

Federal Court



Cour fédérale

Date: 20230111

**Dockets: T-569-20
T-577-20
T-581-20
T-677-20
T-735-20
T-905-20**

Ottawa, Ontario, January 11, 2023

PRESENT: The Associate Chief Justice Gagné

BETWEEN:

Docket: T-569-20

**CASSANDRA PARKER and K.K.S. TACTICAL
SUPPLIES LTD.**

Applicants

and

ATTORNEY GENERAL OF CANADA

Respondent

and

ATTORNEY GENERAL OF ALBERTA

Intervener

Docket T-577-20

BETWEEN:

**CANADIAN COALITION FOR FIREARM
RIGHTS, RODNEY GILTACA,
LAURENCE KNOWLES, RYAN STEACY,
MACCABEE DEFENSE INC., and
WOLVERINE SUPPLIES LTD.**

Applicants

and

ATTORNEY GENERAL OF CANADA

Respondent

and

ATTORNEY GENERAL OF ALBERTA

Intervener

Docket T-581-20

BETWEEN:

JOHN PETER HIPWELL

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

and

ATTORNEY GENERAL OF ALBERTA

Intervener

Docket T-677-20

BETWEEN:

**MICHAEL JOHN DOHERTY, NILS ROBERT EK,
RICHARD WILLIAM ROBERT DELVE,
CHRISTIAN RYDICH BRUHN,
PHILIP ALEXANDER MCBRIDE,
LINDSAY DAVID JAMIESON,
DAVID CAMERON MAYHEW,
MARK ROY NICHOL and PETER CRAIG MINUK**

Applicants

and

ATTORNEY GENERAL OF CANADA

Respondent

and

ATTORNEY GENERAL OF ALBERTA

Intervener

Docket T-735-20

BETWEEN:

**CHRISTINE GENEROUX, JOHN PEROCCHIO
and VINCENT PEROCCHIO**

Applicants

and

ATTORNEY GENERAL OF CANADA

Respondent

and

ATTORNEY GENERAL OF ALBERTA

Intervener

Docket T-905-20

BETWEEN:

**JENNIFER EICHENBERG, DAVID BOT,
LEONARD WALKER,
BURLINGTON RIFLE AND REVOLVER CLUB,
MONTREAL FIREARMS RECREATION CENTRE, INC.,
O'DELL ENGINEERING LTD.**

Applicants

and

ATTORNEY GENERAL OF CANADA

Respondent

and

ATTORNEY GENERAL OF ALBERTA

Intervener

ORDER

UPON motion made in writing by the Attorney General of Alberta for leave to intervene in these matters, pursuant to Rule 110(c) of the *Federal Courts Rules*, on “questions of general importance and significant public interest respecting”:

- “the lawful ownership of firearms in Canada”;
- “the proper interpretation of the Criminal Code”, and
- “the scope of the regulatory making powers granted to the Governor in Council (“GIC”)”;

AND UPON considering that the Attorney General of Alberta has already advised the Court that he intends to make submissions as of right on the constitutional questions raised by the Applicants in files T-577-20, T-677-20, T-735-20 and T-581-20;

AND UPON considering that neither the Applicants nor the Attorney General of Canada oppose Alberta's motion for leave to intervene on non-constitutional questions in all six files;

AND UPON finding that it is in the interests of justice to permit Alberta to intervene to address questions of general importance that affect the interests of the provincial government or population in a general way, or when the proceedings have raised serious questions of general importance.

THIS COURT ORDERS that:

1. The Attorney General of Alberta is granted leave to intervene under Rule 110 of the *Federal Courts Rules* to address the alleged *ultra vires* nature of the Order in Council PC 2020-0298, promulgating the *Regulations Amending 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*, SOR/2020-96;
2. The Attorney General of Alberta is allowed to file a single memorandum of law and fact to not exceed 20 pages addressing both constitutional and administrative law questions; and
3. The Attorney General of Alberta will be allocated 20 minutes to make oral submissions at the hearing;
4. No costs are granted.

“Jocelyne Gagné”
Associate Chief Justice