



## PROVINCIAL/TERRITORIAL PROPOSAL ON FIREARMS

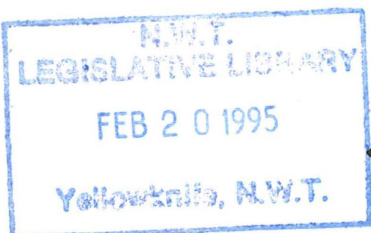
Ministers support most of the federal government's recent proposals with respect to firearms control.

However, a number of Ministers have identified serious concerns with aspects of the recently developed firearm control amendments of the federal government. These concerns are primarily related to the proposed registration system for all firearms, the proposed elaborate firearm possession certification proposal and the consequent proposals regarding ammunition. The concerns include:

- the very substantial costs, to gun owners and to governments of the proposed registration and possession certificate system
- the lack of confidence (and lack of evidence) that the dedication of these costs to registration and certification systems will have any significant effect on firearm-related criminal behaviour
- the impracticality of the proposed registration and certification systems for many law abiding Canadians
- the questionable wisdom regarding seeking to criminalize gun owners' failure to fulfil gun registration responsibilities
- the questionable constitutional basis for the federal government's use of the criminal law power to introduce a regulatory regime [for property] [for firearms] - [need to consider the possibility that the federal government may come back and suggest that the provinces kick in some money to compensate Canadians for the surrender of these firearms as we are now saying that they are potentially "property"]
- the potential adverse impact upon Aboriginal peoples and the extent to which the system of registration/regulation is contrary to the requirements of Sparrow v. The Queen (S.C.C.)

Ministers believe that it is possible for the federal proposals to proceed in ways which accommodate the interests of the federal government and those provincial jurisdictions who are supportive of the federal proposals in their totality, as well as those jurisdictions which have the above-noted concerns. The Ministers propose that

- a) the bulk of the proposals, including those related to increased criminal sanctions, the prohibition of certain firearms and smuggling of firearms proceed nationally; and





- b) the proposals related to firearm registration, firearm possession certificates and ammunition proceed on a pilot basis in those jurisdictions which are supportive of these initiatives.

The Ministers believe such an approach will:

- (i) endorse the national adoption of those measures which will strengthen the criminal law enforcement aspects of unlawful firearm use;
- (ii) enable the entirety of the federal government's proposals to proceed in jurisdictions which perceive the proposals to be needed;
- (iii) enable the remaining jurisdictions to observe the success of piloted initiatives and determine whether their above-noted concerns have been addressed; and
- (iv) allow the federal government to demonstrate that the cost associated with a national registration scheme is justified on the basis of a reduction in unlawful use of firearms.

The Ministers also believe that it is in the interest of all Canadians that the federal government's proposal be amended to encourage the voluntary [surrender] of newly prohibited firearms. To this end, the Ministers recommend that the federal government offer appropriate compensation to Canadians who wish to [surrender] those lawfully acquired firearms which are now, or are proposed to become, prohibited firearms.

