the Regulations were last updated in 1995 because new variants are being manufactured on an on-going basis but the Criminal Code Regulations are not being updated to capture these new firearms.**



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## **Firearms Classification/Registration Issues**

- 1. Walther G22 rifle (bull-pup stock)**
- 2. High Standard Model 10 Series B shotgun (bull-pup stock)**
- 3. Armi Jager AP80 rifle**
- 4. 25 & 32 calibre handgun policy still in effect**
- 5. Semi-automatic copies of assault rifles and submachine guns**
- 6. AR-15 family of firearms**
- 7. SaskSten Sten Mk II, III, V and others**
- 8. SIG 522 rifle**
- 9. Family of VZ58 rifles**
- 10. Hi-Point rifle**



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	<b>Firearm</b>	<b>Issue</b>	<b>Issue since</b>	<b>Approx Cost firearm</b>	<b># of Reg's</b>
1	Walther G22 rifle	Firearm (non-restricted class un-changed) is equipped with "bull-pup" stock (prohibited device)	2005	\$500	84
2	High Standard Model 10 Series B shotgun	Firearm (restricted class un-changed) is equipped with "bull-pup" stock (prohibited device)	2005	\$750	8
3	Armi Jager AP80 rifle		2003	\$	105
4	25 & 32 calibre handgun policy		2008	Not Known	N/A
5	Semi-automatic copies of assault rifles and submachine guns	1995 Criminal Code Regulations permits these firearms to be non-restricted or restricted instead of prohibited	N/A	N/A	N/A
6	AR-15 family of firearms		current	Varies	Approx 2290
7	SaskSten Sten Mk II, III, V, and others	A case could be made they should be classified as prohibited, but are not because of Criminal Code Regulations	current	Varies	16
8	SIG 522 rifle	Interpretation of variant or modified version by RMCP may be challenged	current	\$550	N/A
9	Family of VZ58 rifles	Existing Criminal Code Regulations permits these firearms to be non-restricted or restricted; a case could be made they should be classified as prohibited	current	Varies	N/A
10	Hi-Point rifle		current	N/A, issue is magazine	N/A



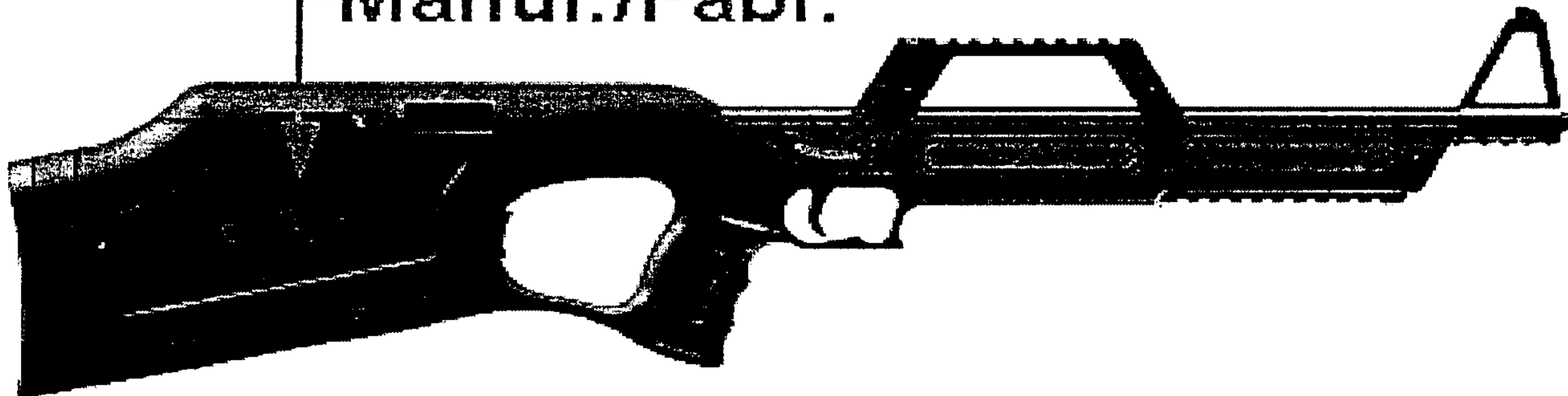
# Firearms Classification/Registration Issues

## 1. Walther G22 Rifle

Model/Modèle

- Make/Marque

- Manuf./Fabr.



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# Firearms Classification/Registration Issues

## 1. Walther G22 Rifle

### Background

- This is a non-restricted rifle equipped with an attached “bull-pup” stock which is a prohibited device (pursuant to *Criminal Code Prohibited Devices Regulations*).

*Note: if a complete firearm is a “bull-pup design”, the stock portion is not a prohibited device.*

### Issue for the RCMP CFP

- The original classification was based on discussions with the factory engineering team and an examination of a prototype G22 at a trade show in 2004 which resulted in the FRT record indicating the G22 was a non-restricted “bull-pup design” firearm. However, in 2005, when a production model of the G22 was examined, it was determined to have a “bull-pup” stock, and the FRT record was updated to reflect this new information.
- In 2005, two businesses (with licence to possess prohibited devices) imported and registered 109 G22 rifles. Many of these rifles were sold/transferred to individuals and other businesses in Canada.
- The Canada Firearms Centre (CAFC) made unsuccessful attempts to rectify the situation (contacted US Distributor, and manufacturer in Germany)
- Communication strategy included police bulletins; verifiers bulletins; letters were sent to some of the owners from the Minister’s office in 2005.
- [REDACTED]
- The G22 is not sold with any other stock. Removing it renders the firearm inoperable, and there are no other aftermarket stocks available.
- [REDACTED]

### Number of Registrations Affected

- Currently, the possession status of 84 G22’s is in legal question. All of these firearms have been flagged



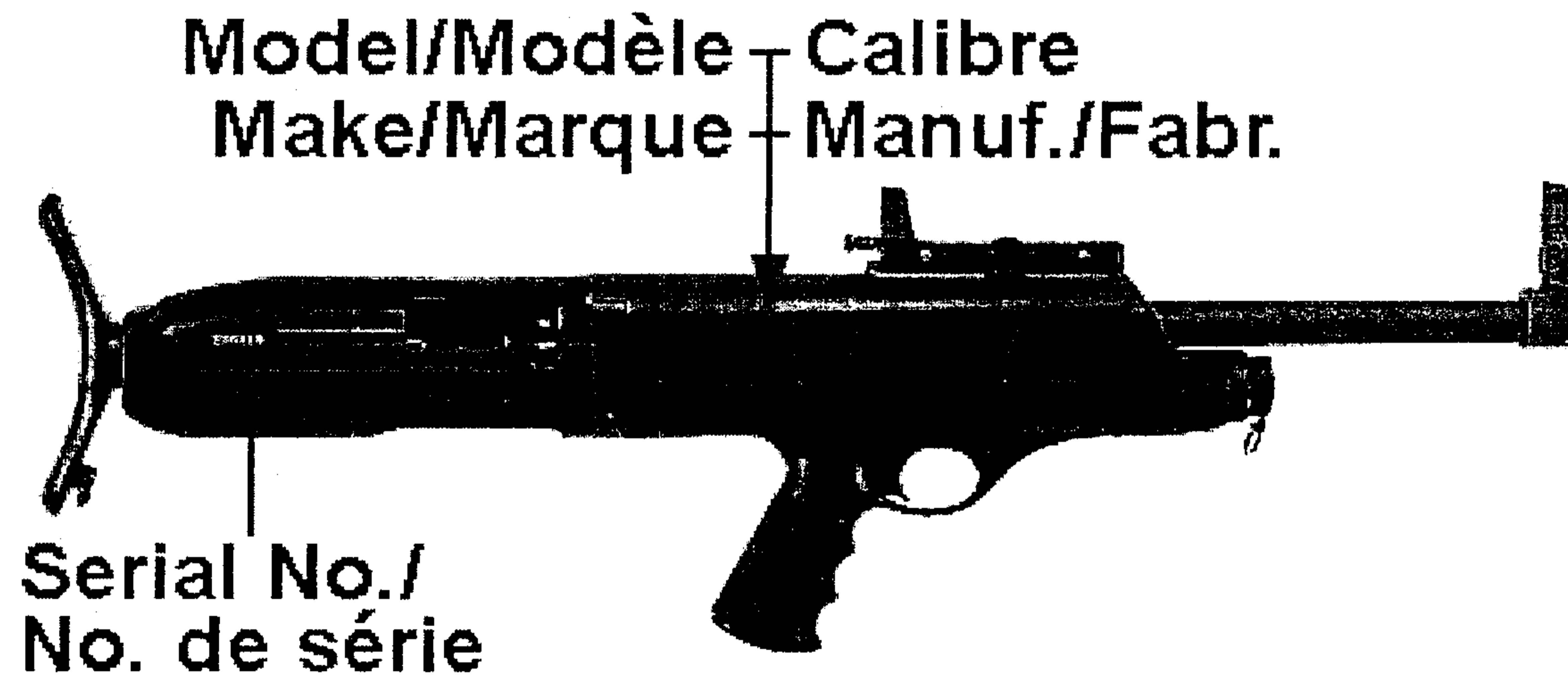
CFIS, any transactions will be traced and investigated.  
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# Firearms Classification/Registration Issues



## 2. High Standard Model 10 Series B Shotguns



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## Firearms Classification/Registration Issues

### 2. High Standard Model 10 Series B Shotguns

#### Background

- This is a restricted shotgun which is equipped with a “bull-pup” stock which is a prohibited device (pursuant to *Criminal Code Prohibited Devices Regulations*).

s.16(2)

*Note: if a firearm is a “bull-pup design”, the stock is not a prohibited device.*

#### Issue for the RCMP CFP

- As a result of the re-determination of the Walther G22 in 2005, the RCMP’s FRT Section reviewed a number of other firearms in the FRT. They determined the High Standard Model 10 Series B shotgun had a “bull-pup” stock.

- The shotgun (model was manufactured from 1970 to 77) was not sold with any other stock and removing it renders the firearm inoperable. There are no other known aftermarket stocks available.

#### Number of Registrations Affected

- Currently, the legal possession status of 8 High Standard Model 10 Series B shotguns is in question. One individual received a revocation notice and has filed for a reference hearing; the remaining seven require action. It is the intention of the RCMP CFP to contact the owners and discuss voluntary surrendering of the prohibited bull-pup stock. If not agreed upon, the RCMP CFP could issue Notices of Revocation. All of these firearms have been flagged in CFIS, any transactions will be traced and investigated.



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## Firearms Classification/Registration Issues

### 3. Armi Jager AP80 Rifle



Serial No./  
No. de série

Make/Marque - Model/Modèle  
Manuf./Fabr. - Calibre



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# Firearms Classification/Registration Issues



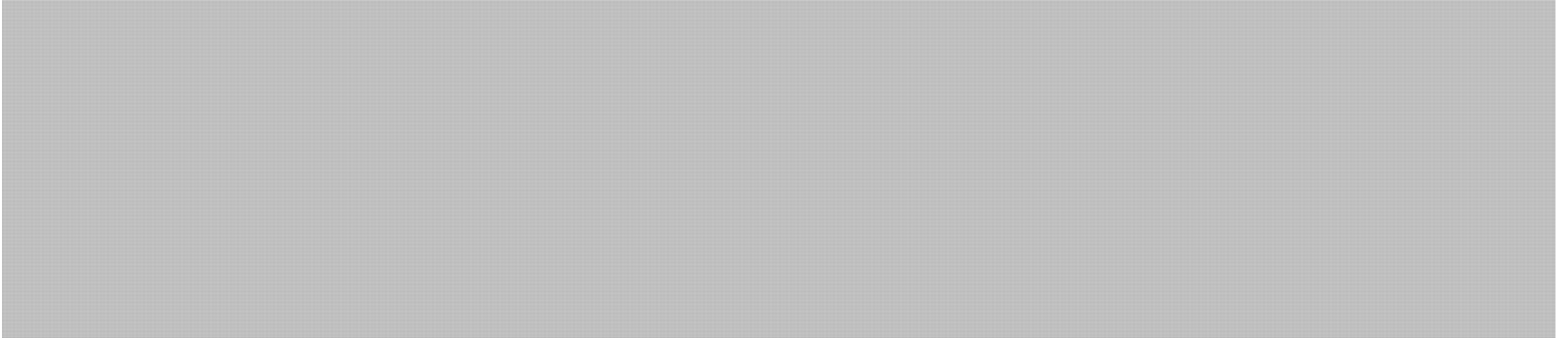
## 3. Armi Jager AP80 Rifle

### Background

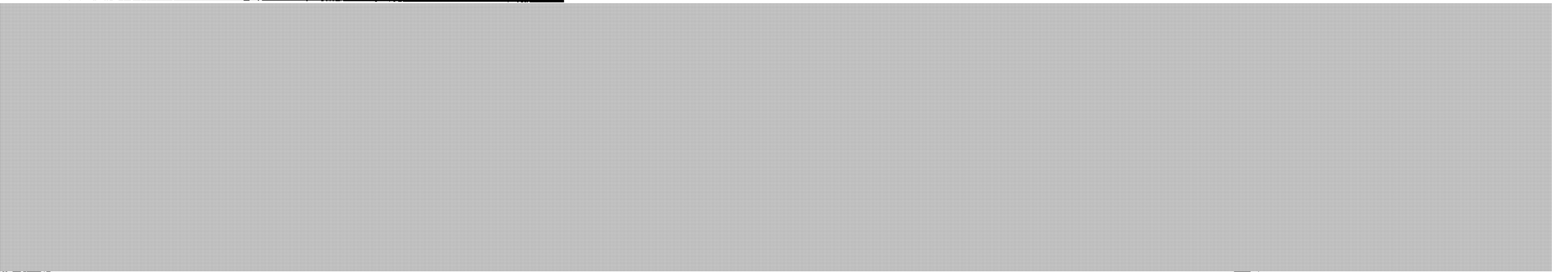
- This is a prohibited firearm pursuant to the *Criminal Code Prohibited Firearms Regulations*, Part 1, para. 64.

### Issue for the RCMP CFP

- AP80 rifles became prohibited in 1995. There were 52 AP80 rifles registered under the former legislation to individuals, and legitimately re-registered (grandfathered) under the *Firearms Act*.



### Number of Registrations Affected



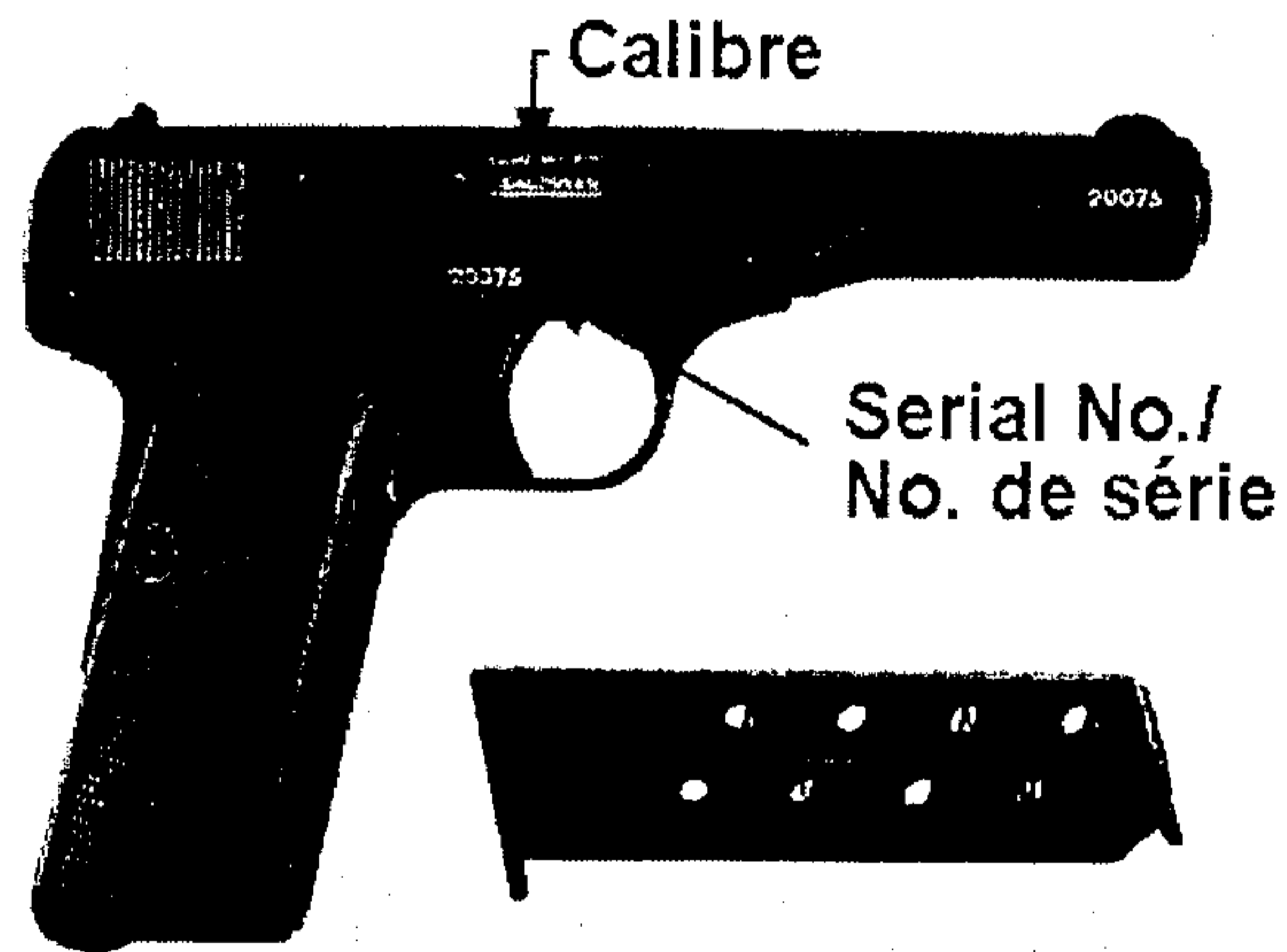
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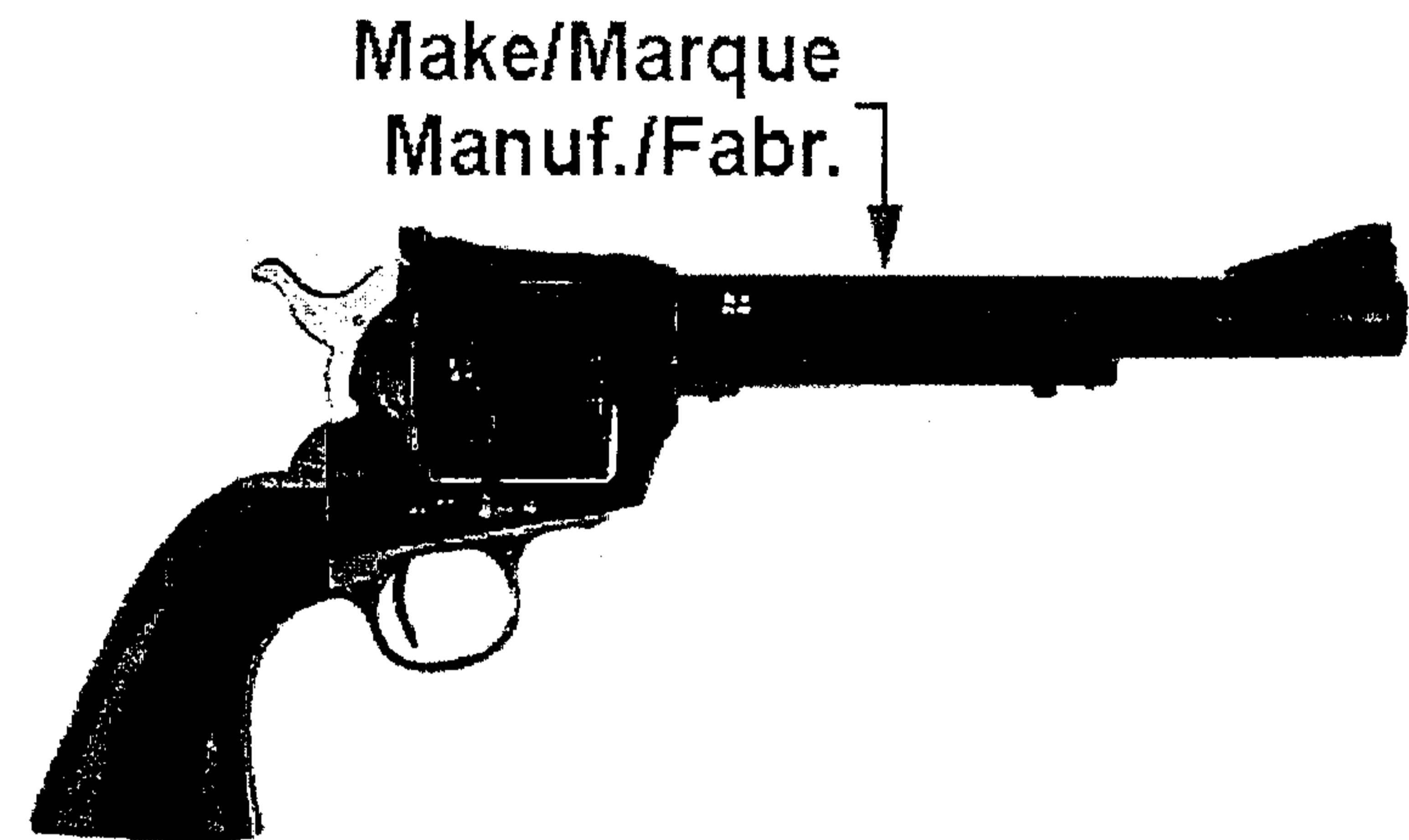
# Firearms Classification/Registration Issues



## 4. 25 & 32 Calibre handgun policy still in effect



Example: FN Browning 1922



Example: Armi Jager Dakota



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# Firearms Classification/Registration Issues

## 4. 25 & 32 Calibre handgun policy still in effect

### Background

The policy ("Section 12 of the Firearms Act/Singular Classification, Grandfathering & Registration of Firearms") was adopted and circulated by the Registrar in August 2008.

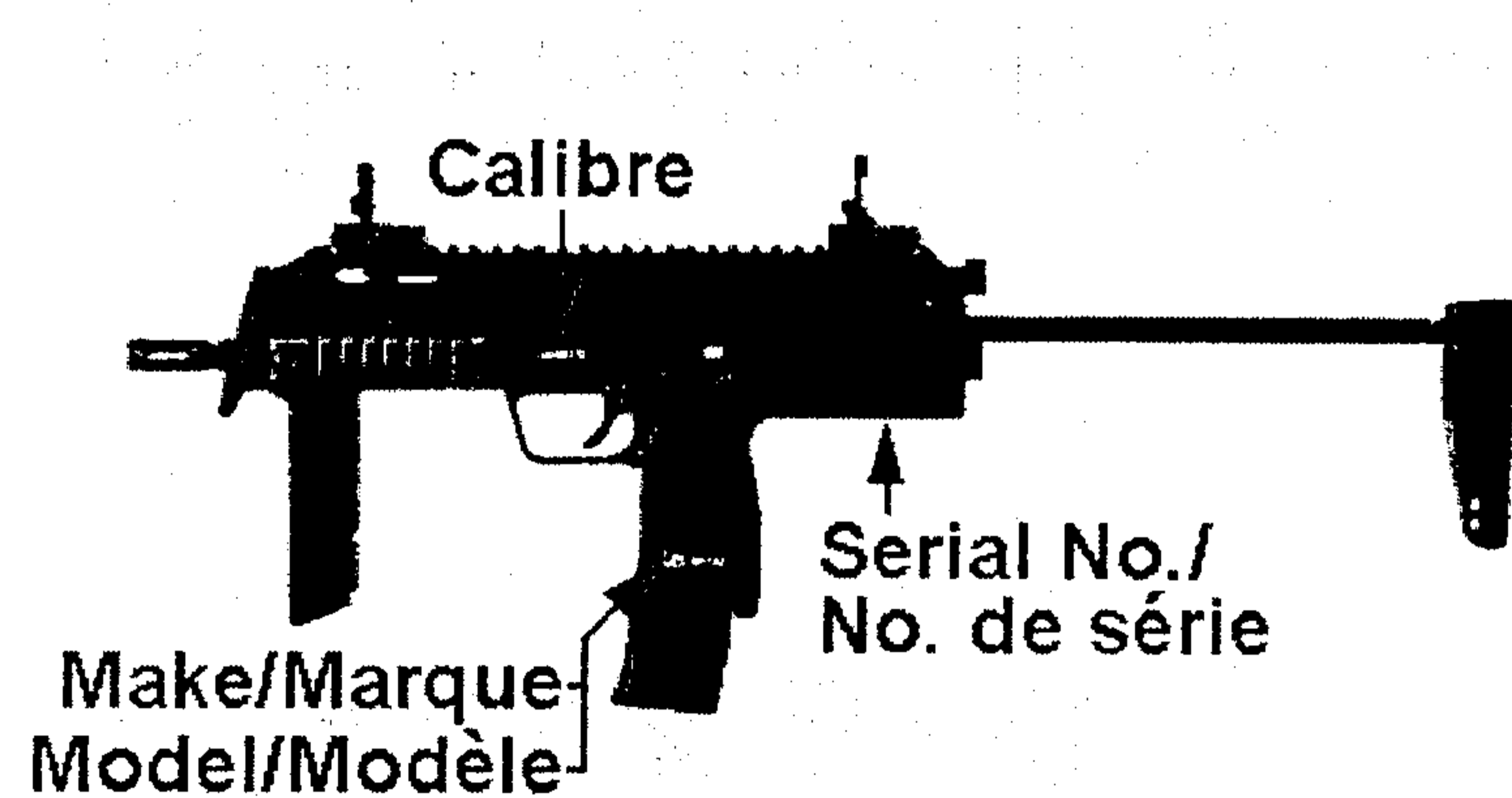
### Issue for the RCMP CFP

### Number of Registrations Affected



## Firearms Classification/Registration Issues

### 5. Semi-automatic copies of assault rifles and submachine guns



Example: Heckler & Koch MP7A1



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# Firearms Classification/Registration Issues

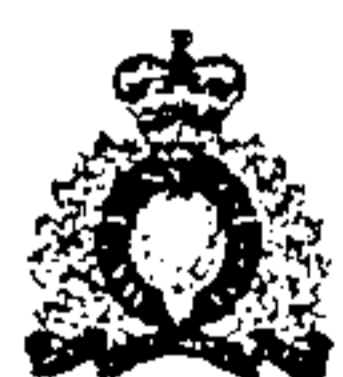
## 5. Semi-automatic copies of assault rifles and submachine guns

### Background

- There is an interest for these types of firearms because they are a legal substitute for individuals who do not have grandfathering privileges for the original(s).

### Issue for the RCMP CFP

- There are many of these types of firearms classified as restricted or non-restricted in the FRT.

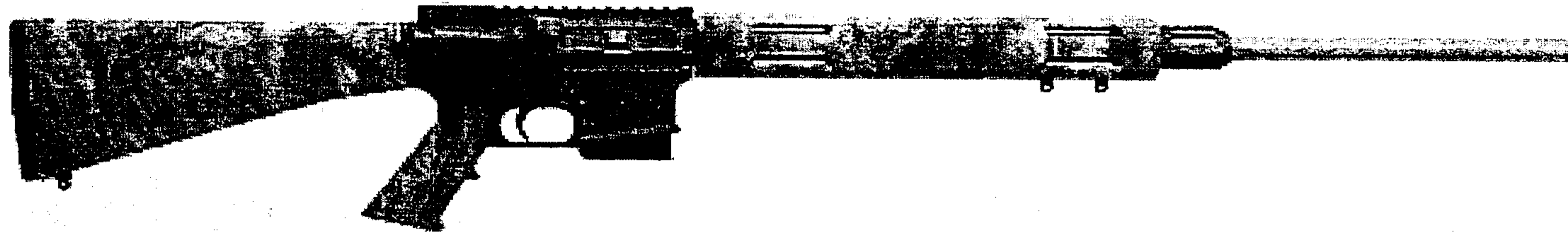


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## Firearms Classification/Registration Issues

### 6. AR-15 Family of Firearms



Example: Remington R-15 VTR



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# Firearms Classification/Registration Issues

## 6. AR-15 Family of Firearms

### Background

- A trend started in 2009 whereby certain firearms manufacturers are migrating M16/AR15 technology to sporting firearms. Copies faithful to the original are restricted due to Criminal Code Regulation provisions which restrict all M16 Clones.

### Issue for the RCMP CFP

- Less accurate copies will not be captured by the Regulations.

### Number of Registrations Affected

- Currently:
  - There are 851 Ruger, Model SR22 Rifles (non-restricted), 1,392 Remington, Model 597VTR Rifles (non-restricted), 17 Squires Bingham, Model M116 MARK I Rifles (non-restricted), and 32 Squires Bingham, Model M116 MARK IV Rifles (non-restricted)



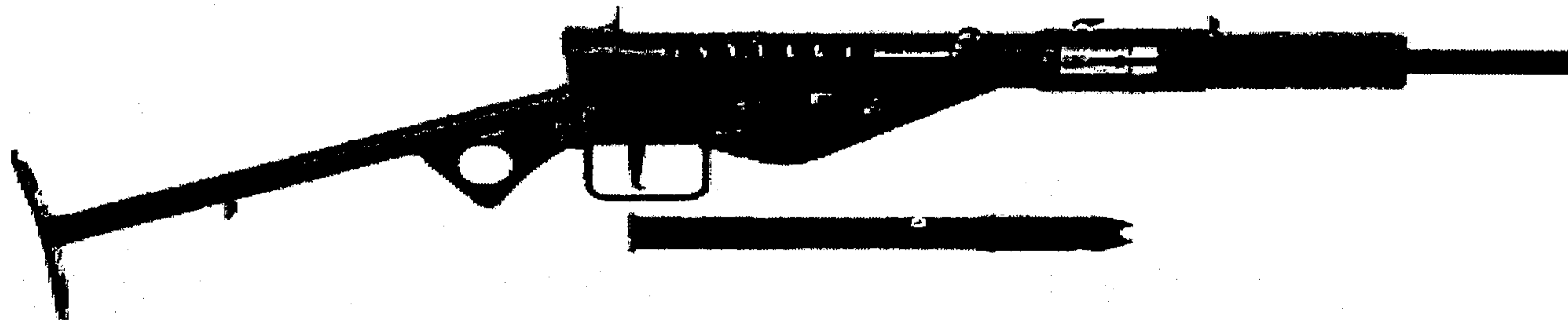
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## Firearms Classification/Registration Issues

### 7. SaskSten Sten MARK II, III, V and others



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# Firearms Classification/Registration Issues

## 7. SaskSten MARK II, III, V and others

### Background

- SaskSten is a Saskatchewan based firearms business which has designed semi-automatic copies of the Sten (and now Sterling) submachine guns. Both submachine gun copies operate from an open bolt which makes it a very difficult proposition to create a reliable semi-automatic design.

### Issue for the RCMP CFP

- [REDACTED]
- These firearms are not prohibited under existing Criminal Code Regulations.

### Number of Registrations Affected

- **Currently:**
  - 10 firearms legally registered to individuals.
  - 4 firearms legally registered to a business (SaskSten)
  - 1 application has been refused; FRAS is following up on its disposition
  - 1 application is pending and the firearm is being inspected by SFSS-FRT



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## Firearms Classification/Registration Issues

### 8. SIG 522 Rifle



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# Firearms Classification/Registration Issues

## 8. Sig 522 Rifle

### Background

- This is a new rifle which was recently inspected by the RCMP CFP SFSS.

### Issue for the RCMP CFP

- The Sig 522 is a prohibited firearm as a variant of the SIG 550 rifle which may provoke complaints.

### Number of Registrations Affected

- As of May 5, 2010 – N/A



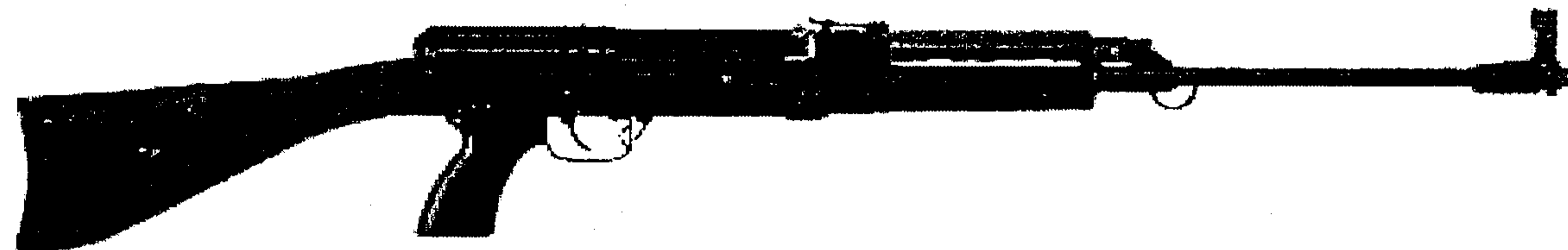
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## Firearms Classification/Registration Issues

### 9. Family of VZ58 Rifles



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# Firearms Classification/Registration Issues

## 9. Family of VZ58 Rifles

### Background

- A CZ Model CZ858, which is a semi-automatic copy of a Czech VZ58 assault rifle, is proposed for import by Wolverine Supplies, a Manitoba firearms business.

### Issue for the RCMP CFP

- A sample is undergoing inspection by RCMP CFP SFSS. [REDACTED] More information about the design of the firearm has been requested from the business prior to making a decision concerning the classification .

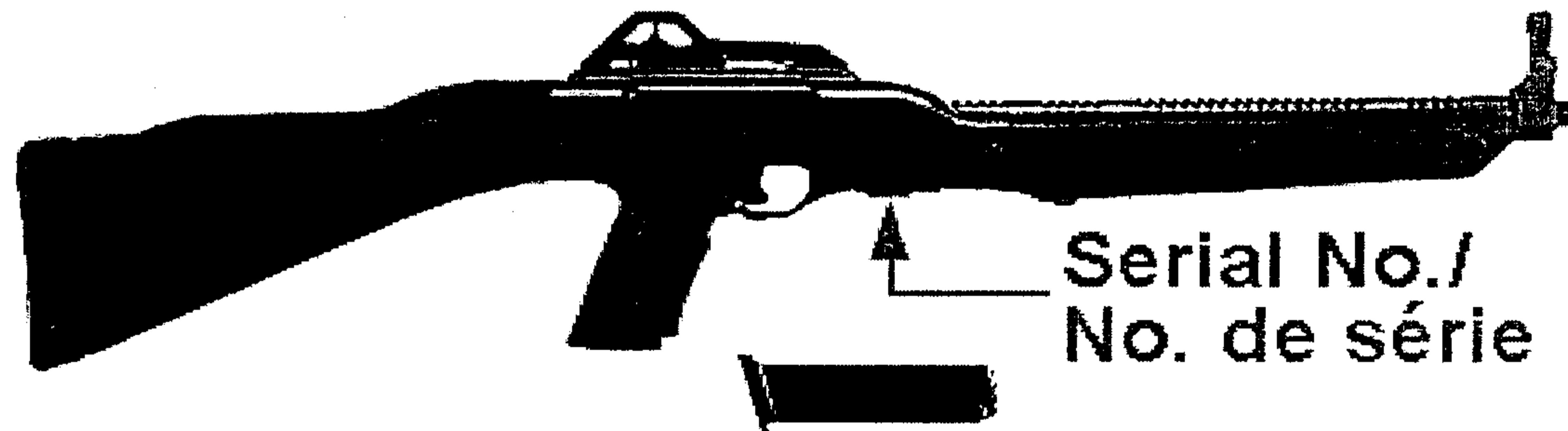


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## Firearms Classification/Registration Issues

### 10. Hi-Point Rifle



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s.21(1)(a)  
s.23

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# Firearms Classification/Registration Issues

## 10. Hi-Point Rifle

### Background

- The magazine is common to both the Hi-Point rifle and Hi-Point handgun made by the manufacturer. In such cases, the five round limit is applied to magazines for both firearms.

### Issue for the RCMP CFP

- [REDACTED]
- This is a practical problem because it is limiting the handgun to five rounds. [REDACTED]

### Number of Registrations Affected

- (this is a magazine issue, not a firearm/registration issue)
- **Currently:**
  - 20 firearms legally registered to individuals
  - Two firearms' registration certificates have been flagged due to their known "bull-up" stocks
  - One firearm in "Protected Custody" (police)



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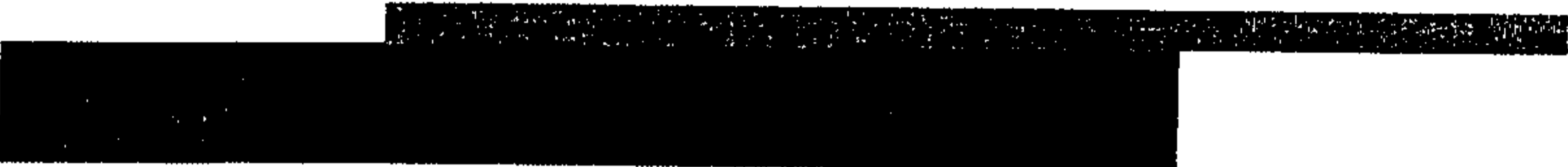
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s.16(1)(c)  
s.21(1)(a)

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# Firearms Classification/Registration Issues



## Closing Comments

- There are numerous less serious matters under review. The RCMP CFP Specialized Firearms Support Services (SFSS) have 27 inspections currently underway, all dealing with the classification of firearms or firearms accessories.



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## Doyle, Ryan

---

**From:** ES\_ML-QPMI@rcmp-grc.gc.ca  
**Sent:** August-10-11 4:34 PM  
**To:** Doyle, Ryan  
**Cc:** Bird, Sheila; Desnoyers, Christine; Eryou, Vivian; Hopfauf, Helen; O'Reilly, Rob; Rainville, Nicole  
**Subject:** RCMP Response: (Tasking) Information for Ministerial BN | Due COB TODAY  
**Attachments:** Fwd: (Tasking) Information for Ministerial BN | Due COB TODAY  
**Importance:** High

Good afternoon Ryan,

Please find attached the RCMP information as requested.

Do not hesitate to contact me should you need further assistance.

Best regards,

Nicole Rainville (for)  
Christine Desnoyers  
Executive Services and Ministerial Liaison  
T: 613-843-4562

>>> "Doyle, Ryan" <[Ryan.Doyle@ps-sp.gc.ca](mailto:Ryan.Doyle@ps-sp.gc.ca)> 11/08/10 1:27 PM >>>  
Good afternoon,

The following information is requested for **COB Today** for a Ministerial Briefing Note due to the Minister's office tomorrow.

1. What firearms have been reclassified by the Canadian Firearms Program/RCMP?
2. Of those that were re-classified, what triggered the review of the original classification?
3. Are there any other firearms actively being re-examined by the RCMP for possible re-classification?

In addition, a deck presentation was provided to the Minister of Public Safety in 2010 by the Director General of the Canadian Firearms Program, outlining previous cases of re-classification and specific information related to the Type 97A issue. Could you please include a copy of this deck in your response.

I am happy to discuss. Please feel free to contact me directly.

Thanks,  
Ry

Ryan Doyle  
Manager, Firearms Policy | Gestionnaire, politiques nationale des armes à feu  
Law Enforcement and Policing Branch | Secteur de l'application de la loi et de la police

Public Safety Canada | Sécurité Publique Canada  
Ottawa, Canada K1A 0P8  
[ryan.doyle@ps.gc.ca](mailto:ryan.doyle@ps.gc.ca)

Telephone | Téléphone 613-990-2721 / Facsimile | Télécopieur 613-954-4808 / Secure [redacted] / Blackberry [redacted]  
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## Doyle, Ryan

---

**From:** Scott McDougall <Scott.McDougall@rcmp-grc.gc.ca>  
**Sent:** August-10-11 3:59 PM  
**To:** Guylaine Duperre  
**Cc:** Rob O'Reilly; ES&ML-QPMI  
**Subject:** Fwd: (Tasking) Information for Ministerial BN | Due COB TODAY  
**Attachments:** Picture (Metafile) 1.jpg; Firearms Classification-Registration Issues May 14, 2010 Draft.ppt

The CFP's immediate answers to meet the deadline are as noted below. A more fulsome response can be provided later if required. The MO may also wish to consider meeting the CFP's technical staff for a more detailed explanation of the process.

>>> "Doyle, Ryan" <Ryan.Doyle@ps-sp.gc.ca> 8/10/2011 1:27 PM >>>  
Good afternoon,

The following information is requested for **COB Today** for a Ministerial Briefing Note due to the Minister's office tomorrow.

1. What firearms have been reclassified by the Canadian Firearms Program/RCMP?

**The RCMP Canadian Firearms Program (CFP) does not "classify" or "reclassify" firearms. Firearms are classified under Part III of the Criminal Code and the *Regulations Prescribing Certain Firearms and other Weapons* .., which is the responsibility of the Minister of Justice.**

**The most recent version of the Regulations was updated in 1995 and published in 1998. Since that time thousands of new variants of firearms have been imported into Canada. The RCMP CFP is responsible for Registration of firearms under the Firearms Act, which requires these new variants be assigned a nominal class. The CFP is bridging this gap through a three-step process: first, private sector verifiers provide descriptions of these imported firearms to the CFP; second, a record is created in the CFP's Firearms Reference Table (FRT) using the criteria in the Criminal Code and Regulations, and third, the firearms are Registered accordingly.**

**The FRT record is based an operational assessment/decision and is used by the CFP in order to carry out its responsibilities under the Firearms Act.**

**Individuals are entitled to challenge this operational decision in court via a reference hearing, at which time a judge may confirm or overturn the CFP's assessment of the firearm. It is important to note that firearms described in the Code/Regulations are legally classified, and not subject to change via reference hearings; new variants which have been entered into the FRT with a class for the purpose of Registration may be challenged.**

2. Of those that were re-classified, what triggered the review of the original classification?

**Occasionally it comes to the attention of the CFP that a firearm has been incorrectly described by a verifier. Upon further inspection, the FRT record may be updated, using the criteria in the Criminal Code. As this can affect the registration status of the firearm, it can also be challenged in court via a reference hearing.**

**Examples of new variant firearms that had not been classified in the Criminal Code/Regulations, were registered based on a verifier's description by the CFP, and then re-assessed due to this description being incorrect, are the Norinco Type 97A, Rossi S12, and Remington A870 and SD12.**

3. Are there any other firearms actively being re-examined by the RCMP for possible re-classification?



**New variants of firearms are continuously being introduced onto the firearms market, and being imported to Canada. The CFP continuously monitors new variants to ensure they are Registered properly.**

In addition, a deck presentation was provided to the Minister of Public Safety in 2010 by the Director General of the Canadian Firearms Program, outlining previous cases of re-classification and specific information related to the Type 97A issue. Could you please include a copy of this deck in your response.

**See attached**

I am happy to discuss. Please feel free to contact me directly.

Thanks,  
Ry

Ryan Doyle  
Manager, Firearms Policy | Gestionnaire, politiques nationale des armes à feu  
Law Enforcement and Policing Branch | Secteur de l'application de la loi et de la police

Public Safety Canada | Sécurité Publique Canada  
Ottawa, Canada K1A 0P8

[ryan.doyle@ps.gc.ca](mailto:ryan.doyle@ps.gc.ca)

Telephone | Téléphone 613-990-2721 / Facsimile | Télécopieur 613-954-4808 / Secure [REDACTED] Blackberry [REDACTED]  
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ROYAL CANADIAN MOUNTED POLICE

DRAFT

# Firearms Classification/Registration Issues

The RCMP Canadian Firearms Program  
May 14, 2010



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s.21(1)(a)

## Firearms Classification/Registration Issues

- Firearms are classified pursuant to the definitions in Subsection 84(1) of the *Criminal Code* and the corresponding Regulations Prescribing Certain Firearms and Other Weapons.
- Existing *Criminal Code* Regulations impact the classification of firearms
- Technical gaps have emerged since the Regulations were last updated in 1995 because new variants are being manufactured on an on-going basis but the *Criminal Code* Regulations are not being updated to capture these new firearms.



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## **Firearms Classification/Registration Issues**

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- 5. Semi-automatic copies of assault rifles and submachine guns**
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- 8. SIG 522 rifle**
- 9. Family of VZ58 rifles**
- 10. Hi-Point rifle**



s.21(1)(a)

## Firearms Classification/Registration Issues

	Firearm	Issue	Issue Since	Approx Cost Firearm	# of Reg's	Possible Solution(s)
1	Walther G22 rifle	Firearm (non-restricted class un-changed) is equipped with "bull-pup" stock (prohibited device)	2005	\$500	84	
2	High Standard Model 10 Series B shotgun	Firearm (restricted class un-changed) is equipped with "bull-pup" stock (prohibited device)	2005	\$750	8	
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4	25 & 32 calibre handgun policy		2008	Varies	N/A	
5	Semi-automatic copies of assault rifles & submachine guns	1995 Criminal Code Regulations permits these firearms to be non-restricted or restricted instead of prohibited	N/A	N/A	N/A	
6	AR-15 family of firearms		Current	Varies	Approx 2290	
7	SaskSten Sten Mk II, III, V, and others	A case could be made they should be classified as prohibited, but are not because of Criminal Code Regulations	Current	Varies	16	
8	SIG 522 rifle		Current	\$550	N/A	
9	Family of VZ58 rifles	Existing Criminal Code Regulations permits these firearms to be non-restricted or restricted; a case could be made they should be classified as prohibited	Current	Varies	N/A	
10	Hi-Point rifle		Current	N/A, issue is the magazine	N/A	



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s.16(1)(c)  
s.21(1)(a)

## Firearms Classification/Registration Issues

### Closing Comments

- **There are numerous less serious matters under review. The RCMP CFP Specialized Firearms Support Services (SFSS) have 27 inspections currently underway, all dealing with the classification of firearms or firearms accessories.**



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## Doyle, Ryan

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**From:** Doyle, Ryan  
**Sent:** March-19-12 1:15 PM  
**To:** 'McDougall, Scott (RCMP-GRC)'  
**Cc:** Knezevic, Vesna  
**Subject:** RE: BN's  
**Attachments:** PS-SP-#546881-11A-BN FIREARMS CLASSIFICATION.DOC

Hi Scott,

Here's the last note on classification.

Ry

**Ryan Doyle**

Public Safety Canada | Sécurité Publique Canada

[ryan.doyle@ps.gc.ca](mailto:ryan.doyle@ps.gc.ca) / Asst: +1.613.949.7770 / Tél +1.613.990.2721 / Fax +1.613.954.4808 / Cel : [REDACTED]

Secure : [REDACTED] / [ryan.doyle@ps.gc.ca](mailto:ryan.doyle@ps.gc.ca) [REDACTED]

**s.16(2)(c)**

**From:** Doyle, Ryan  
**Sent:** Monday, March 19, 2012 11:21 AM  
**To:** 'McDougall, Scott (RCMP-GRC)'  
**Cc:** Knezevic, Vesna  
**Subject:** BN's

Hi Scott,

Here are the most recent notes approved by Mark with recent comments included. We will forward the classification note to you shortly for any suggestions on the T97/AP80/G22. Thanks again for any suggestions / comments.

Ry

**Ryan Doyle**

Manager, Firearms Policy | Gestionnaire, politiques nationale des armes à feu

Law Enforcement and Policing Branch | Secteur de l'application de la loi et de la police

Public Safety Canada | Sécurité Publique Canada

Ottawa, Canada K1A 0P8

[ryan.doyle@ps.gc.ca](mailto:ryan.doyle@ps.gc.ca)

Telephone | Téléphone 613-990-2721 / Facsimile | Télécopieur 613-954-4808 / Blackberry [REDACTED] / PIN [REDACTED]

Secure : [REDACTED] / [ryan.doyle@ps.gc.ca](mailto:ryan.doyle@ps.gc.ca) [REDACTED]

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**s.16(2)(c)**



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## Classification of Firearms

### ISSUE

Recent corrections to firearms classification.

### BACKGROUND

Part III of the *Criminal Code* and its associated regulations establish the legal framework governing the classification of firearms in Canada. Firearms are classified either by way of definition in section 84(1) of the *Code* or through the *Regulations Prescribing Certain Firearms and Other Weapons*.

There are three classes of firearms: **non-restricted** (ordinary hunting rifles; shot guns), **restricted** (handguns; certain rifles and semi-automatics) and **prohibited** (prescribed rifles and handguns; fully automatics). The table below outlines the specific criteria for each.

Classification	Criteria
Non-restricted	<p>A non-restricted firearm is:</p> <ul style="list-style-type: none"> <li>• A firearm that is neither prohibited nor restricted; generally long-guns, hunting rifles and shot guns.</li> </ul>
Restricted	<p>A restricted firearm is a:</p> <ul style="list-style-type: none"> <li>• handgun that is not a prohibited handgun;</li> <li>• firearm that has a barrel length less than 470mm in length and is capable of discharging centre-fire ammunition in a semi-automatic manner;</li> <li>• firearm that is designed or adapted to be fired when reduced to a length of less than 660mm by folding, telescoping or otherwise; or,</li> <li>• firearm of any other kind that is prescribed to be a restricted firearm.</li> </ul>
Prohibited	<p>A prohibited firearm is:</p> <ul style="list-style-type: none"> <li>• a handgun that has a barrel equal to or less than 105mm in length, or is designed or adapted to discharge a 25 or 32 calibre cartridge, but does not include any such handgun that is prescribed, where the handgun is for use in international sporting competitions governed by the rules of the International Shooting Union;</li> <li>• a firearm that is adapted from a rifle or shotgun, whether by sawing, cutting or any other alteration, and that as so adapted is less than 660mm in length or is 660mm or greater in length and has a barrel less than 457mm in length;</li> <li>• an automatic firearm, whether or not it has been altered to discharge only one projectile with one pressure of the trigger; or,</li> <li>• any firearm that is prescribed to be a prohibited firearm.</li> </ul>

*Source: Section 84(1) Part III, Criminal Code*

The regulations list specific models of firearms (e.g., AK-47 rifle, Beretta, M16) known at the time, as restricted or prohibited, and include “variants and modified versions” of those named models (e.g., any version of the Beretta BM59 is prohibited). The term “variant” was employed as a means to capture future firearms that differed slightly (e.g., barrel length, cartridge size) from those specifically listed in the regulations, but were generally the same make and type.

Given the technical knowledge required to determine what particular firearms, weapons, devices and ammunition should be classed as either prohibited or restricted, an exclusively statutory regime is not practicable. Instead, the use of regulations allows for the classification regime to be regularly updated as the technical description of existing



SECRET

- 2 -

firearms and weapons changes as a result of further developments or as new models and devices appear.

In addition to the classification framework, the *Code* provides an exemption from the definition of prohibited firearm for certain handguns used in international sporting competitions governed by the rules of the International Shooting Union (now known as the International Sport Shooting Federation). The *Regulations Prescribing Exclusions from Certain Definitions of the Criminal Code (International Sporting Competition Handguns)* were created in 1998, and last updated in 2000, currently exempt 37 types of handguns for use in sporting competitions.

#### Roles and Responsibilities

Firearms are an area of shared responsibility. The Minister of Public Safety is the lead minister responsible for firearms policy. The Minister of Justice is responsible for the firearms-related penalty provisions of the *Code* and the criteria defining the classification of firearms.

The Royal Canadian Mounted Police (RCMP) Canadian Firearms Program (CFP) is responsible for the administration of the *Firearms Act*; which, in addition to licencing, registration and the operation of the verifier's network, includes providing the technical expertise to interpret and determine the classification of firearms. It is also responsible for maintaining the Firearms Reference Table (FRT), a database of all known firearms. Every firearm in the FRT is assigned a legal classification based upon an assessment of the firearms' characteristics in relation to the requirements established in the *Code*, and is used by the CFP in order to carry out its licencing and registration responsibilities under the *Firearms Act*. It is important to note, however, that this is only the RCMP's interpretation, and individuals are entitled to challenge this in court via reference hearing, at which time a judge may confirm or overturn the CFP's assessment of the firearm based upon the definitions in federal law.

#### Classification Process

In practice, the classification of firearms is interpreted by the CFP based upon physical inspections conducted by private sector verifiers. The CFP has no statutory authority to demand an inspection of new firearms types and as a result, relies heavily on the services provided by private sector verifiers. In limited circumstances, the CFP will physically inspect a firearm at the request of law enforcement, a manufacturer or an importer.

Classification decisions largely result from a request to register a new variant firearm (i.e., a new firearm that differs slightly from one specifically listed in the regulations, but is

000037



s.21(1)(a)

SECRET

- 3 -

generally the same make and type). New variant firearms are registered via three-step process:

1. private sector verifiers provide descriptions of imported firearms to the CFP;
2. a record is created in the FRT following interpretation of the firearms' characteristics by the CFP pursuant to criteria in the *Criminal Code* and associated regulations; and,
3. the firearms are registered accordingly.

Before a firearm can be legally sold in Canada, it must be verified by an approved verifier to ensure that the information provided to the Registrar of Firearms for registration purposes is accurate. Once a firearm has been verified it does not need to be re-verified when the ownership changes, unless the firearm is modified.

Verifiers are individuals employed by a business or public agency, and designated by the Registrar of Firearms as having the required knowledge to identify and classify firearms. The role of a verifier is to certify the identity (e.g., make and model) and classification of a firearm before being transferred or registered. Businesses, police officers and sponsored individuals may be designated by the Registrar as approved verifiers. All verifiers are required to successfully complete the "*Enhanced Firearms Verifiers Training Course*", in addition to holding a valid firearms licence, prior to the Registrar of Firearms designating a verifier and issuing a verifier number. There is no relationship between the RCMP and private verifiers. A firearm verifier's name and verifier number are required for verification transactions to be completed.

Restricted and prohibited firearms require physical verification, while the verification of non-restricted firearms is done over the telephone by CFP employees during the registration process. RCMP verifiers ask the client for a complete description of the firearm and the officer then compares the description with the information found in the FRT. If there are any discrepancies, the verifying officer, acting under the authority of the Registrar, can require a physical verification of the firearm.

### CONSIDERATIONS

While every effort is made to ensure firearms classifications are properly identified, occasionally, it comes to the attention of the CFP that a firearm has been incorrectly described by a verifier, or that an FRT record generated for a specific firearm describes an incorrect classification. Upon further inspection, the FRT record may be updated pursuant to the criteria in the *Code*. Such corrections can affect the registration status of the firearms (i.e., restricted becomes prohibited) and can be challenged in court via reference hearing.

In 2010, the RCMP Specialized Firearms Support Services undertook 27 inspections dealing with the classification of firearms or firearm accessories.

- Walther G22 rifle (bull-pup stock)
- High Standard Model 10 Series shotgun (bull-pup stock)

000038



s.16(1)(c)  
s.21(1)(a)

SECRET

- 4 -

- Armi Jager AP80 rifle
- 25 and 32 calibre handgun policy
- Semi-automatic copies of assault rifles and submachine guns
- AR-15 family of firearms
- SaskSten Mk II, III, V and others
- SIG 522 rifle
- Family of VZ58 rifles
- Hi-Point Rifle.

### Norinco Type 97A firearms

Between October 2006 and November 2007, sixty Type 97A firearms were imported in two separate shipments from China. The firearms were classified at the time as non-restricted and restricted based on information provided by the importer's verifier and technical specifications from the manufacturer. Forty of the firearms, which were distributed to 35 individuals and one business, were subsequently physically inspected by the RCMP and determined to be purpose-made fully automatic firearms that had been temporarily modified to be semi-automatic.

Revocation notices were issued by the Registrar of Firearms on March 23, 2010 and recipients were afforded 30 days to file for a reference hearing before a provincial court judge or lawfully dispose of their firearm(s) (e.g., surrender to law enforcement, transfer the firearm, deactivate it, or seek a reference hearing). On April 19, 2010, the Government decided, in the interest of public safety, to offer reimbursement (up to \$1,400 per firearm) to those who surrendered their firearms to law enforcement.

### Armi Jager AP80 and Walter Model G22 rifles

The RCMP has recently sent notices to specific owners of Armi Jager AP80 and Walter Model G22 rifles to advise them that their firearms, or parts and components of them, are prohibited.

The Armi Jager AP80 semi-automatic rifle was classified as a prohibited firearm in 1995 pursuant to the *Criminal Code* regulations due to its para-military nature. At that time, there were 52 AP80 rifles registered to individuals in RWRS that were grandfathered under the *Firearms Act*.

000039



s.16(1)(c)

s.21(1)(a)

SECRET

- 5 -

The Walter Model G22 is a non-restricted firearm with a bull-pup design. Its classification was originally interpreted by the CFP in 2004 based on information provided by engineers and an examination of a prototype. However, a subsequent inspection in 2005 by the RCMP determined the bull-pup stock to be a prohibited device (because it reduces the overall length of the firearm such that a substantial part of the reloading action or the magazine-well is located behind the trigger of the firearm). There are currently 84 Walter Model G22's with this prohibited device.

The RCMP has updated the FRT records for both firearms, and the distributors and manufacturers have been notified. A communications strategy has been developed and includes bulletins to law enforcement and verifiers. The CFP has also contacted each affected owner to inform them that their firearm, or parts or components of it, are prohibited. Correspondence to affected owners also outlines the required steps to bring themselves into compliance with federal firearms legislation (i.e., transfer, dispose or deactivate the firearm).

#### Stakeholder Reactions

The incidents such as those listed above reinforce the general view of gun owners that changes in the classification of a firearm are arbitrary "re-classifications" by the RCMP.

The Canadian Firearms Advisory Committee has raised concerns that the Government is in the process of reclassifying firearms, and that new restrictions or prohibitions would be imposed on firearms that are already in the hands of legitimate firearms owners. The Committee also recommended that a technical committee be set up with representation from CFAC as well as experts from industry, the RCMP, and other members as required to review any firearms and procedural issues related to classification. This concept was also raised by Mr Garry Breitkreuz, Member of Parliament for Yorkton-Melville, in correspondence to the Minister dated September 8, 2011 in which he recommended the formation of a Firearms Experts Technical Committee to classify firearms.

The RCMP and the Department of Justice are in favour of updating the classification of new firearms on the market

#### CURRENT STATUS

Firearms classification is not on the agenda for the upcoming CFAC meeting. Should this issue be raised, the following talking points are proposed:

- Firearms in Canada are classified pursuant to Part III of the *Criminal Code*, and associated regulations. The last amendments to the classification regime were made in 1995, at the time the current *Firearms Act* was introduced.

000040

**SECRET**

- 6 -

- While the regulations could be updated by Order in Council, the Government is not contemplating any updates to the current classification regime at this time.
- The RCMP strives to ensure firearms classifications are properly identified, but some information may be updated over time, as and when, it becomes available. This is not a form of re-classification, but rather an update of existing records to correctly reflect the legal classification of a firearm.
- The RCMP identifies the classification of firearms with the help of certified verifiers. The Registrar of Firearms designates individuals, employed by a business or public agency, having the required knowledge to identify and classify firearms as “certified verifiers”. The role of the verifier is to certify to the RCMP the identity (make, model and other characteristics) and classification of a firearm before being transferred or registered.

000041