

FORM 80A - Rule 80

AFFIDAVIT

Court File No. T-577-20

FEDERAL COURT

BETWEEN:

CANADIAN COALITION FOR FIREARM RIGHTS, RODNEY GILTACA, LAURENCE KNOWLES, RYAN STEACY, MACCABEE DEFENSE INC., WOLVERINE SUPPLIES LTD., AND MAGNUM MACHINE LTD.

Applicants

and

ATTORNEY GENERAL OF CANADA and CANADA (ROYAL CANADIAN MOUNTED POLICE)

Respondents

APPLICATION UNDER sections 18 and 18.1 of the *Federal Courts Act*, RSC 1985, c F-7.

AFFIDAVIT

I, Matthew Overton, of the City of Ottawa in the Province of Ontario, AFFIRM THAT:

1. I am the President of the Dominion of Canada Rifle Association (“**DCRA**”). I have personal knowledge of the facts affirmed to in this Affidavit except where I have stated facts based on information, in which case I believe the information to be true.
2. I am aware of the Application filed in Court File No. T-577-20 (“**Application**”) regarding the May 1, 2020 Order in Council SOR/2020-96 (the “**Order in Council**”) which made 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 (the “**Regulation**”), and regarding certain things done by the Royal Canadian Mounted Police (“**RCMP**”), including through the Specialized Firearms Supports Services Unit (“**RCMP SFSS**”), in relation to the Firearms Reference Table (“**FRT**”) as described in the

Application. I am also aware of the *Order Declaring an Amnesty Period (2020)*, SOR/2020-97 (the “**Amnesty Order**”) with respect to the Regulation.

### **Matthew Overton - Personal Life**

3. I was born in Sarnia, Ontario and grew up in southwestern Ontario. After graduating high school, I joined the Canadian Armed Forces (“**Canadian Armed Forces**” or “**CAF**”) in 1977 to attend Royal Roads Military College in Victoria, British Columbia, and I graduated with a degree in Physics and Oceanography. I also hold a Masters Degree in War Studies which I obtained in 1998 from Royal Military College of Canada in Kingston, Ontario, as well as an Executive Diploma in Human Resources from the Rotman School of Management at the University of Toronto.
4. Holding the rank of Officer Cadet while at Royal Roads Military College, at graduation I was commissioned into the Infantry Corps as a Second Lieutenant and regimentally assigned to the Princess Patricia’s Canadian Light Infantry, specifically the 3<sup>rd</sup> Battalion in Victoria, British Columbia. During my 39-year career, my family and I served at locations across Canada, including British Columbia, Manitoba, Ontario and Quebec.
5. This service has included command within the field forces up to and including the command of the Second Battalion, Princess Patricia’s Canadian Light Infantry, an operationally deployable infantry battalion. My academic studies are paralleled by my completion of the Canadian Armed Forces professional development programme up to and including the National Strategic Studies Course, which prepares senior officers for General Officer/Flag Officer responsibilities.
6. In addition to postings in Canada, I have also completed three international missions. These included Cyprus in 1990 as the second in command of administration company for a peace keeping battalion; the Former Yugoslav Republic in 1993 as a monitor with the European Community Monitor Mission; and Afghanistan in 2009-2010 as the Defence Attaché at the Canadian Embassy in Kabul.
7. My service also included two postings as a member of the Canadian Armed Forces military contingent in London at the High Commission of Canada in the United Kingdom, first as

a Colonel from 2004 to 2007 as the Army Advisor, and then later as a Brigadier General from 2013 to 2016 as the Defence Advisor.

8. As a member of the Canadian Armed Forces, and particularly as member of the Infantry Corps, I received a significant amount of initial and annual training on the safe handling and understanding of a variety of different firearms.
9. My firearms training has included training and practice in the use of small arms comprising semi-automatic and fully automatic rifles and pistols. I also have experience and training to handle machine guns, mortars, rockets and anti-tank missiles as well as a variety of pyrotechnics, explosives and explosive devices. As a result, I have a broad range of experience with both hand-held and crew-operated firearms and munitions.
10. I was promoted to the rank of Brigadier General in 2011. I retired from the Canadian Armed Forces in 2016. In 2017, I was elected to the volunteer position of the President of the DCRA and I have occupied that role to date.
11. Prior to joining the DCRA, my experience in sport shooting was limited to the occasional military competitions. However, I have become increasingly familiar with the sport shooting conducted by the DCRA through its close relationship to the Canadian Armed Forces. Also, my election to the position of President of the DCRA has increased my understanding of sport target shooting in Canada. In 2018, I obtained my Possession and Acquisition License.

### **My Involvement with the DCRA**

12. I first joined the DCRA in 2017 as the President. In that capacity I support the Chair and DCRA Council in leading and managing the Association. I also play a key role in respect of external relations and I am Chair of the DCRA Advisory Board. Because of my long career with the Canadian Armed Forces, I play an important role in ensuring useful and productive contact between the Canadian Armed Forces and the DCRA to enable the DCRA's support of marksmanship in the Canadian Armed Forces.

## **The History of the DCRA**

13. The DCRA is the national governing body for target shooting in our supported disciplines (Black Power, Target Rifle, F-Class and Service Conditions). Our objective is to promote and encourage rifle shooting in Canada, including both the sport of target shooting and as practiced in the Canadian Armed Forces. We also educate the public and its members about the safe use and handling of firearms. The DCRA is the premier organization in Canada for recreational and competitive traditional centre fire target rifle shooting.
14. The DCRA is a not-for-profit organization that was founded in 1868 and was incorporated by a Special Act of Parliament in 1900 with the express object within that Act of promoting and encouraging rifle shooting throughout Canada. As a long-standing sport shooting association in Canada, the DCRA has a significant heritage that has helped shape the history of firearms ownership and use in Canada.
15. The DCRA was initially started by General Sir Patrick Leonard MacDougall, Adjutant General of the Canadian Militia, through the Honourable Minister of Militia, Sir G.E. Cartier. At its inception, the Governor General, His Excellency Viscount Monck was offered and accepted the role of Patron of the DCRA. That patronage has been maintained through to the current Governor General.
16. When the DCRA was first conceived, it brought together thirty-three independent rifle associations across Canada. The first DCRA Annual Prize Meeting was held in 1868 in Laprairie, Quebec. The competition attracted 900 competitors to compete for a cash prize of \$5,500. This annual competition has been held by the DCRA every year since, only with the exception of suspensions caused by the two World Wars and in 2020 due to the COVID-19 Pandemic.
17. In its early years the Annual Prize Meeting was focused on pistol, Service Rifles (A) (Military Targets) and Service (B) (Target Rifle Targets). The firearms were provided to DCRA members by the Government of Canada as almost all members of the DCRA were serving members of the Canadian Militia. These categories constituted the competitive firearms used by the DCRA until 1957. In 1957, the Canadian Army introduced the FN

C1 as the military rifle for the Canadian Army. The FN C1 is a semi-automatic, 7.62mm rifle with a 20-round magazine. As of 1960, DCRA members were eligible to borrow these firearms from the Department of Defence for competition purposes in the Service Rifle competitions; however, that practice has since ceased. Currently, all members of the DCRA must own, within the law, all the firearms they use for our supported disciplines.

18. In the mid-1970's the Department of National Defence decided to take over the conduct of the military Service Rifle competition which had, until then, been a central part of the DCRA Annual competitions. After approximately 4 years, the Department of National Defence approached the DCRA to resume responsibility for conduct of the Service Rifle matches and the offer was accepted. In the 1980s, the Department of National Defence reclaimed the Service Rifle competitions as an internally conducted event. Since then, apart from the years 2003-2006, the DCRA National Service Conditions Competition and the Canadian Armed Forces Small Arms Concentration ("**CAF Small Arms Concentration**") have been conducted one after the other. This sequential order of events allows members of the Canadian Armed Forces to take advantage of the structured target shooting events offered by the DCRA as part of the preparatory work for the participants of their concentration.
19. The CAF Small Arms Concentration is an annual event that has traditionally promoted marksmanship training within the Canadian Armed Forces and, by presenting an opportunity to fire competitively on an equal basis, develop a higher standard of shooting skills within the Forces. The competition is limited to the following service weapons:
  - (a) **C7A2 5.56-mm Automatic Rifle.** It is hand-held, shoulder-controlled, and capable of single or automatic fire. The C7A2 automatic rifle is a lightweight weapon which is air-cooled, gas-operated, and magazine-fed.
  - (b) **Browning 9-mm Pistol.** The Browning 9-mm pistol is a personal protection weapon used mainly in close-quarter combat. The pistol is semi-automatic, recoil-operated, and magazine-fed. It is equipped with a magazine safety, an applied safety catch, and fires 9-mm x 19-mm ammunition.

- (c) **Colt Canada C19.** The Colt C19 is a license-built, Finnish-designed Tikka T3 CTR bolt action rifle modified for the Canadian Rangers.
  - (d) **C9A2 Light Machine Gun.** The C9A2 light machine gun (LMG) is primarily used as an infantry support weapon. Equipped with an adjustable bipod, it is normally fired from the prone position and is solely capable of full automatic fire. The C9A2 is air-cooled, gas-operated and equipped with a rotating bolt locking system. Designed with a dual feed system, it fires from a disintegrating link belt of 200 rounds. In emergencies, a 30-round rifle magazine can be used instead.
20. It should be noted that in the years 2003-2006, the CAF did not hold a Small Arms Concentration and as a result, the Queen's Medal for the Reserve Force, which is normally awarded during the CAF Small Arms Concentration, was instead competed for and awarded in the DCRA National Service Conditions Competition. The winners in all four years were members both of the CAF Reserve Force and the DCRA.

### **The DCRA Today**

21. Today, the DCRA is the national sanctioning body and is affiliated with ten Provincial Rifle Associations (“**PRA**”) and the National Capital Region Rifle Association. All 11 affiliated associations comply with and utilise the DCRA rules, standards, Code of Conduct and courses of fire for the DCRA-supported disciplines in addition to any other sport target shooting they may sanction for their members. As of 2019, the DCRA had a membership of 650 Canadians plus additional international ‘match members’ that compete in the annual National Championships.
22. Members of the DCRA come from a variety of different cultural and ethnic backgrounds, and both rural and urban areas. The DCRA has both civilian members, and members who are active or retired military, RCMP and other Law Enforcement Organisations (“**LEO**”) officers. Our members vary in age from teenagers to those in their 90s, and many of our members, including several top competitors, are women. In addition, most of our disciplines support the participation of individuals with physical impairments through rules that mandate accommodation.

23. The DCRA is a Registered Canadian Amateur Athletic Association (“RCAAA”). RCAAA is a designation that can be applied for and obtained from the Government of Canada. In order for an organization to be registered as a Canadian amateur athletic association, it must be created and resident in Canada and it must have the promotion of amateur athletics in Canada nation-wide as its exclusive purpose and function. The DCRA obtained RCAAA status in 1975. Attached as **Exhibits “A”** and **“B”** to my Affidavit is the current confirmation of DCRA status as an RCAAA and its charitable organization designation.
24. The DCRA management structure consists of the Chair of the Council, the Chair of the Executive Committee, the Comptroller, and the Executive Director as executive officers, and is guided by a Council of 15 members elected from provinces in which there are DCRA members. The President of the DCRA is responsible for assisting the Chair of Council in leading and managing the DCRA, representing the Association externally and in leading the Advisory Board, which consists of representatives of the affiliated associations, Honorary Life Governors of the DCRA as well as specialty advisors.
25. I am the current President of the DCRA and have been since 2017. Since its inception in 1868, the President of the DCRA has generally been either a serving or retired senior Army Officer, often but not always a General Officer. Two notable exceptions have been Justice Colin WG Gibson of the Ontario Court of Appeal, President from 1952-1954, who in addition to his professional career in law was a Colonel in the Militia, and RCMP Commissioner Leonard Nicholson who held the position of President from 1966-1969. Both had been very active members of the DCRA for a considerable period of time prior to their election as President.
26. For much of our history, DCRA sanctioned sport target shooting competitions focused almost exclusively on bolt action rifles. However, with the evolution of firearms, and in particular firearms for the Canadian Armed Forces that have been such a key part of our heritage, the nature of the DCRA competitions has also evolved and broadened. The DCRA now includes several sports shooting disciplines rather than the single discipline of our origin. This includes a significant contingent of members who compete in the Service

Conditions discipline, which require semi-automatic rifles and pistols as well as specialised bolt action rifles.

27. Currently, the DCRA sanctions sports target shooting in the following four disciplines:
  - (i) Black Powder (muzzle and breech loading rifles based on technologies available in the 1870s);
  - (ii) Target Rifle (bolt action rifles with traditional sights);
  - (iii) F-Class (bolt action rifles with optical sights); and
  - (iv) Service Conditions (semi-automatic rifles and pistols as well as bolt action rifles).
28. Each discipline is reflective of the generations of firearms used by the DCRA over our history. The DCRA promotes competition highlighting consistent and sustained accuracy at the longest ranges achievable. In practical terms, this translates to much of our rifle target shooting at distances of up to 900 metres.
29. The DCRA represents the interests of its members and its Provincial affiliates at the national and international level of rifle sport shooting through the applicable national and international bodies.
30. From a national perspective, the DCRA hosts an annual national competition in Ottawa. During the national competitions, the four disciplines of sports target shooting supported by the DCRA are represented, each with their own courses of fire and prizes or trophies to be won.
31. The DCRA is also responsible for selecting and organizing the various teams and individual competitors representing Canada at international sport shooting competitions such as the Commonwealth Games, the World Long Range Championships, the Palma Match and significant national level competitions such as the Imperial Matches held at Bisley in the United Kingdom. In the past, DCRA members have also competed and won medals in the Olympic Games when centre fire target shooting was an Olympic event.



32. Members of the DCRA have qualified for and attended annual Imperial Matches since the DCRA's formation in 1868. In fact, the DCRA has owned and operated a clubhouse in Bisley since 1898, which was built by the DCRA with significant financial support from the Canadian Government. The DCRA clubhouse at Bisley, known formally as the Macdonald-Stewart Canadian Pavilion, is used as the home base for members of the Canadian Armed Forces teams that go to the United Kingdom for annual shooting concentration hosted by the British Military as well as the DCRA members who attend the Imperial Matches.
33. Like the Commonwealth Games, the World Long Range Championships are held on a four-year schedule for the Target Rifle and F-Class disciplines. A DCRA team competed on behalf of Canada in New Zealand in 2019 and we are currently preparing to send teams to South Africa in 2022 and 2023.
34. Similarly, two DCRA members accompanied by a coach competed most recently at the Commonwealth Games on behalf of Canada at the Gold Coast, Australia in 2018 and preparations are underway to send two centre fire competitors and a coach to Chandigarh India in 2022.
35. In all our international competitions over the years, DCRA competitors have taken Canada to the top of the podium as individuals and teams. In addition to King's and Queen's medals and gold, silver and bronze medals won, at least one member of the DCRA, M. Alain Marion of Quebec, has been honoured with the Order of Canada for his national and international shooting prowess.
36. In addition to national and international competitions, the DCRA acts to support sport target shooting domestically. The DCRA co-sanctions F-Class regional competitions with the Provincial Rifle Associations and recognises the provincial championships that are sanctioned by the PRAs in the DCRA-supported disciplines.
37. Since the 1920s, the DCRA has been organizing and running a Winter Postal Programme for DCRA members as well as the Canadian Cadet Organisation units supported by the Canadian Armed Forces. This program encourages a full-year approach to rifle target

shooting through the use of .22 calibre rifles at indoor ranges to provide for useful shooting practice when outdoor, long range facilities are unavailable during the winter months.

### **The DCRA and the Canadian Armed Forces**

38. One of the fundamental cornerstones of the DCRA is support for the marksmanship programme of the Canadian Army originally, and now the Canadian Armed Forces. Since its inception in 1868, the DCRA has maintained a very close relationship with the CAF. While the landscape of how Canada trains and prepares individuals and units for operations has changed since 1868, the DCRA has maintained the relationship with the Canadian Armed Forces by promoting marksmanship through sport and recreational shooting. The services that the DCRA provide to active members of the CAF enhance the ability of the Canadian Armed Forces to ensure that CAF members maintain and progress in their skills in the use of firearms.
39. We do this by making available to CAF units and members the marksmanship expertise and range practice opportunities of the DCRA, not only at the national level during our annual National Championships, but throughout the year as well in conjunction with our affiliated Provincial Rifle Associations. As schedules permit, CAF members may, in their official capacities and using their military firearm, shoot at DCRA and PRA sanctioned activities, usually with experienced DCRA members of the Service Conditions (which utilizes semi-automatic, pistols and bolt-action rifles) discipline. This expands their opportunities to practice marksmanship with little organisational effort by the unit in question and places them in a position to easily access marksmanship expertise that is attuned to the unique handling requirements of their type of firearm.
40. This long-standing relationship has supported excellence in marksmanship in the CAF as it applies to their duties and also as a sporting endeavour, with over 30 CAF personnel with extensive DCRA experience or membership honoured in the CAF Sports Hall of Fame or Sports Honour Roll. One of the most recent is Chief Petty Officer 1<sup>st</sup> Class Martin Cashin, a currently serving member of the Regular Force and member of the DCRA.

41. The National Championships take this a step further in that they are intentionally timed to be of maximum use in CAF preparations for the CAF Small Arms Concentration for not only the participants but also the staff conducting and coaching during that event. As a sporting Association, the DCRA naturally has strong expertise in the running of large sports shooting events, something that is not a central interest for Armed Forces, and so the DCRA Service Conditions championships are a valuable training event for the CAF event that occurs right afterwards. The DCRA also continues to support the CAF Small Arms Concentration administratively and actively provides a range of experienced sportsmen and sportswomen for personal development presentations on marksmanship. In these ways, the DCRA, in collaboration with the affiliated Provincial Rifle Associations, directly and with intent, connect the DCRA sports shooting community to the marksmanship programme of the Canadian Armed Forces, supporting the CAF in ensuring that when CAF members are called upon to use their firearms in the line of duty, they can do so safely and accurately.
42. It is also important to note that this supportive approach by the DCRA as a sports target shooting Association takes towards the professionals that may be required to use firearms in the course of their duties, extends to members of the RCMP and other LEO throughout Canada. The personal example of Commissioner Nicholson and his target shooting with the DCRA has its counterpart today with RCMP officers competing in the Service Conditions National Championship.

### **DCRA Events and the Firearms Used**

43. The bulk of the target shooting sanctioned by the DCRA is based on the use of two primary types of firearms: (i) bolt action rifles (both with and without optical sights) for the Target Rifle and F-Class disciplines; and (ii) bolt action rifles, semi-automatic rifles and pistols for the sub-disciplines of the Service Conditions discipline. Bolt action rifles have been used by members of the DCRA or at DCRA sanctioned competitions for 140 years. Semi-automatic rifles and pistols have been used for the last 60 years.
44. Semi-automatic and single bolt action rifles function and perform very differently. While the general principles of marksmanship and the safe handling of firearms are relevant and

applicable regardless of the firearm involved, individuals who have been trained in the specific procedures and techniques to use and/or compete with one type of firearm cannot readily switch to another. It would require significant re-training on the details of proper, safe handling, and practice in the style of shooting necessary for the new firearm. Further, switching from one series of firearms to another not only requires obtaining that new firearm but acquisition of new accessories specific to the firearm and the ammunition being shot as they would likely be different from that previously used.

45. Sport target shooting in the DCRA sanctioned disciplines is conducted at permanent outdoor conventional ranges with a series of firing points at set ranges and designated target areas equipped with either electronic or mechanical target systems.
46. In the disciplines using bolt action rifles, a course of fire for an individual or team will consist of 7-15 rounds fired per firing point by each competitor from either a single distance or a series of distances within a set time period for each distance. All firing is at the prone position. Each round is loaded individually, and the distances are usually from 300-900 metres. The times allowed at each distance are generally based on 1 minute or more per round fired. Movement between the firing points to each distance is controlled, however it is not itself part of the course of fire.
47. In the Service Conditions semi-automatic rifle discipline, a course of fire for an individual or team may consist of from 5-10 rounds fired per firing point by each competitor at either a single distance or a series of distances within a set time period for each distance. The distances are usually from 20-500 metres and will involve several different firing positions (prone, kneeling, standing). The time allowed at each distance is usually no more than 30 seconds per round fired, and in 'snap' shooting it may be as little as 5-6 seconds for two shots fired. Movement between each distance is controlled and may, depending on the course of fire, also include the time to move between distances. The conditions of the course of fire, including distances, time allowed for shooting at each distance as well as any movement between distances under a time restriction are designed to mirror, to the greatest extent possible, those same elements necessary for the CAF Small Arms Concentration.

48. Semi-automatic firearms have been and continue to be a significant part of sport shooting in Canada in general and have particular importance for the DCRA as a sport target shooting association. As an association conceived with a larger civic purpose than the simple pursuit of a sporting endeavour, the DCRA has developed over the course of time by closely monitoring the development of the CAF. This has fostered an important avenue for constructive community contact between members of the public and members of the Canadian Armed Forces around the shared interest for excellence in marksmanship. Over the course of time, the authorities and permissions afforded to civilian citizens concerning the possession and use of firearms compared to that reserved for members of the CAF has diverged, such that now members of the CAF and Law Enforcement Officers are authorised to use fully automatic firearms in the discharge of their duty, while civilian use is restricted to semi-automatic firearms and 5 round magazines.
49. This being the case, while the automatic (reserved only for members of the CAF) and semi-automatic (until now available to civilians) firearms differ significantly in respect of their capacity and the speed of discharge, there has been sufficient commonality in the operation and handling between these two types of firearms such that the DCRA and its members have been able to maintain the skillsets and expertise appropriate for the effective continuation of our historical and practical ties to the CAF in the promotion of strong marksmanship skills by members of the CAF. It is a cornerstone of the DCRA mandate, philosophy and existence that this relationship and connection with the Canadian Armed Forces continue.

### **The Impact of the Regulation on the DCRA**

50. Despite being created by a Special Act of Parliament, having maintained a strong and beneficial relationship to the Canadian Armed Forces and a voice that previous Governments of Canada had accorded the opportunity to speak in previous consultations on firearms control in Canada, the DCRA was not granted the opportunity for consultation before the Regulation was made. As a significant and longstanding sport shooting organization in Canada, we had expressed to the Government a strong interest and expectation that there would be the opportunity to at least be heard on a topic that is so

fundamental to the history and nature of the DCRA, important to sport target shooting in Canada, and which directly impacts the CAF. Attached at **Exhibits “C” and “D”** to this my Affidavit, are two letters that I sent on behalf of the DCRA dated January 25, 2020 and May 9, 2020 to the Right Honourable Bill Blair, Minister of Public Safety and Emergency Preparedness.

51. Previously, in connection with issues of firearms control, the DCRA was invited to provide, and did provide, valuable insight and testimony to the Senate. Attached at **Exhibit “E”** to my Affidavit is a transcript of the Standing Committee on Justice and Legal Affairs from January 27, 1997. Mr. Jonathan Kirton and Lieutenant-Colonel (Retired) Tud Kaulbach on behalf of the DCRA were invited to provide submissions in respect of Bill C-68. However, since 2017 when I became President of the DCRA, the DCRA has not been included in any discussions with the Canadian Government or Parliamentary committees in respect of firearms control.
52. The Regulation has caused, and will continue to cause, significant and irreparable harm to the DCRA at both national and provincial levels.
53. As a result of the newly prohibited firearms, the DCRA will no longer be able to support the Service Conditions discipline for semi-automatic rifle in its current format. The inability for DCRA members to use, and the DCRA to host Service Conditions competitions that involve semi-automatic rifles, including those specifically enumerated in the Regulation, or subsequently re-designated as prohibited by the RCMP, will be extremely damaging to our ability to maintain the interest of our members and to promote the safe and accurate use of firearms in Canada.
54. Because semi-automatic rifles function and operate so differently from bolt action rifles, our members who use, train and compete with semi-automatic rifles in the Service Conditions discipline cannot simply start using bolt action rifles in the manner, and to the same effect that is possible using semi-automatic rifles. A fundamental reworking of the discipline would be required, and it is unclear whether or not a practical arrangement using firearms permitted to civilian participants alongside the modern CAF service rifle is feasible or in keeping with the fundamental rationale for the Service Conditions discipline

in the first place. There is a very serious concern that current DCRA members will simply stop altogether the sport shooting they had been doing with the semi-automatic rifle and the new configuration of the discipline will prove unattractive as an option for new shooters. Since Service Conditions members make up a growing portion of the DCRA membership, the potential impact on the DCRA may be significant from both a financial and membership perspective.

55. The impact of the Regulation on the DCRA is not limited to the semi-automatic firearms listed in the Regulation and those newly re-designated as prohibited by the RCMP. The Regulation also has a negative impact on other firearms which are not semi-automatic and used in other disciplines supported by the DCRA.
56. Section 96(z.1) of the Regulation lists the “RPA Quadlock” receiver (the “**Quadlock**”) on the list of prohibited items. The Quadlock is prohibited on the stated basis that it is an example of a firearm that is “capable of discharging a projectile with a muzzle energy greater than 10,000 joules”.
57. The Quadlock is a type of firearm receiver that can be used for a variety of different rifle calibres. Attached at **Exhibit “E”** to this my Affidavit is a picture of the Quadlock. It is commonly used in high quality custom rifles at target rifle competitions around the world. It was listed on the Regulation without any detail or explanation. The Quadlock is not a semi-automatic receiver. It is a single-shot-only receiver. Many of the DCRA members who shoot in the target and F-class categories (non-semi automatic class of competition) use the Quadlock. Under the Regulation as published, all firearms which use the Quadlock receiver are prohibited.
58. The RCMP SFSS have just recently amended the FRT to discriminate between the Quadlock for the 50 calibre from those of other calibres. According to the RCMP SFSS’ designation in the FRT, the 50 calibre Quadlock is prohibited while the Quadlock for other calibers is not. As I understand it, the FRT is a private, RCMP document used by LEO. I am not aware that it has any formal legal status and it is unclear to me which Quadlock receivers may remain unrestricted.

59. The Quadlock is used in firearms that are custom built and rarely stamped with the calibre of the receiver. To distinguish between the receivers, it is useful to have knowledge of firearms, including about the specific dimensions of the receivers built for the different calibres. Unfortunately, the information is not listed on the publicly available documents, nor are all relevant government officials likely to be able to make a correct determination. This raises the strong likelihood that a lawful firearms owner will face long delays or even suspicion of the illegal possession of a firearm at any time a government official has reason to verify the firearm.
60. Many competitors who come to Canada internationally to attend DCRA competitions use the Quadlock receiver. The uncertainty regarding its designation suggests that those individuals could be turned away at the border for possessing a prohibited item. I believe that competitors will be deterred from entering DCRA Target Rifle and F-class competitions as a result of the Regulation.
61. In addition to those direct impacts to the DCRA and its members, the Regulation will essentially end the collaborative relationship between the DCRA and the Canadian Armed Forces that has existed since 1868. The DCRA's relationship with the Canadian Armed Forces is a vital component of the organization.
62. Members of the DCRA include active members of the military, RCMP and other LEO as civilian members of the Association. Their membership in the DCRA allows these people to practice marksmanship and firearms handling as an enhancement to their professional training opportunities. In addition, many members of the CAF compete in the DCRA Service Conditions championships in preparation for the CAF Small Arms Concentration. CAF members must meet requirements to maintain proficiency in firearms handling and accuracy. DCRA and PRA sport-shooting programs provide opportunities, in addition to those scheduled at their units for those military members, to maintain their proficiency. The opportunities to shoot are further enhanced by access to the expertise of DCRA civilian members. These two attributes combined provide an important resource that can be accessed by members of the CAF, RCMP and other LEO to reinforce the proficient and safe use of firearms in the marksmanship context. With the firearms that are necessary for



Service Condition sport-shooting now being prohibited by the Regulation, the DCRA can no longer provide that service to members of the CAF, RCMP or other LEO. It is worth noting that this is also the case for any other civilian clubs and facilities as they will no longer hold the permissions to allow the use of semi-automatic rifles at their ranges.

63. The impact of the Regulation on members of the Armed Forces, RCMP and other LEO is that they will no longer be able to access DCRA and PRA activities as support in their work to maintain a high level of firearms competence in their professions.
64. In addition to providing an avenue for members of the CAF, RCMP and other LEO to train through sport shooting, members of the DCRA are also able to provide a wealth of knowledge, experience and perspective gained through years of competition to members of those organizations. Members of the DCRA, both civilians and members of the CAF and LEO, pursue sport shooting as a passion. Their broader experience in the competitive domain and passion often translates into novel and innovative thinking in the handling of firearms. This frequently translates into DCRA members providing insights to the CAF and generally transferring skill and knowledge to the CAF.
65. For example, this has been the case in demonstrating that stabilizing a modern firearm by using the magazine as a resting point does not have the same negative effect that was previously experienced in firing the FN C1. In addition, competitive experience for an RCMP uniformed member (and DCRA member) in firing service firearms at ranges far in excess of those trained for within the RCMP, provided compelling evidence for this RCMP member to take to his superiors regarding the positioning of RCMP sniper teams for the Montebello G7 Conference. These examples demonstrate the experience and innovation that is part of our competitive target shooting community and that finds application within the military and policing environment.
66. However, with its members now unable to use items newly prohibited under the Regulation and RCMP designations, the DCRA will no longer be able to generate that innovative thinking based on experience with the firearm, nor pass those ideas on to the CAF, RCMP and other LEO for evaluation and potential adoption.

67. The Regulation will almost certainly put an end to Service Conditions as a discipline of sport target shooting with the DCRA. Because Service Conditions shooting directly supports the relationship between the DCRA and the CAF, a relationship that is ingrained in the history of the DCRA, the fundamental identity of the DCRA will be affected. The impact of the Regulation is, and will be, to sever the historical connection between the DCRA and the Armed Forces.
68. The impact of the Regulation on the DCRA and its membership will be extremely detrimental. Many individuals who are members of the DCRA have spent years devoting themselves, either recreationally or professionally, to sport shooting. They have made significant financial investments into the firearms, accessories and the training needed for sport shooting with the bolt action and semi-automatic firearms that are affected by the Regulation - all of which will be lost. They will no longer be able to use the firearms and the accessories that they have purchased for these firearms, and the specific expertise they have on those firearms will no longer be meaningfully transferrable.
69. The other aspect of the Regulation which is problematic for the DCRA and its members is the RCMP's ongoing re-designation of firearms. Through the FRT, the RCMP SFSS purports to continually add to the list of prohibited firearms. The result is significant uncertainty as to which firearms DCRA members can retain or purchase instead of the newly prohibited items to carry on in sport shooting. Firearms are continually re-designated as prohibited by the RCMP and maintaining currency on the list is difficult. It is not possible to anticipate which firearms that are non-restricted today, will be prohibited tomorrow.
70. The Regulation goes to the very heart of the DCRA's objective of promoting and encouraging rifle shooting in Canada, and with it, the pursuit of excellence in military and civilian marksmanship in the sport of target shooting. As a result of the Regulation, several of the DCRA's competitions can no longer continue. The longstanding relationship between the DCRA and the Canadian Armed Forces, and the significant role the DCRA plays in training members of the Armed Forces, will come to an end. Finally, the DCRA's

150-year long presence as a premier sport shooting organization in Canada will be severely harmed and significantly curtailed.

SWORN BEFORE ME at the City of  
Ottawa, in the Province of Ontario, this  
*24<sup>th</sup>* day of August, 2020.



---

A Notary Public

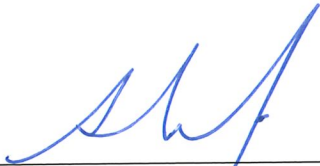
**Sherif Rizk**  
Barrister, Solicitor & Notary Public  
in the Province of Ontario  
LSUC # 692180



---

MATTHEW OVERTON

This is **Exhibit "A"** referred to in the Affidavit of Matthew Overton, sworn before me this 24<sup>th</sup>  
day of August, 2020.



\_\_\_\_\_  
A Notary Public or a Commissioner of Oaths  
in and for the Province of Ontario

**Sherif Rizk**  
**Barrister, Solicitor & Notary Public**  
**in the Province of Ontario**  
**LSUC # 692180**



# List of registered Canadian amateur athletic associations

Select one of the lists below to confirm whether a registered Canadian amateur athletic association (RCAAA (Registered Canadian amateur athletic association.)) is registered, revoked, annulled, penalized, or suspended.

- [Registered](#)
- [Revoked](#)
- [Annulled](#)
- [Suspended or penalized](#)

## Registered



**Registered** associations are qualified donees; therefore, they can issue official donation receipts and are eligible to receive gifts from registered charities.

Filter items  Showing 111 to 120 of 127 entries Show  entries

### A list of registered Canadian amateur athletic associations.

Legal Name <input type="text"/>	BN/Registration Number <input type="text"/>	Status <input type="text"/>	Effective date of registration <input type="text"/>	City, Province <input type="text"/>
The Canadian Racquetball Association	121891204RR0001	Registered	1985-04-01	Winnipeg, MB
The Canadian Section International Five-O-Five Class Yacht	888847241RR0001	Registered	1988-08-08	West Vancouver, BC
The Canadian Soccer Association Incorporated / L'Association canadienne de soccer incorporée	122473473RR0001	Registered	1972-02-29	Ottawa, ON

Legal Name 	BN/Registration Number 	Status 	Effective date of registration 	City, Province 
The Canadian Baton Twirling Federation	136523156RR0001	Registered	1983-04-11	Oshawa, ON
The Commonwealth Games Association of Canada Inc/L'Association canadienne des Jeux du Commonwealth inc	130362601RR0001	Registered	1969-01-01	Ottawa, ON
The Dominion of Canada Rifle Association	132147000RR0001	Registered	1975-01-01	Nepean, ON
The Edmonton International Baseball Foundation	131893661RR0001	Registered	1988-01-01	Beaumont, AB
Triathlon Canada	894036938RR0001	Registered	1991-05-30	Victoria, BC
U Sports (formerly Canadian Interuniversity Sport /Sport interuniversitaire canadien)	132005802RR0001	Registered	1974-06-17	Richmond Hill, ON
Ultimate Canada	865642508RR0001	Registered	2004-06-16	Winnipeg, MB

 Previous    1    9    10    11    12    13    Next 

## Revoked

Associations that have been revoked voluntarily, revoked as a result of an audit, revoked for failure to file or revoked for other reasons are no longer qualified donees; therefore, they cannot issue official donation receipts or receive gifts from registered charities.

### Note

This list only reflects associations that have been revoked from January 1, 2005 onwards. For information on associations that were revoked prior to this date, contact the Charities Directorate.

Filter items

Showing 1 to 10 of 26 entries Show 10 entries

### A list of revoked Canadian amateur athletic associations.

Legal Name  	BN/Registration Number  	Status  	Effective date of revocation  	City, Province  
Aerobatics Canada	888970449RR0001	Revoked - failure to file	2008-01-12	Guelph, ON
Aquatic Foundation of Canada	888964244RR0001	Revoked - voluntary	2015-09-19	Cambridge, ON
Bandy Federation of Canada	866271539RR0002	Revoked - voluntary	2019-11-16	Winnipeg, MB
Canadian Adult Recreational Hockey Association	132372319RR0001	Revoked - voluntary	2015-06-20	Ottawa, ON
Canadian Adventure Racing Association	883586109RR0001	Revoked - failure to file	2012-02-11	Thornbury, ON
Canadian Football Federation	899144109RR0003	Revoked - voluntary	2010-12-25	Vancouver, BC
Canadian Long Distance Riding	888850245RR0001	Revoked - voluntary	2013-07-13	Stouffville, ON
Canadian Macedonian Olympic Club	822818340RR0002	Revoked - failure to file	2011-04-02	Newmarket, ON
Canadian Masterathlete Federation	899686653RR0001	Revoked - audited	2007-12-15	Mount Albert, ON
Canadian Precision Flying Association	882239569RR0001	Revoked - failure to file	2012-02-11	Orléans, ON

## Annulled

**Annulled** associations are no longer qualified donees; therefore, they cannot issue official donation receipts or receive gifts from registered charities.

### Note

This list only reflects associations that have been annulled from January 1, 2005 onwards. For information on associations that were annulled prior to this date, [contact the Charities Directorate](#).

Filter items  Showing 1 to 1 of 1 entries Show  entries

### A list of annulled Canadian amateur athletic associations.

Legal Name <input type="text"/>	BN/Registration Number <input type="text"/>	Status <input type="text"/>	Effective date of annulment <input type="text"/>	City, Province <input type="text"/>
Tournoi international de hockey midget de Drummondville inc	125515254RR0001	Annulled	2005-10-19	Drummondville QC

## Suspended or penalized

**Suspended** associations are not considered to be qualified donees during the period of suspension; therefore, they cannot issue official donation receipts and cannot receive gifts from registered charities during this period of time.

**Penalized** associations have had financial penalties imposed on them because they were not complying with specific legislative obligations under the Income Tax Act.

Filter items  Showing 1 to 1 of 1 entries Show  entries

### A list of suspended or penalized Canadian amateur athletic associations

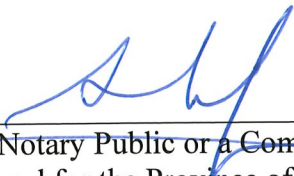
Legal Name <input type="text"/>	BN/Registration Number <input type="text"/>	Status <input type="text"/>	Effective date of suspension or penalty <input type="text"/>	City, Province <input type="text"/>
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**Date modified:**

2020-06-19

This is **Exhibit "B"** referred to in the Affidavit of Matthew Overton, sworn before me this 24<sup>th</sup> day of August, 2020.



~~A Notary Public or a Commissioner of Oaths~~  
in and for the Province of Ontario

**Sherif Rizk**  
**Barrister, Solicitor & Notary Public**  
**in the Province of Ontario**  
**LSUC # 692180**



[Home](#) > [Canada Revenue Agency](#) > [Charities and Giving](#) > [Search](#)  
> [T3010 Registered Charity Information Return](#)

## Detail page

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**i** Use this page to confirm a charity's status and Business/Registration number. The Charities Directorate has not necessarily verified the other information provided by the charity.

### THE DOMINION OF CANADA RIFLE ASSOCIATION

Business/Registration number:

**132147000 RR 0001**

Charity status:

**Registered**

Effective date of status:

**1975-01-01**

Sanction:

**N/A**

Language of correspondence:

**ENGLISH**

Designation:

Charity type:

**Other purposes beneficial to the community**

Category:

**CAAA**

Address:

**45 SHIRLEY BLVD**

City:

**NEPEAN**

Province, territory, outside of Canada:

**ON**

Country:

**CA**

Postal code/Zip code:

**K2K2W6**

Charity Email address:

Charity website address:

Links to Websites not under the control of the Government of Canada (GoC) are provided solely for the convenience of users. The GoC is not responsible for the accuracy, currency or the reliability of the content. The GoC does not offer any guarantee in that regard and is not responsible for the information found through these links, nor does it endorse the sites and their content. Users should be aware that information offered by non-GoC sites that are not subject to the Official Languages Act and to which the CRA links, may be available only in the languages used by the sites in question.

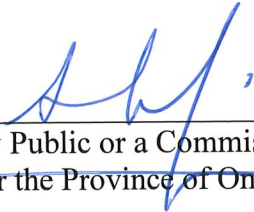
[Back to search results](#)

[New search](#)

**Screen ID:** CRA-HACC-DP

**Version:** 2019-05-08

This is **Exhibit "C"** referred to in the Affidavit of Matthew Overton, sworn before me this 24<sup>th</sup> day of August, 2020.



\_\_\_\_\_  
A Notary Public or a Commissioner of Oaths  
in and for the Province of Ontario

**Sherif Rizk**  
**Barrister, Solicitor & Notary Public**  
**in the Province of Ontario**  
**LSUC # 692180**



# ***Dominion of Canada Rifle Association*** ***Association de Tir du Dominion du Canada***

Connaught Ranges  
Nepean, Ontario  
45 Shirley Boulevard  
Ottawa, ON K2K 2W6

**Telephone:** (613) 829-8281  
**FAX:** Contact Office  
**E-mail:** [office@dcra.ca](mailto:office@dcra.ca)

**Website:** <http://www.dcra.ca>

***PATRON / PRÉSIDENTE D'HONNEUR***

Her Excellency the Right Honourable Julie Payette, C.C., C.M.M., C.O.M., C.D.  
Governor General of Canada  
Son Excellence la très honorable Julie Payette, C.C., C.M.M., C.O.M., C.D.  
Gouverneur général du Canada

***PRESIDENT***

Brigadier General (Ret'd) Matthew Overton, O.M.M., C.D.

***EXECUTIVE DIRECTOR***

Mr. L.D. (Don) Haisell

---

25 January 2020

The Right Honourable Bill Blair  
Minister of Public Safety and Emergency Preparedness  
House of Commons  
Ottawa, Canada K1A 0A6

Dear Minister

I am writing to you on behalf of the Council and members of the Dominion of Canada Rifle Association (DCRA) concerning firearms safety and firearms control, in particular the devastating impact a prohibition on semi-automatic firearms would have on both the practice of our sport and our 150 year history of supporting the Canadian Armed Forces.

The DCRA, founded in 1868, is one of Canada's oldest sport shooting associations. Along with our affiliated Rifle Associations, we have respected histories of success on the range and of safety in the conduct of our sport shooting matches. We count among our number, present and past, not only enthusiastic recreational sports target shooters but also elite athletes that continue to compete successfully at recognised international competitions, including the Commonwealth Games.

We are proud to have supported Canadian Armed Forces marksmanship training and the safe handling of firearms under the law in a relationship that dates from our origins in 1869. In recent years, this has expanded with growing connections to law enforcement officers and is highlighted by our Service Conditions discipline of sports target shooting, which principally uses semi-automatic firearms, both rifles and pistols.

Our members, men and women of all ages from all walks of life, are from rural and urban Canada, drawn from many professions and occupations. While some of our members are current or retired members of the Canadian Armed Forces or varied law enforcement forces across Canada, most of our members have no connection with them at all.

Our members and our affiliated Associations have been consistent promoters of not only legal compliance for the ownership, possession and use of firearms, but also responsible behaviour and conduct that safeguards ourselves, our families, our communities and our sport. We are proud of the fact that to our knowledge, our members have not been involved in violent acts involving the misuse of firearms, on or off the shooting range.

We realise however that we cannot rest on past successes. We must adjust as Canadian society evolves to

ensure that not only are our practices sound as we pursue our sport, but that they are seen as being sound by average Canadians. This includes safeguards against the misuse of legally owned firearms including the devastating effects of suicide attempts and domestic violence in which firearms are involved. The DCRA and our members are also deeply concerned over illegal firearms, as well as the criminal use and misuse of firearms, which have no place in Canadian society. They have serious and often deadly consequences for the innocent victims; they also create serious repercussions for community of legal, responsible firearms users in Canada, who become second-order victims of this violence.

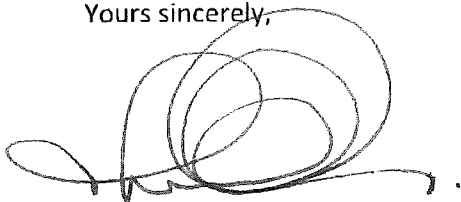
Too often, illegal firearms and criminal use of firearms are conflated with the misuse of legally owned firearms, to the detriment of useful and constructive discussion concerning firearms control. The DCRA is reassured by your recent statements in Winnipeg that made a more obvious separation between the problem of firearms violence as a result of the use of illegal firearms or criminal activity and that which occurs due to the misuse of legally owned firearms. This is reflective of the observations in the *"Engagement Summary Report - Reducing Violent Crime: A Dialogue on Handguns and Assault-Style Firearms"*

This report also pointed out that further restrictions on legal firearms would not address the source of the majority of firearms violence in Canada. It was with great dismay therefore, that our Council and members noted the ongoing intent of the Government of Canada to pursue the prohibition of all semi-automatic rifles in an ill-defined category of 'military style assault weapons'. Not only is it dismissive of the care and attention that our members invest in ensuring the safe practice of their chosen sport, but would also strike a significant, if not mortal blow to the ability of the DCRA and our affiliated Rifle Associations to maintain expertise in the safe marksmanship practices applicable to semi-automatic firearms. This skillset is essential to continuing our support to marksmanship in the Canadian Armed Forces. We do not believe that this negative consequence is within the Government of Canada's intent in considering such a prohibition and ask that you consider options that would avoid it.

The DCRA has played a constructive role to previous Governments of Canada, not only to assure the continuation of the role the DCRA plays in providing practical support to Canadian Armed Forces marksmanship but also towards effective and practical firearms control within Canada. As a sports target shooting Association with over 150 years of experience, we believe that we can and should contribute to the ongoing discussion on reasonable and effective control of firearms used for productive and appropriate purposes within Canadian society to minimise and ideally eliminate the misuse of legal firearms.

I look forward to discussing the issue of firearms control with you and the staff of your Department, in particular the proposed prohibition on semi-automatic rifles, to ensure that not only is the reasonable practice of sport target shooting in Canada conducted in as safe a manner possible for all Canadians, but also that the DCRA remains a strong and practical supporter of Canadian Armed Forces marksmanship.

Yours sincerely,



Brigadier General (Retired) Matthew Overton, OMM, CD  
President

cc: Presidents of the Affiliated Associations, SECD, SECU

This is **Exhibit "D"** referred to in the Affidavit of Matthew Overton, sworn before me this 24<sup>th</sup>  
day of August, 2020.



\_\_\_\_\_  
A Notary Public or a Commissioner of Oaths  
in and for the Province of Ontario

**Sherif Rizk**  
**Barrister, Solicitor & Notary Public**  
**in the Province of Ontario**  
**LSUC # 692180**





# *Dominion of Canada Rifle Association*

## *Association de Tir du Dominion du Canada*

Connaught Ranges  
Nepean, Ontario  
45 Shirley Boulevard  
Ottawa, ON K2K 2W6

**Telephone:** (613) 829-8281  
**FAX:** Contact Office  
**E-mail:** [office@dcr.ca](mailto:office@dcr.ca)

**Website:** <http://www.dcr.ca>

### **PATRON / PRÉSIDENTE D'HONNEUR**

Her Excellency the Right Honourable Julie Payette, C.C., C.M.M., C.O.M., C.D.  
Governor General of Canada  
Son Excellence la très honorable Julie Payette, C.C., C.M.M., C.O.M., C.D.  
Gouverneur général du Canada

### **PRESIDENT**

Brigadier General (Ret'd) Matthew K Overton, O.M.M., C.D.

### **COUNCIL CHAIR**

Mr S (Scott) Bissett

### **EXECUTIVE DIRECTOR**

Lieutenant Colonel (Retired) L.D. (Don) Haisell

9 May 2020

The Right Honourable Bill Blair  
Minister of Public Safety and Emergency Preparedness  
House of Commons  
Ottawa, Canada K1A 0A6

Dear Minister

I am writing to you as a follow up to my letter of 25 January 2020, in which I outlined the concerns of the Dominion of Canada Rifle Association for firearms safety and firearms control, in particular the devastating impact a prohibition on semi-automatic firearms would have on both the practice of our sport and our 150 year history of supporting the Canadian Armed Forces. I am sorry to note that there has as yet, been no response to that letter nor any contact from your staff concerning the offer of consultation on the impact of any action concerning firearms restrictions.

On behalf of the DCRA and our affiliated Provincial Rifle Associations I now ask that you review and amend SOR 2020-96 due to the severely negative impact it shall have on our elite and recreational sports target shooting members as well as our support to the Canadian Armed Forces. This is based on the the fact that the OIC does not acknowledge the legitimate sporting use by the DCRA of many of the firearms that it prohibits, a use of which the current Government and its predecessors have been well aware since the late 1800s.

The DCRA, founded in 1868, is one of Canada's oldest sport shooting associations with a respected history of success on the range and of safety in the conduct of our sport shooting matches. We count among our number, present and past, enthusiastic recreational and elite athletes that continue to compete successfully at all levels of competition, local to international, including the Commonwealth Games. They are women and men of all ages, backgrounds, ethnicities and physical capabilities. We are proud to support Canadian Armed Forces marksmanship training and the safe handling of firearms in a relationship that dates from our origins and it is expanding to include similar connections with law enforcement officers.

The recently announced Order in Council significantly limits our ability to pursue our sport and puts in serious jeopardy our unique relationship with the Canadian Armed Forces that supports their marksmanship and firearms handling programmes. These are unnecessary and unproductive outcomes for legitimate uses of firearms as you look to address issues of criminality and violence involving firearms in our communities.

The DCRA recognises that violence in our communities and the use of firearms in the commission of crimes must be addressed in Canada as a matter of urgency. However, rather than adding to the already significant restrictions on legal firearms and legal firearms owners, the DCRA continues to strongly recommend you prioritise on more effective action focused at the main sources of violence involving firearms: the illegal firearms market and the individuals that use firearms criminally, often harming themselves or others.

SOR 2020-96 takes no action on these significant and pressing problems, but has instead, a seriously negative effect on legal firearms owners, the ability of the DCRA to practice sports target shooting in our chosen shooting disciplines and the ability of the DCRA to support the marksmanship of our Canadian Armed Forces. With the restrictions in place as currently articulated, we shall lose talented athletes at all levels and as a consequence, lose realistic opportunities to represent Canada to the top of the podiums in international competitions such as the Commonwealth Games. It will also likely put to an end our ability to connect members of civil society in a direct and productive way with our Armed Forces members, building a stronger Canadian fabric in the process.

As a long-standing Canadian sports organisation that has demonstrated over 150 years of responsible and competitive sports shooting success as well as commitment to linking our citizens to those that protect their way of life, we ask that you review and amend SOR 2020-96 as an opportunity to recognise the legitimate uses of firearms as practiced by the DCRA and our affiliated Provincial Rifle Associations and refocus your efforts more effectively on criminal activity and violent crime.

In closing, I would like to renew the offer of discussing the issue of firearms control with you and the staff to outline our specific concerns and how they might be addressed. We shall be in contact with your office to make suitable arrangements to do so.

Yours sincerely,



Brigadier General (Retired) Matthew Overton, OMM, CD  
President

cc: Presidents of the Affiliated Rifle Associations of the DCRA  
The Governor General of Canada, Patron of the DCRA  
Honorary Vice-Presidents of the DCRA  
Members of SECD and SECU

This is **Exhibit "E"** referred to in the Affidavit of Matthew Overton, sworn before me this 24<sup>th</sup>  
day of August, 2020.



\_\_\_\_\_  
A Notary Public or a Commissioner of Oaths  
in and for the Province of Ontario

**Sherif Rizk**  
**Barrister, Solicitor & Notary Public**  
**in the Province of Ontario**  
**LSUC # 692180**

While some of these intrusions upon Canadian civil liberties are being opposed by the governments of four provinces and two territories, it seems to us the behaviour of the current government, taking advantage of its large majority, is unconscionable.

While we are aware that the government has run polls in an attempt to indicate wide support for their actions, we are sure that this support is almost totally uninformed as to the details of Bill C-68, and that if it were only possible for more individuals to fully appreciate the full implications of the bill, the apparent popular support would be much reduced.

.0910 ❌

The penalties under Bill C-68 and the Criminal Code are draconian, to say the very least. For example, for a first offence of failure to register an unrestricted firearm, under sections 112 and 115 of Bill C-68 at page 53, a maximum penalty on summary conviction is six months' imprisonment and/or a \$2,000 fine. Under section 91 of Bill C-68 at page 77, a summary conviction can result in a maximum term of imprisonment of five years. Under section 92 of Bill C-68 at page 78, the Criminal Code provides a maximum term of imprisonment of 10 years for a first offence of knowingly neglecting to register a firearm.

It is worth noting here that Denis Lortie, who was convicted of murdering three people in the Quebec Legislature, received only a 10-year sentence for his crime and has already been paroled. Besides, we are under the impression that Canadian prisons are already overflowing.

The last time we appeared before the justice and legal affairs committee, one of the Liberal committee members stated forcefully that the government had no desire to destroy a \$1.8 billion industry in this country, consisting of shooters, hunters, collectors, and outfitters. We are convinced this is precisely what the government is doing with Bill C-68 and the firearms regulations as proposed at present.

We now wish to address the proposed regulations to section 118 of the Firearms Act. Item 1 is SOR 96-458-01, Firearms Licence Regulations, part I, item 2(3).

This association and its affiliated provincial and territorial rifle associations hold shooting matches and competitions across Canada. Many foreign individuals and teams come to Canada each year to compete in these events. Apparently there are no restrictions or fees for the entry into this country of these competitors with their own firearms and ammunition in some cases.

Under the proposed regulations it will become almost essential for all civilian individuals to make prior application for a Canadian non-resident firearms possession licence as well as an advance importation permit for each firearm if they are to avoid problems when entering the country.

Each visiting competitor will often bring up to four firearms and maybe more for use in different types of competition. The regulations as written are less than clear as to the cost of this licence and these permits, but it appears the licence will be \$10 in 1998 for five years, \$45 from 1999, and \$60 from the year 2000.

Importation permits could be \$60, and we don't know if that is for one firearm or for more than one, because it doesn't say. Reference section 35 of the act and page 17 of the regulations - authorization to export or import firearms regulations. Importation permits could also be \$20, and again, this is for perhaps one or perhaps more than one. Reference proposed regulations, schedule IV, item i - authorization to import.

Since the presentation of the brief, I received a new guide to the proposed firearms regulations, and I found a customs confirmed declaration for visitors with own firearm. It's \$50 for 60 days, which is a different figure again, but you would have trouble finding that in the regulations.

Perhaps it would be of interest to consider what occurs when our Canadian Bisley team goes to the United Kingdom each year. The match organizers in the United Kingdom, where firearms regulations are extremely strict, make an application for the importation and licensing of the Canadian team's firearms. The British government authorities provide one application form, which allows for up to 20 Canadian competitors on the one form. Each competitor is allowed to bring up to four rifles, for a possible total number of 80 rifles, imported and licensed on one form.

The total charge for this process is £60, about \$132. The proposed Canadian fees seem to be exorbitant by comparison to the British fees stated above and will clearly seriously impede foreign entries and tourist dollars in our Canadian competitions.

.0915 ❌

We often have teams and individuals from the United Kingdom - England and Scotland - Germany, France, Australia, New Zealand, Kenya, Zambia, Jamaica, Barbados, and not least, the United States. Most visiting teams come to Canada for a period of one month and move about the country, entering as many of the provincial matches as possible before attending the Canadian national matches.

It is worth mentioning that never once in our 129-year history has any visiting foreign competitor ever been accused, charged, or convicted of any criminal offence involving a firearm while visiting Canada.

This association has been having considerable success in recent years in attracting overseas shooters to come to Canada. The government seems to be determined to close down our sport for no very good reason. Unless the proposed regulations are rethought, it is clear that it is going to become almost impossible to attract foreign competitors to this country.

Item 2 is SOR 96-224-01, non-prohibited ammunition transfer document regulations. We appear to have a number of problems complying with this section, once again mainly with visiting foreign competitors.

Competitors from the U.S.A. will usually bring their own ammunition with them, and presumably will be able to import it with their firearms. The regulations do not specifically address this case.

It is our practice to purchase a quantity of ammunition annually for our shooting competitors, which we then sell to competitors at the range, particularly to overseas competitors, who are not allowed to carry ammunition with them on airline flights. Some of these competitors will be aged under 18 - for example, the United Kingdom Athelings team - but this will be issued and accounted for under the supervision of existing licence holders.



## EVIDENCE

[Recorded by Electronic Apparatus]

Monday, January 27, 1997

.0903

[English]

**The Chairman:** Ladies and gentlemen, I would like to commence our session this morning of this subcommittee of the Standing Committee on Justice and Legal Affairs looking into the regulations under the Firearms Act.

We have as our first witnesses this morning two gentlemen from the shooting organizations. From the Dominion of Canada Rifle Association we have Mr. Jonathan Kirton and Lieutenant-Colonel (Retired) Tud Kaulbach. As well, from the Ontario Handgun Association, via teleconferencing, we have Mr. Larry Whitmore, executive manager, and Mr. Larry Cowlshaw, president. Also, from the International Practical Shooting Confederation we have Mr. Lorne Rowe, regional director for Canada.

We have an hour and a half, from 9 o'clock to 10:30, to listen to the presentations of these witnesses, and hopefully after the presentations we will be able to ask questions.

.0905

I would like to check with our people in Toronto if they can hear us.

Mr. Whitmore, can you hear us?

**Mr. Larry L. Whitmore (Executive Manager, Ontario Handgun Association):** Loud and clear.

**Mr. Lorne Rowe (Regional Director for Canada, International Practical Shooting Confederation):** We can hear you just fine.

**The Chairman:** Thank you very much.

We will first hear from the Dominion of Canada Rifle Association. After that we would be very pleased to hear the presentations of the Ontario Handgun Association and of the International Practical Shooting Confederation. Following that we will have questions from the members of the subcommittee.

So Mr. Kirton and Lieutenant-Colonel Kaulbach, make your presentation, please.

**Mr. Jonathan Kirton (Vice-President, Dominion of Canada Rifle Association):** Mr. Chairman, ladies and gentlemen, thanks for the opportunity to present our brief to you.

We represent the Dominion of Canada Rifle Association, originally founded in 1868. It has a national membership and runs many of Canada's shooting competitions. It is responsible for sending Canadian teams to compete in competitions around the world, among which are the teams sent annually to Bisley in the United Kingdom.

As firearm owners, we are greatly concerned that Bill C-68 - the Firearms Act - and the proposed regulations of the Firearms Act are ultimately intended by the government to, and indeed we believe they will, quite rapidly eliminate all firearms from legal civilian ownership in this country, thus introducing the effective installation of a police state.

It is clear that some sections of Bill C-68 and the proposed regulations completely negate our parliamentary system of checks and balances, which have been set in place to democratically ensure that the government of the day does not exercise autocratic powers.

It has also come to our attention that an employee of the Canadian justice department is currently chairing the United Nations Commission on Crime Prevention Research Panel, funded by the Japanese government with Canadian government support, whose intent is the virtual elimination of civilian firearms ownership.

Apparently the Canadian government has also recently established a Canadian centre for international firearms regulations as an agency to promote such regulations. However, it seems to have been somewhat shy to publicize this fact within Canada.

Laws such as Bill C-68 tell Canadian firearms owners that their rights and freedoms hinge not upon their own conduct but upon the potential acts of criminals and the insane. This implies it is the conduct of such persons that dictates the scope of freedoms and privileges in the rest of society. By forcing the law-abiding to accommodate themselves to the potential behaviour of criminals, we are conceding defeat. Laws must be made to force the law-breakers to accommodate themselves to the expected behaviour of the law-abiding.

Under Bill C-68, when fully implemented, the government has granted itself unilateral prohibition powers. Section 117.15 on page 111 grants the Minister of Justice, through the Governor in Council, the total power, immune from parliamentary or judicial review, to prohibit any firearm that in his opinion is not reasonable for hunting or sporting purposes.

These competitors may not all hold Canadian firearms possession licences, so we may need some special provision in the regulations, or a waiver, to permit us to sell ammunition to them. The sale of this ammunition is not run as a business to make a profit, but is a break-even service for our competitors.

Item 3 is SOR 96-216-02 - storage, display, transportation, and handling of firearms by individuals. We wish to comment on section 12, regarding antique firearms.

This association finds it very hard to understand why the justice department has found it necessary to change the definition of "antique firearms" from the definition used in the former act. Reference Bill C-68, part III, section 84, definitions, on page 68.

By so doing, the department has vastly increased the number of antiques and relics that will now fall into the category of firearms that are neither restricted nor prohibited firearms and will thus require registration. The majority of these antiques and relics are very early breech-loading rifles and shotguns, for many of which no ammunition has been commercially available for nearly a century, and which do not appear in crime statistics to any significant extent.

Both the United Kingdom and the United States federal law - and I have the relevant documents - use special categories for such firearms, including the identification of obsolete and unavailable cartridge types, so that such firearms do not require the full registration process.

We will be discussing fees later in this brief, but the justice department could save itself and the Canadian public a vast expense and complication by avoiding the registration of such antiques and relics, which are seldom serial-numbered and have no history of use in modern crime situations.

One thinks of the little old lady who still has her great-grandfather's 1866 Canadian Militia Snider-Enfield rifle hanging over the mantelpiece, where it has rested for the last 125 years, suddenly finding herself charged with failure to register a firearm, plus unsafe storage, and facing a possible prison sentence of up to 10 years for her first offence. Get serious.

As for items 4 through 9, we have no comments on these proposed regulations.

.0920 ✕

Item 11 is SOR 96-268-02, firearms fee regulations. The Minister of Justice has stated that the total cost of the Firearms Act will be some \$85 million over the next five years, and that the fees to be charged will eventually provide full recovery of about \$65 million. Based on the rapidly escalating fee structure, he is probably correct with these figures. However, there has been no data provided on how much higher the fees may escalate after the year 2001.

It seems very likely that as the number of firearms and firearms owners rapidly shrinks, as firearms are turned in for destruction or exported to avoid the cost of licensing and registration, the fee structure will escalate even more rapidly to support the expenses of the Canadian Firearms Centre on a rapidly shrinking source of fees. So eventually only the very wealthy in this country and the aboriginals, who are not being charged, will be able to afford firearms. But then, of course, we think that is exactly the government's intent.

We have already indicated that we consider the fee structure for foreign non-residents' licences to be far too high and that it will probably have the effect of virtually eliminating the entry of non-resident competitors and hunters.

We are convinced that the fees are so exorbitant and will undoubtedly so escalate that very few young people will be able to afford to purchase firearms in the future, and that shooting and hunting for sport will soon be virtually eliminated in this country, probably in less than the next 20 years.

It should be noted that in the last 10 years, the incidents of road collision between automobiles and deer in the Quebec Eastern Townships have increased threefold. This can be related directly to reduced hunting since the introduction of the firearms acquisition certificate system 10 years ago. This probably also accounts for the large increase in deer starvation in winter, as the uncontrolled deer population exceeds the limits of its food supply. These two situations will undoubtedly further deteriorate in the future.

We are convinced that the figure mentioned above of \$85 million for five years will provide no effective deterrent to the criminal misuse of firearms, and that this sum could be used to preserve and save lives in far more effective ways - for example, the highway system.

Controlling the law-abiding part of society will have no effect on controlling criminals. Thank goodness we will soon be having a federal election.

Mr. Chairman, ladies and gentlemen, thank you for your attention to our brief.

**The Chairman:** Thank you very much, Mr. Kirton. We appreciate your comments.

We will now hear from the Ontario Handgun Association, with Mr. Larry Cowlshaw, president, and Mr. Larry Whitmore, executive manager. If you're ready, gentlemen, we would be most pleased to hear your presentation.

**Mr. Larry Cowlshaw (President, Ontario Handgun Association):** Thank you. My name is Larry Cowlshaw. I'm the president of the OHA.

On behalf of our 10,000 members and 240 affiliated sports shooting clubs, I would like to say the Ontario Handgun Association is grateful to the committee for the opportunity to comment on the draft regulations recently tabled under the authority of Bill C-68. We fully endorse and agree with the presentations made by the DCRA, the IPSC, and the SFC.

The Ontario Handgun Association is the recognized governing body for competitive handgun shooting in Ontario. As such, we take our responsibilities very seriously, with safety and range officer programs, which are now mandatory for all clubs in Ontario.

Our safety record is second to none in any organized sport, and our membership is rewarded with some of the lowest liability insurance rates available. Each of our members receives \$5 million liability coverage, which covers them for any recreational shooting activity. The cost? Less than \$4 a year.

Due to our thorough safety programs and the responsible attitude of our membership, we have not experienced an accidental fatality in any civilian handgun range in Ontario for more than 30 years.

We are an amateur sports association. Our firearms are a tool of our sport, nothing more. We do not advocate the use of firearms for self-defence, and we support effective gun control laws that take guns out of the hands of criminals and the irresponsible. We do not support laws that infringe on the rights and privileges of law-abiding Canadians.

.0925 ❌

Our detailed analyses of these draft regulations have been submitted to the committee secretary and to officials in the Department of Justice. Consequently, during this address it is not our intention to review these proposals line by line. There is simply not enough time. However, we would like to highlight our major concerns to you this morning.

The first concern is authorizations to transport. Authorizations to transport, or the current carrying permits, are essential for us to practise our sport. We require permits to move our guns to any location outside our dwelling. The ability to freely travel to other clubs and border points for recreational shooting purposes is a necessary and vital element.

The process to legally obtain a handgun and permits for target shooting is time-consuming and complicated. Our members must endure several police checks, interviews at their homes, and interviews with family members, neighbours, co-workers, and employers. Permits have been refused on the most frivolous of pretences, such as parking tickets and speeding tickets.

Once approved by the police, we must pass the safety courses and screening at the clubs before we are accepted as members. The clubs then sponsor the members for authorization to transport for the purpose of targeting shooting.

Currently in Ontario these permits allow us to transport registered handguns to any shooting club approved by the government of the province in which the premise is located. These permits also allow us to transport a borrowed firearm as long as we are in possession of the registration form.

For competition in other countries we must obtain a special border permit. To transport our firearms to a gunsmith, firearms dealer, or sporting show, or for instruction or demonstration purposes, we must also obtain additional permits. Any inadvertent deviation from the complex regulations pertaining to these permits can result in criminal charges and confiscation of thousands of dollars of our property.

The draft regulations will change the situation drastically. It is our understanding that all firearms and locations must be listed on the authorization, as well as times and dates. All of this is at the discretion of the provincial Chief Firearms Officer.

Our members compete across the province, across the country, and in many cases outside the country. It is impossible to predict the times and locations of these matches. Hundreds of club, regional, and provincial matches take place every year in Ontario alone. To list each location, date, and time will be an absolute nightmare for us and for the local registrars.

Every time we acquire a new firearm through purchasing or borrowing one for a particular match, we will have to visit the registrar to update the permit. This bureaucratic burden will severely impact on our ability to participate in the sport.

There are 250 handgun clubs in Ontario. To reduce the time and hassle, we will be recommending that our members list on the permit request each and every club as well as every firearm they own and are likely to borrow. It should prove to be quite a task to type all this information on every permit, but we are left with little choice.

There is, however, an easier solution, one we have been suggesting to various government agencies for a number of years. It is simple. Require the CFOs - chief firearms officers - to allow in the authorization to transport for target shooters wording that will allow us to transport restricted firearms for any legal purposes referred to in sections 18 and 19 of the Firearms Act. The one permit will then allow us to transport restricted firearms to any approved range for target shooting as well as for repair, sale, demonstration, and instruction, and to border points.

With all the police checks and investigations we have to endure, I believe I can safely state that our members are the most law-abiding segment of Canadian society. Surely we have proven ourselves worthy of some relief from the bureaucracy and deserve more freedom.

.0930 ❌

We fear leaving all of this to the discretion of the CFOs opens the door to possible official abuse. The CFO should be required to abide by certain guidelines on how they interpret the regulations. If they choose not to, an appeal or complaint procedure should be established. If there is one area that is critical to the survival of handgun competition in Canada, this is it. If it is the intent of the government not to unduly impede the sporting use of firearms, as stated on many occasions by the Minister of Justice, then the regulations dealing with authorizations to transport must be clear and concise.

My second point is the firearms fees regulations. The intent of user fees is to require the recipient of a beneficial interest to pay the cost of providing the beneficial interest. This concept does not properly apply to firearms ownership and use because there is no beneficial interest being received by the firearms owners. Some incorrectly believe that these regulations will benefit society by further regulating and restricting firearms ownership and use. If there were such a benefit, which we argue there is not, then society should pay the cost if society receives the benefit. Exorbitant fees unfairly penalize those who choose to obey the law. They are an impediment to lawful compliance and could prove an encouragement for non-compliance.

We believe that the proposed fees in conjunction with increased bureaucracy will be devastating to our sport. The regulatory impact analysis released by the subcommittee on the draft regulations on firearms stated that "There will be a significant impact on firearms owners and businesses". We will pay fees to be licensed, we will pay fees for mandatory safety courses, we will pay fees to register our firearms, and we will pay a multitude of business fees as our suppliers pass their costs on to us.



Northern communities that rely on hunters and hunting for their economic survival will suffer the most. The \$50 fee for non-residents crossing the border with their firearms will discourage hunters and tourism. The same fee will severely impact on competitive shooters and our competitions. High-profile international competitions such as the Olympics, the Pan-Am Games, the Commonwealth Games, World Police Games, World Cup Championships, etc., will steer clear of Canada. Frankly, to charge a fee of \$50 to bring a 150-year-old musket into Canada to fire blanks at a historical re-enactment is beyond reason.

We estimate that if every gun owner in Canada obtained a \$60 to \$80 licence, as required under these regulations, it will siphon approximately \$150 million to \$200 million directly out of the pockets of taxpayers. The cross-border fees will impact on the billion-dollar hunting industry as well.

The financial impact on local law enforcement is also substantial. The Metropolitan Toronto Police Service 1995 environmental scan and 1996 service goals and objectives state emphatically that the registration of firearms and the licensing of gun owners will place an "enormous burden on the investigative and record-keeping resources" of the force. These regulations cannot help but divert the police from other more important duties. The government has made no attempt to assure Canadian firearms owners that these fees will not be increased at any time and that licensing and registration fees will not be used for the express purposes of reducing civilian gun ownership by prohibitive economic sanctions.

I will quickly highlight a few of our other concerns we have with these draft regulations.

1. Giving unprecedented power to the federally appointed CFOs without guidelines creates a potential for abuse. Creative interpretations will make it increasingly difficult for Canadians to comply with the law and will lead to inconsistencies in enforcement and policies from province to province.
2. Systemic delays in processing our applications can deny us access to our sport, even though we have fulfilled all requirements and have been thoroughly investigated. Worse yet, when our licences expire we can become criminals due to government inefficiency or underfunding. In Ontario, we have already experienced delays of over one year for our current firearms acquisition certificates.
3. We cannot see the logic in not allowing a spouse to act as a reference to a licence application.
4. The regulations create the potential for official abuse, because criminal charges can be and will be laid for inconsequential unintentional violations or lapses of memory. Otherwise law-abiding Canadians will suddenly become criminals and suffer severe emotional and financial hardships.

.0935 ✖

In conclusion, we will be honest with this committee. We applaud Bill C-68's mandatory penalties for the criminal use of firearms. However, recent court decisions have struck down these particular statutes. In our humble opinion, this was the only part of the act that had any real potential for enhancing public safety in Canada, and it is now effectively null and void.

What remains of the Firearms Act is the regulatory framework establishing the licensing of between three million and seven million Canadian gun owners and the registration of an estimated six million to twenty million firearms. It should be taken as a given that only law-abiding citizens will comply with these regulations. Even the justice department candidly admits that criminals will not register.

The regulatory framework contained in these proposals and the various other sections of the Firearms Act applies to the over 99% of Canadian gun owners who have never committed and will never commit a violent act in their lifetimes. Since everything that the remaining 1% do with their guns is already illegal under a variety of existing criminal statutes, Canadians are entitled to wonder whether there is a new law we can pass that will persuade them to stop doing it.

It is more than a little bizarre to assume that people who routinely violate laws against murder, rape, robbery, and assault will somehow find themselves compelled to obey gun laws, whatever provisions they might contain.

This type of bureaucracy has already been tried in Canada with little success. On August 3, 1940, the federal government, under the authority of the defence of Canada regulations, ordered the registration of all rifles and shotguns in Canada. Civilians had until September 30, 1940, to register their guns or face a fine of \$50 or 30 days in jail. The registration form for a rifle or shotgun also served as a licence to possess and could only be issued by the police after they were satisfied as to the good character of the applicant. No fee was charged to register or transfer a firearm, and registration records were maintained in an automated centralized registry maintained by the Royal Canadian Mounted Police.

Rifle and shotgun registration was discontinued on February 20, 1945. At that time, the RCMP reported that they had registered a total of 1.9 million firearms. By extrapolating 1945 firearm ownership from current research estimates, we estimated that the number of unregistered guns in Canada during World War II exceeded the number registered by a ratio of at least two to one.

It was apparently a common joke among RCMP officers of the era that the reason Canadians poured oil on their gardens was so that their guns wouldn't rust.

There is also no evidence that universal firearm regulations and owner licensing in Canada during World War II had any impact on homicide or suicide.

Canadians would not register themselves or their firearms during the patriotic fervor evident during wartime, even when registration and licensing was provided at no cost to the applicant. Our question to the committee is this: With the Firearms Act proposing a wide range of fees, combined with a complicated and expensive bureaucracy, which many gun owners believe, rightly or wrongly, is designed for no other purpose but to assist in the eventual confiscation of their firearms, is it reasonable to expect that non-compliance will be just as evident today as it was during World War II?

It should be abundantly clear to even the most uninformed observer that such levels of non-compliance mean that registration and licensing will be useless in fighting violence. More than enough untraceable firearms will remain in circulation to satisfy the illegal market for at least the next century.

Complex bureaucratic regulation opens the door to abuse and nuisance paper charges against law-abiding citizens. We are already experiencing situations where misinterpretations of the current regulations have resulted in charges that have been thrown out by the courts, with apologies by the judges. Serious criminal charges can result from insignificant regulatory infractions, which could prove to be emotionally and financially devastating to



those involved.

.0940 ✂

Will public safety be enhanced by all of this new bureaucracy? Hardly. If anything, it will serve against the public interest by bringing the law into disrepute, clogging our court systems, and diverting dwindling police resources.

It is our humble opinion that the government should re-examine whether it is worth the cost to embark on a gun control program that appears to be treated with contempt by the very people who are expected to comply with it, and whether there is not something else on which this money can be spent that will have greater impact on public health in Canada.

It is our recommendation that the only realistic method of encouraging some minimal level of compliance is for the government to be entirely responsible for the cost of licensing and registering firearms and owners. Funding for this program can be taken out of the general revenues in exactly the same manner as any other public health program.

Thank you for your time and attention.

**The Chairman:** Thank you very much, Mr. Cowlshaw and Mr. Whitmore.

We would now like to hear from Mr. Lorne Rowe, the regional director for Canada of the International Practical Shooting Confederation. Mr. Rowe.

**Mr. Rowe:** The Canadian region of the International Practical Shooting Confederation appreciates being asked to provide its input to these regulations.

IPSC Canada and its 2,500 members across Canada support the positions expressed by the Shooting Federation of Canada, the Dominion of Canada Rifle Association, and the Ontario Handgun Association in respect of these draft regulations. We do not propose to readdress each of the points made by these bodies but instead wish to emphasize those proposals most seriously affecting our sport. Similarly, we will avoid speaking to those draft regulations dealing with firearms-related businesses, museums, or the security industry, since they will be dealt with in detail by groups more closely involved.

We will address three specific areas in this brief, the first being the inconsistent interpretation and enforcement of federal firearms legislation. We are extremely concerned that the draft regulations do nothing to improve and indeed seem destined to accentuate the inconsistent interpretation and enforcement of federal firearms legislation that is now so prevalent across Canada.

With our sport being practised from St. John's to Victoria and competitors travelling regularly between various locales, we are painfully aware of these inconsistencies, even among different detachments of the same police force. When looking at the myriad of different restrictions placed on permits to carry, one would think that firearms controls in Canada are established at the municipal level rather than by the federal government.

Proposed regulations proscribe that any such denial or revocation of a permit must be communicated to the applicant or holder along with reasons. But it has been our experience in many jurisdictions that the responsible authorities refuse to provide any meaningful background for their decisions or any information on available avenues of appeal. This attitude forces affected citizens into a confusing and expensive course of action to preserve the rights guaranteed to them by Parliament. And these regulations contain no guidelines or legislated requirements to help ensure consistent treatment.

Our second concern is the revised format of authorizations to transport. The sport of practical shooting involves handguns, with the result that all of our members are holders of permits to carry restricted weapons under the existing system. Although there are some differences in the degree of freedom of movement allowed by these permits, depending on the jurisdiction of issue, they all share the following characteristics: they permit secure transport of restricted firearms between a permit holder's designated place of storage, usually a residence, and any approved shooting range or at least to any sanctioned competition; they allow the legal transport of an unlimited number of restricted firearms without these firearms being specifically identified on the permit; and they permit the legal transport of restricted firearms owned by another individual, provided the registration certificates for those firearms are also carried.

Under the draft regulations, permits to carry restricted weapons will be replaced by authorizations to transport restricted firearms, which in turn will carry the following conditions: they will specifically identify each restricted firearm to which the authorization applies; they will specifically identify the places between which the identified firearms may be transported; and each authorized firearm will be specifically identified on a particular authorization and no one firearm may be covered by more than one such authorization.

.0945 ✂

It is our understanding from the authorities involved that the present latitudes allowed under the permit to carry restricted weapons have never given rise to violations nor have they been perceived to cause any diminishing of the level of public safety. With this record we can see no public safety benefits whatsoever inherent in these aspects of the draft regulations, and we request they be abandoned.

If adopted, these provisions of the draft regulations will deny an authorization holder the right to take his or her spouse's restricted firearm to the range; will require the updating of at least one authorization each time a restricted firearm is acquired or disposed of; and are likely to require many supplementary or revised authorizations if an authorization holder is to pursue an active schedule of competition.

With no indication of any offsetting benefit to public safety, we object most strongly to these proposed new restrictions. At best they will attach an unwarranted level of administration to our sport. At worst they will also attract a significant volume of new fees. We respectfully request that your subcommittee recognize these changes as being unwarranted and superfluous.

The third and final item we wish to address is the fees for customs confirmation of non-resident imports. Schedule IV provides for a fee of \$50 for confirmation under subsection 35(1) of any importation by a non-resident not in possession of a valid Canadian firearms licence. Our objections are on a number of grounds. First, subsection 35(1) does not specify whether the \$50 fee is payable in respect of each firearm brought in by a non-resident at a particular time or whether it is payable for that one instance of importation regardless of the number of firearms involved.

Secondly, Canadian competitions are enhanced and the international competitiveness of Canadian shooters improved if we can bring international shooters to compete in our matches. We actively encourage such participation, and many shooters, primarily from the United States, come into Canada upwards of two dozen times a year to compete. Many of these Americans have been issued Canadian permits to carry restricted weapons by the appropriate CFO, often valid for a year at a time.

A typical fee for a one-day match is in the neighbourhood of \$25; a two-day match is under \$50. We ask you to recognize that the \$50 fee, particularly if it's a \$50 fee per firearm, will make attendance prohibitive. Even if the \$50 fee is levied only once and not for each renewal for a 60-day period as provided for by subsection 36(2), this requirement constitutes an unwarranted charge in the first instance and then requires up to five renewals each year to maintain that foreign competitor's permission to bring restricted firearms into Canada.

Thirdly, Canadian shooters routinely compete outside this country, in some cases 15 to 20 times a year. We have never yet encountered or been made aware of a similar charge being imposed on us by a foreign government.

In closing, IPSC Canada wishes to reiterate that it fully supports changes to the firearms control process in Canada that have a demonstrated effect of improving public safety. We have no patience, however, with changes that are being proposed only to impose pointless restrictions on law-abiding Canadian shooters and to severely restrict the legal enjoyment of the sport shooting activities.

We respectfully request your serious consideration of these recommendations in preparing your final report. Thank you.

**The Chairman:** Thank you very much, Mr. Rowe.


Gentlemen, I want to thank you for your presentations.

If I may, I'd like to offer the opportunity to members of our subcommittee to pose questions. Members of the subcommittee can pose questions to any of the three presenters they want, in any order they would like.

I would like to begin with Mr. de Savoye of the Bloc Québécois.

[*Translation*]

**Mr. de Savoye (Portneuf):** Messrs. Kirton, Whitmore and Row, I appreciated your presentations. They were very well structured. You have pointed out the irritants and the difficulties, to say the least, that will make life difficult for your members, especially the hunters and sports competitors.

.0950 

I would particularly like to thank the representatives from the Ontario Handgun Association for the excellent tables they presented and that point out the contents of the regulations which are inconsistent in many of their aspects according to what you are pointing out as well as the amendments that you would wish to see.

There are so many questions I could put: my colleagues will be able to raise other points. Mr. Kirton, I'd like to have another look at the matter of firearm registration for foreign competitors participating in sporting events.

You mention that in the United Kingdom, competitive firearm shooting associations can fill out a single form at a cost of about \$132., if I am not mistaken, to register up to four firearms for some 20 competitors.

Could you tell us who fills those forms? Does the association, which has been invited, do it for its participants? How could we apply such a process here in Canada?

[*English*]

**Mr. Kirton:** That particular form is the British form when our Canadian team goes to the United Kingdom. I mentioned that form to explain that they cover approximately 80 firearms for 20 competitors on one form, which, as I said, costs £60 or \$135.

Under the proposed regulations, we are uncertain - and the other gentleman mentioned the same thing. It appears that each time somebody wants to import a firearm they're going to have to get an import permit for \$50 for 60 days, apparently for each firearm. Obviously, the expense of this is going to be astronomical compared with the normal charges, for example, for our Bisley team to go to Britain.

[*Translation*]

**Mr. de Savoye:** So if I understand you correctly, when a team comes from abroad, according to the proposed regulations, the costs will be prohibitive in your opinion. During the year, how many of those competitors generally come here to Canada and do they come several times each or only once during the calendar year. In fact, concerning the 60 day period, what conditions could simplify things for those people?

[*English*]

**Mr. Kirton:** I'll let Colonel Kaulbach answer that because he can tell you how many competitors we have.

This is just for the DCRA at the Canadian national matches. Each provincial rifle association across the country has competitors coming in for their matches. As I explain in the brief, it's a practice for many teams. For example, the British team will normally come to Canada for a month and they will normally attempt to attend at least two provincial prize meetings before they go to the Canadian national prize meeting. So each team is normally here for about a month.

What are our total numbers?

**Lieutenant Colonel (Ret.) Tud J. Kaulbach (Executive Director, Dominion of Canada Rifle Association):** Last year about 175 foreign competitors came here. The British rifle team spent about a month in Canada. They went to British Columbia and then they came here. Between the competitors who come from Germany, England, in many cases Scotland or Ireland, the United States, Australia, New Zealand, on an average annual basis we're looking at about 175 foreign competitors coming to our national championships.

[Translation]

**Mr. de Savoye:** Thank you. We have just learned from this information that we're not talking about very many people, tens of thousands of people, but that there is quite a real need.

.0955 ☒

Concerning another matter, Mr. Whitmore, in explaining one of the tables I've mentioned before submitted by your Association, you mentioned that the definition of a person who has custody of a vehicle might mean that if this person is not the holder of the firearms permit and had custody of a vehicle containing a firearm then there may be an offence under the regulations and, of course, the Act. Could you be more specific about this situation? I'm referring to the table on page 5, still on clause 1.

[English]

**Mr. Whitmore:** I think it's more a matter of definition as to where the regulations state you cannot leave the vehicle unattended. If someone is in the vehicle who does not have the proper permits, there is the possibility they could be charged for being in possession of a firearm without legal permits, even though the person who had the permits to begin with left the vehicle for whatever reason - to get groceries or whatever.

I know it's nit-picking, but it is in there, and we'd just like a clearer definition as to the status of a person who's in attendance of a vehicle that has a firearm, if the person with the proper licences is not there at that particular moment.

[Translation]

**Mr. de Savoye:** So it would follow that a person with a small vehicle could be found to be in a situation where the firearm is not stored correctly and if the person leaves the vehicle for a few moments, then there could be an offence against the Act.

Still in the same vein, I also see that the shareholders of a corporation might find themselves under the obligation to be permit holders. There are all kinds of situations, and you point them out in your tables, where people will be under the obligation to be permit holders even though, in reality, reasons of employment, vehicle custody or others mean there is not really a relation between the person and the possession of a firearm. You seem to want to point out that the regulations create responsibility of firearm in the case of a person who, in reality, has no direct responsibility for that firearm. Could you explain these cases in a bit more detail?

[English]

**Mr. Whitmore:** I really don't know if I understand the question correctly in that we are opposed or have a problem with the people who, in relationship to a business, must, not necessarily have a permit, but be eligible to hold one. You're saying if these people are in a vehicle that is unattended by the person who holds the licence, they should...? Is that the vein of the question?

**Mr. de Savoye:** Actually, I was referring to the tables in your brief, where you state in several different places that persons who are not really in a direct possession relationship with a firearm might be deemed to be so. If they are shareholders of a small corporation, they may have a responsibility, and you are suggesting they shouldn't. Unless they are in a 50% shareholding position, they shouldn't be affected by the regulation.

You point out several other items of that nature in your brief. Those are the items I was referring to. Could you amplify your point of view on this?

**Mr. Whitmore:** We put that in there because the draft regulations are fairly wide open to interpretation, and we're concerned that the CFO is going to have to make exemptions for just about every business that takes part in selling firearms. The regulations are too broad.

We feel they are too restrictive on the businesses themselves in that they open up an avenue for refusal of a permit if someone who normally is not considered to have a direct relationship with the business is caught, in that they would have to be eligible for a permit, when in fact they really have no direct relation to the business whatsoever, nor are they involved in the handling of firearms.

.1000 ☒

So we're just more concerned about the generality of the regulation itself, without getting into specifics. I'm sure when the CSAAA or some of the other business groups appear before the committee, they will expand on that further. We just wanted to put that down as one of our concerns, as a comment more than anything, as something we caught.

[Translation]

**Mr. de Savoye:** I thank you and appreciate the depth of your research. This is an extremely interesting clarification at the very outset of our work. Thank you very much.

**The Chairman:** Thank you, Mr. de Savoye.

[English]

Mr. Ramsay.

**Mr. Ramsay (Crowfoot):** Thank you, Mr. Chair.

I'd like to thank our witnesses appearing personally here as well as the witnesses from Toronto.

I would like to ask the witnesses from the three groups, first of all, if there has ever been an incident involving an offence, an injury, or a death resulting from members of your various organizations and competitive sports or from transporting firearms to and from your destinations.

In other words, what I want to know is whether or not there was a problem arising from your groups that brought concern upon the government to bring in these regulations that are affecting you in the manner in which you have described to this committee. Have there been any incidences, perhaps even outside the terms I have given, that would have given rise to these regulations on the part of the government, which have caused the administration and the requirements you have opposed in your presentations this morning? I hope my question is clear.

I'd like to ask the witnesses from the Dominion of Canada Rifle Association to respond first.

**Mr. Kirton:** [*Inaudible - Editor*]...no fatality, no injury. We've been operating, as I mentioned before, for 129 years. We have no record of any case of lawbreaking, injury, or death in any of our events for nearly 130 years. Not one.

**Mr. Ramsay:** Thank you.

Could we hear from the Ontario Handgun Association, please?

**Mr. Cowlshaw:** Thank you, Mr. Ramsay.

There are two ways I can answer this question, with a short answer or with a long answer. The short one is no, and the long answer is, in the 40 years we've been operating as an association, we have no knowledge of a situation arising in the transport end of it.

**Mr. Ramsay:** Thank you.

**Mr. Rowe:** My response is very much like Mr. Cowlshaw's.

We have been operating in Canada since 1977 and have not had an on-range accident anywhere. To the best of my knowledge and to that of the authorities I've spoken with, there has never been a violation arising out of one of our members abusing transport permits, nor have there been any instances of foreign competitors abusing the permits they were issued.

**Mr. Ramsay:** Thank you.

We have heard testimony this morning from the three groups, in particular from the Dominion of Canada Rifle Association, that there seems to be a concerted effort on the part of the government simply to create obstacles that will reduce your numbers.

To what extent do you see this interfering with the growth of your membership? I'm speaking of the bill itself, the regulations on licensing, and the other regulations covered by this series of regulations, and of course we're waiting for the registration regulations to come forward as well. To what extent do you think it will reduce your members? Or will it have any impact on the growth of your organization?

.1005 ❌

**Mr. Kirton:** We have on record the fact that our membership has decreased by 1,000 members in the last two years. This is why we said in our brief that we foresee the sport effectively being eliminated over the course of the next 20 years.

**Mr. Ramsay:** Could I hear from the other two groups, please, on the same question?

**Mr. Whitmore:** Thank you, Mr. Ramsay.

Yes, we have seen already in effect, due to mostly Bill C-17, that the membership in our organization and also the membership in the clubs themselves is declining. We're having trouble attracting new people into the sport because of the hurdles that have to be taken: the permits, the investigations, and the cost. We expect that to increase considerably when these regulations are brought into force.

**Mr. Ramsay:** Thank you.

**Mr. Rowe:** Yes, Mr. Ramsay, we have already seen a decline in membership. We have seen an alarming decline in the number of firearms-related businesses in Canada.

I'm sure you can appreciate that this is a sport; it's a hobby. As it becomes more and more expensive, fewer and fewer people are able to participate. Every time a registration fee goes up, a licence fee goes up, or a new fee is imposed, someone has to drop out and someone makes a decision not to enter. That's over and above the trouble or the inconvenience associated with registration, which is going to cause some people to take the position that it's not worth it, so they're not going to participate.

With respect to Mr. Kirton's comment that this appears to be an attempt by the government to limit the civilian use of firearms, one need only read closely some of the documentation that has come out of the international firearms centre - in which Canada is an active participant - to see alarming references to further control of the civilian population or a greater degree of control over civilian firearms. This gives you an idea of where this legislation is going.

**Mr. Ramsay:** Then the obvious question is will the bill, together with the regulations, eventually kill your organization? That's the question.

**Mr. Rowe:** It's certainly going to restrict the size of the organization, and as you appreciate, as something gets beneath a certain size, it just doesn't have the critical mass to continue. Is it going to drive away the last civilian gun owner in Canada? Probably not. But it is going to dry up what has always been a recognized and legitimate shooting sport.

These sports have been assured by the government, going back a number of justice ministers, that we weren't the problem and we would get the exemptions. They said "It's not directed at you. Our thrust is the criminal use of firearms." I respectfully suggest to you, sir, that flat out isn't the case.

**Mr. Ramsay:** Are there comments from the other two groups on that question?

In time, are these regulations going to threaten the very existence of your organizations?

**Mr. Kirton:** We've identified that exactly. That's what we believe.

As I said, we've lost 1,000 people in the last two years, and we see the end of hunting and shooting in Canada within 20 years. It just is not going to be viable.

**Mr. Ramsay:** Mr. Whitmore, would you like to comment on that question as well?

**Mr. Whitmore:** Yes. All you have to do is look at the powers the government gives itself, particularly in section 117.15, by Order in Council, to see that if they want to reduce or eliminate civilian ownership of firearms in Canada, they certainly have the power to do so, by regulation.

The justice minister has already decided to ban or declare prohibited 58% of handguns, and many of the ones he prohibited are target guns. I have a \$3,000 Olympic target gun that Mr. Rock has now declared a Saturday night special, and I respectfully disagree with him.

You can certainly see the direction this government is going in. Yes, it will certainly very much hinder and probably kill the viability of the organization within a few years, particularly if we have any more of these prohibitions.

.1010 ❌

**Mr. Ramsay:** Thank you very much.

I'd just like to close with this comment. It's a follow-up to what we heard from Mr. Kirton in his opening presentation.

I've been in my riding of Crowfoot, Alberta, for the last couple of weeks. I've been all over that riding. We see herds of deer running all over the place, across the highways, into farmers' feedlots, and so on. They're running 25 to 30...and farmers report herds as large as 200.

The reason for this, I understand, is that fewer hunters are bothering with the hassle of running into a problem with the law simply to take out licences and go hunting. This is one of the consequences of the past laws dealing with the use of firearms, carriage, storage, and all that. Many people are simply refusing to go through the hassle. They really don't know where they are when they take a firearm out to go hunting and that kind of thing, and the consequences are very significant. In fact, in Alberta, in the area of Consort, the farmers were insisting that the provincial authorities attend a meeting dealing with the destruction of feed that's occurring at the hands of this large outgrowth of wildlife.

I want to thank all the witnesses for their presentation this morning.

Thank you, Mr. Chairman.

**The Chairman:** Thank you very much, Mr. Ramsay.

Mr. Maloney.

**Mr. Maloney (Erie):** I'd like to address my questions to the Dominion of Canada Rifle Association, to Mr. Kirton.

In your brief on page 4 you refer to our Canadian Bisley team going to the U.K. and paying a bulk fee, from 1 to 20, for a total of \$132 or £60. Is that the same fee for one person? The fee is from 1 to 20, you said.

**Mr. Kirton:** No, the fee for the individual who is seeking an import permit and licence into Britain for anything up to four guns is £20.

**Mr. Maloney:** Or roughly \$40.

**Mr. Kirton:** Yes.

**Mr. Maloney:** Is that exorbitant, or do you feel that's a fair fee?

**Mr. Kirton:** I think that's fair. We have the definition that you're allowed up to four firearms on that one permit. The current draft regulations don't specify. They grant an import permit for a period of 60 days. They don't say whether it covers one firearm or more than one firearm. That's one of the objections that we and some of the other groups have mentioned.

**Mr. Maloney:** The fee for a confirmation under subsection 35(1) of the act - that's the importation by a non-resident with a licence - is \$50. The regulations provide for a waiver of this fee if, within 60 days of the issuance of the confirmation, the non-resident requests one or more confirmations.

**Mr. Kirton:** Yes, but that sort of situation won't occur. If these people are coming either for hunting or for competitions, 60 days is going to cover a two-month period. The chances of them deciding to stay on for another two months is very unlikely. These are going to be "one of" instances and they are very unlikely to be renewed.

**Mr. Maloney:** The regulations provide for one free renewal.

**Mr. Kirton:** Yes, I know, but a free renewal for another 60 days. Do you see what I mean? If a hunter or a competitive shooter comes, he's not going to stay on for an additional two months. It just isn't going to happen. They come for usually a period of up to a month, maybe a month and a half at the outside.

**Mr. Maloney:** Do you consider this fee of \$50 exorbitant?

**Mr. Kirton:** Yes.

**Mr. Maloney:** What would you recommend as an alternative?

**Mr. Kirton:** That's a hard question to answer, but I certainly don't think it should be higher than an international fee, for example, the British fee. I'd like the definition added as to how many firearms it covers. Is it a one-time charge per firearm? If that is the case, then I think it's highly exorbitant. If it covers up to ten firearms that a competitor or a hunter might want to bring into the country, then it is not so bad.

**Mr. Maloney:** You've indicated that the British fee is roughly \$40. Can you tell us what the fees are for any other jurisdictions?

**Mr. Kirton:** I don't know of any other countries that have fees. I believe the Australians do. The Americans certainly do not.

**Mr. Maloney:** Thank you very much.

**The Chairman:** Thank you very much, Mr. Maloney.

Mr. de Savoye, do you have any other questions?

**Mr. de Savoye:** No, I don't have any further questions.

.1015 ❌

**The Chairman:** Ms Whelan.

**Ms Whelan (Essex - Windsor):** Thank you, Mr. Chairman. I just want to follow up on Mr. Maloney's questioning.

Mr. Kirton, is the British fee for teams a special classification for teams? I'm just trying to figure it out - \$40 for one person, \$132 for up to 20...?

**Mr. Kirton:** It is £60, which is about \$135.

**Ms Whelan:** So there's obviously a special classification for teams that we're not allowing for in our present regulations.

**Mr. Kirton:** That would probably be the case, yes.

**Ms Whelan:** In your opinion, does the U.K. have similar or tougher laws for firearms - not just for competition?

**Mr. Kirton:** Generally speaking, under the current situation they are fairly comparable. As you're probably aware, they are in the process of attempting to pass a new bill pertaining to handguns, which is quite restrictive, more restrictive in some respects than ours, although most of the press reports that you might have seen are misleading. I have a release on the current British bill with regard to handguns. Contrary to what you usually see in the media, the new British restriction does not apply to any handgun made prior to 1918, unless it is a nine millimetre calibre.

As far as long arms are concerned, for the last 20 years long arms have required registration in Britain. Again, they have special classifications for antiques and relics, which you are proposing currently in Bill C-68 and in the draft regulations to register, whereas in Britain most of those do not require registration. There are wide differences that sort of criss cross. They are very hard to compare directly.

**Ms Whelan:** I have one question to all three of the witnesses, and maybe we can start with Mr. Kirton.

Were you involved in any consultations with the justice department with regard to the drafting of the regulations?

**Mr. Kirton:** I was first a witness before the justice and legal affairs committee in 1971. I've been there quite often. Back in 1971 we had an arrangement with the justice department, and we had a group that negotiated and assisted the government with many of the definitions that were in the former act.

Since the introduction of Bill C-68, in spite of numerous offers on our behalf to assist or advise or consult with the government, we have consistently been turned away from any consultation.

**Ms Whelan:** Thank you.

**Mr. Whitmore:** We were involved in briefings at the Canadian Firearms Centre on two occasions with the regulations. We were briefed on the draft regulations at that time and we made comments on them. A lot of the comments we're making here today were given to the members of the Canadian justice centre at that time. So we were involved to a certain extent. We gave our opinion on some of the drafts that came about, but that's about as far as it went.

**Ms Whelan:** Would you say, Mr. Whitmore, that those consultations are reflected in the changes you see today or not? There are no changes from your session?

**Mr. Whitmore:** There were some changes made, yes, that we had recommended. I have to say that they did take a few of our suggestions.

**Ms Whelan:** Thank you.

**Mr. Rowe:** Yes, Ms Whelan, we were involved in a number of instances in consultation with the Department of Justice through the Firearms Centre. I must say that a number of our recommendations have been reflected in the draft regulations, and to an extent our concerns have been reflected in the fee schedule that's now before you. But one never gets everything one's after.

.1020 ❌

May I just take a moment to reply to a question you directed to Mr. Kirton? You were trying to get a handle on the size of foreign fees.

The International Practical Shooting Conederation recently held a world championship in Brazil, where handguns are very strictly controlled. There was no permit fee. Each competitor received a special permission from the Brazilian military. You were asked to indicate the flight on which you would be arriving. The military met that flight. They checked the serial number of your firearm. They checked that the number of cartridge magazines you were bringing into the country was exactly what you said you would bring in. They stamped the permit and sent you happily on your way into Brazil.

Their other concern on the way out was that you again took exactly the same firearms and the same number of magazines out of the country with you. So at your port of embarkation, the military again checked that this stuff was in your luggage. They sealed your luggage and put it into the hands of whichever carrier was taking you out of Brazil.

That was the extent to which they were involved in controlling the entrance of foreign firearms into Brazil. And there was no fee levied to the competitors.

**Ms Whelan:** I know that the Canadian government has moved to a more kind of cost-recovery method in all departments, and I guess we're seeing that through the gun laws that are in place and being proposed. I don't imagine Brazil has that in other areas as well. I'm not sure if it's the fee per se or if it's the amount or the complication of the fee that's really the problem.

What I'm hearing is that to go to the U.K., you can bring a team in there and you are subject to certain fees. There is a recognition there as well, I guess, of a certain type of cost recovery. I don't know what Brazil's government does. I do recognize what you're saying. There are substantial differences, and they do have strict handgun laws.

What I'm trying to understand is what is fair and what would be acceptable for competitors in Canada and people coming to Canada. I don't know if you can speak to that or not, Mr. Rowe.

**Mr. Rowe:** I'll try to speak to it, because we have a number of competitors, primarily from the United States, who live close to the border and who come into Canada for competitions two and three dozen times a year for regular, small, one-day competitions. If we hold a Canadian national championship or a North American championship, we could easily attract 150 foreign competitors to that match.

The Americans who come up regularly will apply for a permit to carry in many jurisdictions, the same as any Canadian citizen would have for restricted firearms. Those are often issued for a full year, the same as mine would be or Mr. Whitmore's would be. Coming across the border, they're required to declare their firearms, present evidence of their permit, and the only thing further is "Thank you, have a nice day".

A number of American competitors will tell you that the big difficulty isn't getting the gun into Canada; it's proving to the American authorities that you originally took it from the U.S. before they'll let you bring it back.

Someone who wants to compete on a regular basis can make this provision once a year and can come through the border with no further cost or trouble to Canada Customs than they would have if Mr. Whitmore or Mr. Cowlshaw or myself were returning from a competition in the United States.

**Ms Whelan:** That's as it exists now, or under the proposed regulations?

**Mr. Rowe:** That's the way it exists now.

**Ms Whelan:** The way it exists now. Under the proposed regulations, that would change?

**Mr. Rowe:** You bet it would. The proposal now is that there will be a \$50 fee when this American comes across the border. We don't know yet whether it's per entry or per firearm per entry. That will have to be renewed every 60 days, five times a year if a person wants to stay in force. And we don't know yet whether the \$50 fee, whether it's per entry or per firearm, will again be levied on the renewal process. We don't know that.

**Ms Whelan:** It's my understanding from discussions I had with the justice department officials after the briefing we had back in December that there is the possibility that Americans coming into Canada could go and take the course in Canada and qualify for the firearms possession certificate the same as Canadians.

Now, I'm not sure that solves the problem. I'm not sure if Americans would be willing to do that or would want to go to the expense of the course and the cost of the firearms possession certificate, but that should eliminate some of the problem. That's what I was told in December. I'm not sure that is 100% accurate still. Would you agree that it would eliminate it, or not?

.1025 ✖

**Mr. Rowe:** If that possibility exists, you're asking an American to come up here for, let's say, a weekend, because most of the FAC course and examinations will run two days; to absorb the attendant lodging costs of being here; and to pay a fee of, let's call it \$100, for the course. Their attitude is going to be, "Why do I want to do this? Why have I suddenly become less safe, less capable, less reputable than I've been for the last five years?"

Believe me, before a chief firearms officer will issue a carry permit to any one of these individuals, he has received a letter of recommendation from the hosting organization and a letter of endorsement from the individual's local police agency saying there are no restrictions on his owning handguns at home, there are no criminal warrants or charges outstanding against him, and there have been no safety violations.

These people who have come up here are very capable shooters. If I were in their position, I'd have to say, "This is an inconvenience and it's expensive. There are no additional costs to the Canadian government that weren't there last year for me to come up for a match. Why are they doing this, other than as an attempt to pay for some Airbus legal fees?"

**The Chairman:** Mr. Kirton, did you want to comment on that?

**Mr. Kirton:** Yes, I wanted to add to that.

As we've identified in our brief, for people coming in from overseas, technically if they want to buy ammunition in Canada - and overseas visitors who are flying into the country are not allowed to carry ammunition, so they are forced to buy it - they have to have a Canadian possession licence.

In order to get the possession licence they have to first take the test and pay for the licence. If we are talking about a restricted firearm, they have the additional complication of going through additional checks, and they have to pay again for that licence. Then they have to pay for the import permit, and as we have said repeatedly, we don't know whether that's for one gun on one occasion or for more than one gun. So it isn't just showing up at the border and getting an importation permit; it's all the other stuff that goes with it.

It seems to me if you allow for the escalating fees, which are going up rapidly by 2001, particularly a U.S. competitor who wants to come into the country to compete in Canadian events is going to have a \$60 licence, plus whatever his transportation permit costs, plus the trouble of paying for the tests to get the licence, plus the importation fee. They're just going to say, "Why bother? It isn't worth it." They won't come.

**Ms Whelan:** I understand your point, Mr. Kirton. I do live in a border community and do have a number of concerns about historical re-enactors, which is an issue we'll discuss tomorrow at the committee.

I have one final question, and I'm not sure if Mr. Kirton or Mr. Rowe would like to answer it.

Do we have any idea of what the effect will be on proposed competitions in Canada, on both the calibre and the number of international competitors? Is there any financial dollar loss we can put on that, to tourism or to the business sector? I'm not sure if you can answer that or not.

**Mr. Kirton:** I can make a rough guess. If, say, a European competitor comes to Canada to compete in the Canadian national matches and maybe in one or two other matches and he's here for a month, I'm pretty sure he spends at least a few thousand dollars in transportation and living expenses while he's in the country for a month, at the very least. That's each individual.

**Ms Whelan:** Thank you.

**The Chairman:** Thank you very much, Ms Whelan.

Mr. Ramsay, do you have any further questions before we break?

**Mr. Ramsay:** Yes. Thank you, Mr. Chairman. I'll try to be as quick as I can.

Further on the cost, the justice minister has indicated the cost for this whole registration set-up will be \$85 million. We have heard this may not be full disclosure as far as cost is concerned.

.1030 ✕

The licensing process to license the owners is similar to the FAC process when an application is made for an FAC. The only figures I have seen for the FAC process were done by the Metropolitan Toronto Police Services Board for 1994, and the cost was estimated to be approximately \$180 per FAC application. Under section 5 of the act, the process is going to be very similar for a licence.

If it is true that the cost is in that area, then if we're looking at 3 million to 6 million gun owners, taking the low figure, we're at \$540 million just to licence, and taking the higher figure of 6 million - and I heard 7 million this morning - it will be over \$1 billion. And that's before a single firearm is registered. That's just to license those 3 million to 6 million gun owners who would apply for a licence and would have to have a licence in order to keep their firearms.

Have any of the three organizations represented here this morning conducted any cost studies into what this bill will involve? In particular, have you looked at the \$85 million figure to see whether it is a realistic estimate as to what it's going to cost the taxpayers - not the gun owners, but the taxpayers, because the \$180 for the processing of an FAC is borne by the taxpayer, not by the applicant?

**Mr. Kirton:** I would like to answer that question.

When this figure of \$85 million was first posed, we studied it. We had a number of figures.

In the initial stages, the Toronto police had identified that to register a firearm - and this was based, I think, on their previous experience in registering handguns - they had come up with a figure of \$86 per firearm. Then the Sûreté du Québec came up with a figure of, I believe, also \$86 each to register every firearm in Quebec, including all long guns - in other words, shotguns and rifles that had never been previously registered. That was just for the province of Quebec, just for all the long guns, allowing for the fact that handguns were already registered.

Based on the Quebec population being approximately 25% of the country's population, if you had a figure of \$86 million, you obviously would come up with a figure of something like \$1.2 billion just for the registration.

But as proposed, the justice minister's plan is not just for the registration of firearms; it's for the licensing of every owner. It's a cost to all people who do not currently have the wherewithal for an existing FAC. If every new individual is going to have to pay for the test - and currently it can run somewhere between \$50 and \$150 to do the course required to take the test - then you have an escalating fee. This year it's going to be \$10, and much was made of it being \$10, but three years down the road it's \$60. That's good for five years.

Then you have the individual registration of each firearm, and we've been told \$10 will cover you for your first 10 guns if you register them the first year. But in the second year it escalates, and in the third year, and by 2001 those first 10 guns aren't going to cost you \$10; they're going to cost you \$60.

We understand the plan is that this new Canadian Firearms Centre will be built at the former base in Chatham, New Brunswick. We have heard figures on a budget for this building. This Canadian centre of firearms registry is going to take a big chunk of money. And eventually, when the money runs out - we only have fees up to 2001 - after 2001, it would appear the fees will escalate very rapidly.

.1035 ✕

That is why we said in our brief that we believe 10 or 15 years from now only the very wealthy and aboriginals will be able to afford guns in Canada.

**Mr. Ramsay:** Mr. Chairman, I'd like the other two groups represented this morning to respond as well, if they would, if they have anything to add.

**Mr. Whitmore:** One thing we'd like to add, Mr. Ramsay, is that according to the government's own studies - I believe it was the Wade report on the registration process, which was done about a year and a half ago - the estimate came to between \$86 and \$130-odd per gun to register it under the current system. Of course that is not including the licensing provisions we're getting into right now, which, as you say, are similar to the FAC.



In Ontario right now we are experiencing a 12- to 15-month delay for an FAC to come from the chief provincial firearms office, and that is only because approximately 150,000 people took advantage of the grandfathering back in the fall of 1995. Now we're looking at several million people who are going to be scrambling to get these licences, and it's just going to totally overwhelm the process we have right now. In fact the CPFO had to double and triple their manpower to handle the FACs through the grandfathering.

The other thing is that none of these fees include the cost to the firearms owner of the courses they're going to have to take, which, as DCRA has mentioned, is approximately \$100 to \$150 per person.

Also, I believe the justice minister has admitted recently that the whole system is going to cost a little more than the \$85 million he predicted. I would say he was quite a bit off base on that.

It's interesting to note that you have four provinces and two territories refusing to comply or to implement this, mainly due to cost. Quebec alone, last year when the bill first came down, was asking for \$300 million to implement the legislation in Quebec.

So yes, the answer to your question is I believe the \$85 million fee is a fantasy.

**Mr. Kirton:** Could I say something else?

**The Chairman:** Yes.

**Mr. Kirton:** A couple of months ago I had a call from the RCMP and they asked if they could come and talk to me. The area of discussion was serial number records and how the justice department was going to record the registration of guns.

Basically they had reviewed serial number systems on guns and they had discovered that a lot of manufacturers don't use a constant serial-numbering system. For example, a very large manufacturer, Mauser, which has made rifles since 1898, has made a practice of serial-numbering for five-year periods. Every five years, because they make a large number of guns, they go back to zero. So potentially, if you take from 1898 to 1997 - a hundred years - and the number series has changed every five years, you might have anything up to 20 guns with the same serial number.

Some manufacturers didn't do that. A lot of manufacturers didn't serial-number at all. So the recording, even with computers, of all these serial numbers is very complicated, and the RCMP had been asked to investigate different methods.

One method was to have a sticker with a Canadian justice department-originated serial number on it, and this would be applied. But then, because people take guns to pieces, where would you put this sticker? It could be on the action or the barrel or the stock.

Then they came up with a scheme - quite a sensible scheme in this day and age - to insert a microchip in each rifle. We just recently had a case where microchips were inserted under the skin of animals by the SPCA. Their cost to install a microchip on an animal was between \$60 and \$70.

.1040 ✂

Somewhere this registration system of identification - which is apparently part of the scheme, based on what the RCMP told me - also has to be paid for. Presumably the poor old gun owners are the ones who are going to get stuck paying for that too, perhaps to the tune of anything up to \$100 per gun just to register it, because obviously the justice department doesn't want to pay for any of it; they want to recover it.

**The Chairman:** Thank you, Mr. Kirton.

Before I move on to Mr. Maloney, I'd like to give Mr. Rowe a chance to comment on this question as well.

**Mr. Rowe:** Thank you.

We've all heard the \$85 million figure. We have some serious concern about it, but the magnitude of that concern is really hard to grasp, because it involves a huge number of rifles and shotguns that have never been subject to registration before. So we have a tremendous diversity on the estimate of the number of these that are out there and are now going to have to come in to the registration process.

The concern among the firearms community is that if this \$85 million figure is sacred, and recognizing the reluctance of governments to pass on any more cost to the taxpayers, once we start exceeding that number - and exceed it we will, and it's only a question of by how many orders of magnitude we'll exceed it - if the taxpayers aren't going to pay it, then we as firearms owners are going to have to pay it.

This leads to Mr. Kirton's problem. Once we get beyond the current schedule of fees and someone realizes, "Whoops, we have a heck of a shortfall to deal with", are we going to look at fees that will drive the final nail in the coffin of the shooting sports?

As to the number of people who aren't getting into the sport, as one of the largest providers of the FAC course here in the Toronto area, I can tell you many people come to us and say, "Let me make sure I understand. The course and the exam are going to cost me in excess of \$100, I'll wait 12 to 15 months for an FAC, and by then I'm going to have to register every gun I buy and pay for another permit to use it? Forget it. I'll take up badminton." That's what's happening.

I don't believe for a moment that it is not fully the intent of this government to do everything it can to get more and more people to decide it's either too much trouble or it's too expensive, so they're not going to shoot any more.

Thank you.

**The Chairman:** Thank you, Mr. Rowe.

Mr. Maloney, do you have a couple of questions before we break?

**Mr. Maloney:** Yes, I have a couple of quick ones.

All members this morning have given us an exemplary discussion on lack of incidents and the safety of your people when they're carrying their guns to the range and elsewhere. Do you feel the existing regulations play some role in this, or would this just have happened ordinarily? Do you think if we made them less restrictive this would change, or if we made them more restrictive this would improve?

What impact, if any, do the regulations have on your exemplary safety records?

**Mr. Kirton:** Can I answer that?

**Mr. Maloney:** Sure.

**Mr. Kirton:** We've been functioning for 130 years. Our safety record is almost perfect. We've had handgun registration for 60 years, since 1934, and I don't believe the registration or licensing of individuals has really had any effect on our safety record.

Our safety record was very good long before there were any regulations.

**Mr. Maloney:** We're talking about more than registration, though, in these regulations.

**Mr. Kirton:** Do you mean the fact that individuals have taken a safety course?

**Mr. Maloney:** And even the requirement that you can only transport it between your home and the range, etc. Has that been a problem or has that contributed to the good safety record?

**Mr. Kirton:** Currently, if rifle owners have an unrestricted weapon, they have no restrictions on transportation. That is something being proposed as part of your new regulations.

I know I'm talking for myself when I say if I transport firearms to a range in my station wagon, which I do quite frequently, I don't want to have those firearms stolen, so I personally, as a daily practice, follow every one of the regulations you are now proposing to introduce as regulations. I've been shooting for 50-odd years and I've followed that practice for the last 50 years, because I don't want to see any of my firearms stolen anyway.

.1045 ❌

But to say the regulations will have an additional or new effect on the safety of the way we or any of the other associations conduct matches, competitions, or range operations, I don't think they will have any effect at all, no.

**Mr. Maloney:** Mr. Whitmore, do you have a comment on that?

**Mr. Cowlshaw:** May I answer that question, sir?

Rather than give you my opinion or the opinion of shooters in Canada, I'd like to support the comments by saying take a look at our insurance. The insurance companies of Canada have recognized that the accident rate with shooters is very low, to the point of being negligible. They give us liability insurance to the tune of \$5 million a year for \$4 a year. Where else could you find an organization that has the respect of a large business to get that kind of coverage?

**Mr. Maloney:** I appreciate that, but do the existing restrictions on handgun owners now contribute to that situation?

**Mr. Whitmore:** Handguns have been registered since 1934 in this country. The emergence of competitive handgun shooting came about probably after the Second World War. In fact the Ontario Handgun Association was founded in 1957.

The incidence of handgun-related accidents was extremely low to negligible even at that point in time. When we instituted our safety courses for members and clubs back in the late 1960s, it just enhanced that safety to the point we're at now, where, as we mentioned in our presentation, in Ontario, probably back as far as 40 years, we haven't had an accidental fatality on a civilian handgun range.

The people involved in the sport are extremely responsible and extremely safe. [*Technical Difficulty - Editor*]...regulations probably wouldn't have any effect whatsoever, because we are already probably as safe as we possibly can be right now.

**The Chairman:** Thank you very much, Mr. Whitmore.

If there are no further comments on that question, I want to thank our witnesses this morning for excellent presentations.

You've obviously spent a good deal of time on your presentations. You obviously know your subject matter very well and you present it very well. It's been very much a help to this subcommittee. I can't say what the end result will be, but I will assure you that all of your comments will receive very careful consideration.

Thank you very much.

I would now like to adjourn for 10 minutes.

.1048 ❌

.1100 ❌

**The Chairman:** I would invite the witnesses to come to the table, please.

We have here in Ottawa representatives from the armoured car industry, and by teleconferencing from Toronto we have Mr. Rob England, legal counsel for Loomis Armored Car Services.

I would ask the witnesses here in Ottawa from the armoured car industry to introduce themselves, please.

**Mr. Gordon Cameron (Legal Counsel, Brink's Canada Limited):** Thank you, Mr. Chairman. My name is Gordon Cameron and I'm solicitor and counsel to Brink's Canada Limited. With me today is Nancy Brooks, a solicitor with my firm, and Mr. Fred Meitin, an employee of Brink's Canada.

[Translation]

**Mr. Pierre Gelderblom (Director, Investigations and Security, SECUR Inc.):** I'm Pierre Gelderblom and I represent SECUR Inc.

[English]

I'm here representing SECUR. I'm director of investigations and security services.

[Translation]

**The Chairman:** Thank you, sir.

**Mr. Mario Blanchette (investigator, SECUR Inc.):** I'm Mario Blanchette and I'm an investigator with SECUR Inc.

**The Chairman:** Thank you, sir.

[English]

**Mr. Anthony Reid (Vice-President and General Counsel, Universal ATM Services):** My name is Anthony Reid. I'm representing Universal ATM Services Inc. of Toronto. I was expected to be in Toronto, but I found my plans took me here so I joined you on short notice.

**The Chairman:** Thank you.

**Mr. Gordon Ireland (Officer, Operations, Protective Services, Infrastructure Services, Bank of Canada):** I'm Gord Ireland of the Bank of Canada, and I'm head of security operations. I'm here only as an observer this morning.

**The Chairman:** I would ask the representatives here in Ottawa to make their presentations. Then we will ask Mr. England in Toronto to make his presentation, following which we will open the meeting to members of the subcommittee to pose questions to any of the witnesses from whom they would like answers.


If I may, I will begin with you, Mr. Cameron, and then we'll go on from there.

**Mr. Cameron:** Thank you very much, Mr. Chairman.

We have submitted to you for circulation a brief that addresses Brink's concerns. Since finalizing that brief, we have spoken with Ms Saint-Denis, who has addressed some of our concerns. I'll try to touch on those as I go through the brief. With your permission, we may follow up with a revised brief that addresses our recent discussions with Ms Saint-Denis on some of the points.

Brink's appears before this subcommittee to comment on the effect of the proposed regulations on Brink's operations, and in some cases it's the interaction of the proposed regulations with the legislation that generates the problems we foresee.

Brink's, as I'm sure is also true of my colleagues here at the table and in Toronto, is committed to operating armoured car services in a manner that assures to the greatest extent possible the safety of the public and the safety of Brink's employees. Brink's has proceeded in making these submissions on the assumption that the underlying purpose of the Firearms Act and the regulations enacted under that act are to enhance public safety. It's our submission that there are some aspects of the draft regulations that will work counter to that goal.

.1105 

Brink's concerns relate to four areas.

The first is that the proposed regulatory scheme will have a detrimental effect on Brink's ability to hire and retain competent employees.

The second is that the scheme as it relates to registration certifications requires clarification and perhaps amendment.

Third, the scheme as it relates to individual firearms licences requires clarification and perhaps amendment.

And finally, there will be an unwarranted increase in the financial and administrative burden of compliance with the proposed scheme.

Understanding that we don't want to digress too far from the regulations, I think nonetheless it would be helpful if I pointed out to you a little bit of background about Brink's, and it's likely to be true of other armoured car companies as well.

Brink's is in the business of handling, transporting, and protecting cash and other negotiable instruments. Brink's conducts its operations in every province in Canada and employs about 1,800 armed personnel, who work in Brink's armoured trucks, with branch offices at 45 locations across the country.

According to the classification of firearms under the new regime, Brink's acquires and utilizes two types of firearms: non-restricted firearms, which are the shotguns; and prohibited handguns, which are revolvers with a barrel length just very slightly shorter than the minimum barrel length for it to be in the restricted category.

The fact that Brink's handguns and some of the other armoured car companies' handguns are prohibited weapons is just due to the fact that historically they have used a handgun that, by coincidence, is very marginally shorter than the minimum amount. The legislation has been drafted to accommodate that, so the Brink's guards will be able to continue using those guns. So one major problem we could have had was avoided by the consultation process that preceded the legislation.

I should say Brink's imports its firearms from the United States. They are stored in Brink's central security repository in Montreal. Currently Brink's holds a corporate firearms acquisition certificate and registers all of its firearms under a corporate restricted weapons registration certificate.

As the need arises, Brink's transports the firearms from the central repository to its branch offices, where they are stored and signed out to individual guards. In the case of permanent, full-time employees, Brink's assigns a particular handgun to the individual on a permanent basis. The handgun is carried by the permanent employee while carrying out his or her duties and is then returned to the branch office for secure storage at the end of the shift.

Part of the administrative burden that I'll be describing later on arises because the armoured car industry makes significant use of part-time employees. This is because the nature of the work often has a fluctuating demand level for employees. Another aspect of that is employees are often moved to areas where there is significant activity. So we're hopeful that the regulatory scheme can be amended to reflect that reality of our industry: that it is not composed entirely of full-time, long-term employees operating out of a single location.

Each branch office has a pool of handguns, and handguns from the pool are signed out temporarily to a part-time guard when he or she comes on duty. Part-time guards may only work two days a week or once every three weeks, so they're not necessarily assigned the same gun. As a matter of fact it would be just by coincidence if they were assigned the same gun each time they came in.

In all cases, as I say, the handgun is returned at the end of the shift to be secured on the Brink's premises until the person returns for further work. The inventory of firearms is audited on a daily basis to make sure a careful accounting is kept of all of them.

When an armoured car goes out to perform its appointed tasks for that day, each person on the crew will have his or her prohibited handgun, the one that was assigned to them. Then, depending on the nature of the operation, there will also be at least one and sometimes more shotguns, which are not assigned to a particular person, though someone signs them out. They are in the vehicle for the use of whomever in the unhappy event that their use is needed at all, is appropriate at the time.

.1110 ✕

Brink's holds the registration certificate for all firearms that it uses and tightly controls its inventory and the movement of firearms. Brink's never registers its firearms in the names of individual employees.

One more point about Brink's, and I think this is common, if not universal, in the industry, is our hiring practices. We trust this committee will appreciate the importance to Brink's and to other companies in this industry of obtaining highly competent and reliable employees and the need we have to ascertain the competence and reliability of those employees before a decision on permanent employment is made. Brink's hires its employees subject to a six-month probation period. Currently, in order to be taken on as a probationary employee, an individual must have successfully completed the Canadian firearms safety course. He or she must have passed the associated test and must hold an FAC - the individual employee pays for the cost of this course - with whatever other educational qualifications that employee brings to Brink's when they apply for employment.

Once hired by Brink's each employee pays to obtain the FAC renewals from year to year. Brink's uses the six-month probationary period to assess the suitability and competence of newly hired employees and to terminate the employment of employees who do not meet Brink's stringent competence, safety, and security requirements.

Currently, the cost to an employee of becoming qualified to work for an armoured car company is about \$180. The Firearms Act as enacted and the draft regulations if enacted will impose a significantly greater financial burden on prospective job applicants under the new regime. Prospective employees would be expected to pay significantly more to obtain the appropriate licence, and there's the as yet unknown cost of the safety course that the employees will have to take.

The entry cost is exacerbated by the requirement, recently imposed, for example, in British Columbia, that prospective armoured guards attend a two-week training course as a pre-condition to being issued a permit to carry. The cost of the two-week training course in British Columbia is \$925. The result is that the cost for a prospective Brink's or other armoured car employee in British Columbia, before even knowing they're hired, is \$1,000. To give themselves the credentials to work for any of the armoured car companies in British Columbia, a person who may not even be looking at this as a career, or may be looking at it as a source of part-time employment, will now be looking in the new regime at an increase from about \$180 to perhaps \$1,000, if British Columbia is representative.

Brink's is also concerned about the impact of the renewal fees under the new regime - renewed licensing fees for individual employees - because this is something the employees will foresee, and they will either not seek employment or they will decide they won't continue employment, especially if they are part-time employees not earning enough from the job to make it worthwhile. Each one of these fees that these employees pay makes the job less and less attractive to them.

In the long term Brink's believes - and we are seeing this in British Columbia already - that these entry costs and the licensing maintenance costs will severely limit our ability and the ability of our fellow companies in the armoured car industry to hire competent and qualified individuals. We have seen this in British Columbia already. There has been a definite drying up of the pool of potential employees because of the costs they see of getting into this industry.

Accordingly, it is submitted that the licensing and safety course fees should be reviewed by this subcommittee and set at levels, where they are sought with respect to a potential employee in the armoured car industry, to ensure that they do not pose entry barriers to prospective employees or barriers in retaining our current employees.

.1115 ✕

Furthermore, it is Brink's submission that the federal government, through this subcommittee where possible, should play a role in ensuring that mandatory training courses imposed by the provinces on armoured car guards in particular are truly necessary to further the goal of public safety.

I have come to the point in my brief where I will discuss the proposed regulatory scheme relating to registration certificates and individual licences. This is the area of our submission that, as I say, doesn't reflect some comments we've received from Ms Saint-Denis, which we're going to have to consider the significance of, so I will deviate somewhat from my text.

Brink's, as I'm sure is true of all of the other armoured car companies, owns all of the firearms that are utilized by its armoured guards, and they're signed out. No armoured guard brings his or her gun or shotgun to work and uses it. Brink's wants to continue this practice, and we trust it would be the expectation of this regulatory scheme and the preference of the government that this practice continue - that is, that the armoured car company maintain a tight and centralized control over the firearms used as it carries out its business.

I won't go through all the legislative provisions in the brief, because it would be time-consuming and probably difficult to follow from an oral presentation anyway, but the concern we have is that the tendency of the statutory scheme and the legislation will be to cause a proliferation in the number of firearms we will have to have on our premises. This is because it will be more difficult for us to move firearms from place to place and assign them to these employees, who, as I say, might be called in for a week at one time or called in for a week once in Ottawa and then a week in Brockville, etc.

Without following the bouncing ball through the various legislative provisions that get us to this result, I'll just say we're concerned that the import of this scheme is that we're going to have to keep many more guns at each location because of the registration requirements and the fact that weapons have to be tied to particular employees.

Those provisions simply don't fit with the way our industry operates, and if our industry changes to adapt to those provisions, the change will be by a proliferation of firearms. We will have to have many more shotguns and many more handguns so that we have the ones that are tied to specific employees. We'll have to have more, because employees will be moving from office to office, and we don't want them to take their firearms with them.

This result certainly doesn't further one of the goals of this legislation, which is to minimize the number of firearms in circulation in the country and to track as closely as possible and in a centralized way who has them and what they're doing with them.

Brink's therefore requests that the regulatory scheme be revised to clarify that the armoured car company will hold a registration certificate for each firearm used by its employees in the course of business and that whatever clarifications are necessary be made so Brink's can continue its practice of having a minimum number of firearms in each location, with the flexibility to sign out any given firearm to whichever employees happen to be working in that office at that time.

I'll move on now to my final point, which is the increased financial and administrative burden of the proposed scheme. I described earlier the burden on our employees. To the extent that the industry reacts to that by internalizing those costs, it will be a very significant burden indeed, because, as I say, some of these employees are not working for these companies as a career. They see it as a short-term opportunity or a part-time opportunity ancillary to a full-time job they have.

The investment for each employee may be difficult to justify based on the length of time that employee might be working. From Brink's point of view, if the costs are internalized, it's a question of greatly increased costs - some five- or ten-fold - from what it was under the old regime for the training of each employee.

.1120 ✕

There are also a number of new fees, none of which are related to the goals of the legislation of enhancing public safety and security. This industry and its clients and customers need the increased cost of compliance with these regulations no more than any other industry in Canada needs to be burdened with the costs of regulatory compliance. Indeed this regulatory scheme and the fees imposed by it run contrary to the general trend and salutary policy that has been pursued by governments over the last few years of simplifying regulations and making it easier for industry to come into compliance with the regulations, without any significant financial burden.

Brink's faces new fees associated with authorizations to carry; new fees for registration certificates for individual employees; increased fees for individual licences for acquisition and possession of non-restricted firearms, restricted firearms, and prohibited firearms; and increased renewal costs as the government strives for full cost recovery.

We are expecting fees for a restricted firearms safety course, as yet unspecified. As I say, if internalized, that will be a burden, and if externalized, it will be a barrier to the desirable employees we want coming into our industry.

We will have increased business licence fees as the government strives for full cost recovery and new fees relating to authorizations to import firearms.

I don't think any fees go down as a result of this regulatory scheme, and there are some entirely new fees. Brink's respectfully submits that the proposed regulatory fee structure should be reassessed as it applies to the armoured car industry to ensure that any increased burden is truly justified.

It appears likely that the cost of administering the regulations will be considerably less on a person-by-person basis where an armoured car company centrally manages the registration of its firearms. Put another way, we predict that in dealing with the 800 Brink's employees and their authorizations, your administration will have a much lighter administrative burden than it would, say, dealing with 800 hunters and sports people applying individually, uncentralized and uncoordinated, from their various locations - I mean 1,800 armoured car employees.

We consider it reasonable that this committee consider a special fee structure for all of these fees for the armoured car companies.

In conclusion, in Brink's submission, the proposed regulatory scheme as it applies to armoured car companies will do little to further the goals of the legislation, yet will significantly increase the financial and administrative burden on the industry.

It is Brink's submission that certain changes to the regulatory scheme, as described above, will do much to increase the effectiveness of the legislation as it applies to the armoured car industry, without sacrificing public safety and security. As I say, if it can be amended so as to reduce the incentive on the armoured car industry to increase the number of weapons it has in order to comply with these regulations, that amendment could quite significantly

improve what is currently a very negative impact of the legislation and the regulations.

Thank you. Those are the submissions from Brink's, subject to any questions you may have.

**The Chairman:** Thank you very much, Mr. Cameron.

[Translation]

Mr. Gelderblom, do you have a presentation?

**Mr. Gelderblom:** After talking things over with Mr. Meitin during the past few weeks, I decided not to present any brief because it would have been redundant and simply repeating the arguments and problems identified by the Brinks Canada Ltd. representatives.

However, I would like to emphasize his presentation concerning the matter of hiring and costs entailed by what we would have to pay for the different permits. These problems would be more serious when we hire during certain periods, more particularly during summer, when we recruit students, the majority of whom are part of the police techniques program.

.1125 ❌

Over the years, we lose people that we've hired because they find employment as police officers. Companies like ours have staff turnover and hesitate to commit a lot of money for employees they'll only be keeping for very short periods. I would appreciate it if the committee were to look at this cost problem that impacts on the quality of the people we can hire.

As for the proliferation of weapons and assigning a weapon to each individual, we try to use other equipment to decrease the number of weapons we make available to our employees and the volume of weapons we use in our business. In fact, the purchase of new weapons to increase our stock pile would be in contradiction with the philosophy of the committee who wishes to have even more control and limit the possession of firearms.

We're also very concerned with the matter of costs. We invest a lot of money in the practical training of our agents and our requirements are twice as severe as what our province demands, in that respect. We intend to continue doing this to make sure that there are no accidents and that our agents, our staff and the people surrounding us enjoy greater safety when we must intervene outside the truck, outside our branches, in a business environment or in shopping centres and so forth. We will also continue investing a lot in our training to provide more safety for everyone.

We would not want excessive costs in the area of permits and administration to prevent us from continuing to invest to ensure the safety of everyone and in weapons training. Thank you.

**The Chairman:** Thank you, Mr. Gelderblom.

[English]

Mr. Ireland, do you have a presentation?

**Mr. Ireland:** No, actually, I don't have a presentation. I just wanted to say that we have a similar situation with the Bank of Canada. We have 11 sites across the country. However, by the end of this year we'll be down to three only: Ottawa, Toronto, and Montreal.

The problems the armoured carriers have specified are similar. However, our staff stay within the premises and they do have permits to carry, so it's somewhat unique.

I was more interested to see what might transpire today.

**The Chairman:** Thank you very much, sir.

We'll now go to Mr. Rob England, who is with us by video teleconferencing from Toronto. He's the legal counsel with Loomis Armored Car Services.

Mr. England.

**Mr. Rob England (Representative, Loomis Armored Car Service Ltd.):** Mr. Chairman, thank you.

I should say the submissions of my client, Loomis, mirror in large measure those made on behalf of Brink's. Like Brink's, Loomis is committed to the provision of armoured car services in as economically efficient a fashion as is possible, and like Brink's, it operates across Canada. Loomis has operations in nine provinces; it has five regional offices and some forty branches.

It differs somewhat from Brink's in that it does not maintain a central repository of firearms, which I suppose in the Brink's case are then dispatched to the individual branches. Instead, in the Loomis operation firearms are directed directly from the vendor to the branch in question. But apart from that variation, its business is not dissimilar to that of Brink's.

At the moment there are approximately 2,100 employees of Loomis across the country, of whom 1,900 are engaged in the handling of firearms and thus obviously subject to the act and the proposed regulations.

.1130 ❌

As with the other armoured car carriers, a significant portion of Loomis's employees are part-time or casual employees. I won't repeat why that's the case, but clearly it's a cyclical type of thing. Those people represent about 40% of the workforce.

The firearms employed by Loomis are the same as those employed by Brink's and I think by the other companies. They are the short revolvers that fall just below the 105 millimetre length and the 12-gauge shotguns.

The proposed regulations and the act have been reviewed, and I won't bother today to do what my friend described as following the bouncing ball as to how we get to our respective problems. The bottom line is we have identified a number of concerns we would like to put before the committee. Like the counsel for Brink's, we've been able, frankly through liaising with counsel for Brink's and with people in the Department of Justice, to narrow those concerns over the last few days. Like counsel for Brink's, we would wish, with your indulgence, to put those to the committee in writing after today's session.

The first concern is identical to the concern articulated by those who spoke before me. We are gravely concerned that the proposed regulatory scheme, when it's married up with the Firearms Act, will have a chilling effect on the ability of Loomis to secure and attract individuals prepared to work for Loomis on a part-time or casual basis throughout the country.

We have had the same experience at Loomis as Brink's has had in British Columbia, where the two-week course and the costs incurred in taking that course, when coupled with the licensing fees, are now already having a chilling effect on the willingness of employees to come forward and seek this kind of part-time employment.

We see that concern being magnified with the proposed regulations, and accordingly, like my friends, we would be obliged if the committee could reconsider that regulatory scheme in so far as it produces that, we suggest, unintended result.

The second area of concern to us is more of a technical problem. Again, as we see it, it's a case of trying to follow the ball as it bounces along, but at the end of the day it would appear to us that individual employees must have a licence to carry the handguns, and that licence to carry is valid only in any individual province.

From time to time we have employees who are required, by virtue of their job duties, to work in more than one province. So, for example, employees working in branches in Alberta might be responsible for the provision of services in British Columbia or those in Quebec for the provision of services in Ontario. As we understand the system, this would produce the result that those employees would have to get authorizations to carry in multiple provinces and presumably then take courses to satisfy differing course requirements in different provinces. That can only add to the burden on individual employees and seems unnecessary to Loomis.

Finally, there is the cost, as articulated by my friend, of regulatory compliance. We see that cost reflected in this proposed regime in two respects.

First, there are the individual fees proposed throughout the legislative framework. I won't bother to recite them all, but those very same licences that Brink's and SECUR will require Loomis will require.

There are licence fees that in some cases have to be obtained for each and every place in which Loomis carries on business, and as I've articulated before, in some instances certain licences will have to be paid for 40 times.

In addition to that there is the hidden cost of regulatory compliance, and that cost is a necessary result of what can only be described as a very complex regulatory scheme. It taxes the ability of the novice to jump from the act to the proposed regulations to the Criminal Code and back and forth. It's not an easy regime to come to grips with.

.1135 ✕

Those compliance costs will be significant for Loomis and therefore for the industry, and we wonder, with respect, whether that's the road we ought to be going down.

I conclude by making a plea for some attempt at regulatory simplification.

Those are the general comments on behalf of Loomis, Mr. Chairman.

**The Chairman:** Thank you very much, Mr. England.

I would now ask Mr. Anthony Reid if he would like to make a presentation.

**Mr. Reid:** Thank you, Mr. Chairman.

I notice Ottawa is extending a very chilly welcome to its visitors this morning. I hope that doesn't extend to the committee.

First of all, I want to compliment both Brink's and Loomis's counsel on their presentations. Many of the concerns they voiced we would certainly adopt and many of the comments they made we would share.

Let me first tell you a little bit about Universal ATM, because we are not quite such a household word as are Brink's and Loomis.

Universal ATM Services Inc. is an armoured car company based in Mississauga, Ontario, with a branch terminal in Ottawa. It is primarily involved in the servicing and replenishment of automatic teller machines, or ATMs, of various financial institutions in southern Ontario, extending for one customer into Hull, Quebec. It also provides ancillary services, such as supplying branch cash requirements, picking up branch night deposits, and transporting funds from pick-up point to destination.

Universal operates out of highly secure premises comparable to a bank's head office premises. It uses armoured vehicles with three uniformed personnel, armed with revolvers, for the transportation of funds, primarily to replenish ATM machines. Certain selected vehicles are also equipped with shotguns.

When an ATM goes out of service and requires a service call, Universal dispatches two uniformed personnel, armed with revolvers, in an unarmoured van. These crews are deployed on standby in designated areas so as to provide quick response times when called upon.

Universal is a privately owned company that will celebrate its 11th year in business this spring, and it employs in excess of 350 armed personnel. It is a member of both the National Armored Car Association and the Independent Armored Car Operators Association. It holds an FAC, and all of its firearms are registered in the name of the corporation.

Before getting into the specific submissions Universal wishes to make, I particularly want to adopt the concerns with respect to costs cited by Brink's and Loomis. Perhaps a little differently from them, Universal pays the costs for obtaining and maintaining the firearms qualifications, but looking at what's coming downstream, that may have to come to an end.

I also had raised once before and was glad to see it was suggested that perhaps armoured car companies should get volume discounts for the number of applicants we send in and for doing much of the processing. They should be dealt with differently from hunters and other individual applicants who apply from time to time.

There was also an interesting comment made with respect to the problem of interprovincial operators. We do operate in Ontario and in Quebec. It's of interest to us that the terms of the carry permits, for example, are different because they're administered provincially. The administration of the application procedure to get permits in Ontario and in Quebec is somewhat cumbersome. I understand there are obstacles that would have to be overcome to change that situation, but I would like to recommend that some consideration be given to that.

Rather than dealing with the broader sweep of the regulations, we have decided to look at some of the detail, so we're going to table some suggestions. It may be that we should just table the detailed comments and not spend a lot of time talking about them.

We feel we are presented with the regulations. They have been in place now, in roughly this form, for some time, and there is concern as to how much real ability we have to amend what is before us.

Let me turn to the specific provisions of the regulations that we will comment on. I will identify first the regulation in question that we wish to comment on, secondly I'll comment on the provision, and then I'll suggest a recommended change.

.1140 ✖

The first regulation I wish to comment on regards firearms licences.

The first comment I would like to make is that section 14 requires that a condition be attached to a licence issued to an individual requiring the individual to report only any changes in his name or address.

We would like to recommend that not only should that obligation be imposed on the individual, but also he should be required to report involvement in an act of domestic violence, a charge or conviction of an offence referred to in paragraph 5(2)(a) of the act, treatment for mental illness referred to in paragraph 5(2)(b) of the act, or involvement in behaviour referred to in paragraph 5(2)(c) of the act.

The effect of this change would be to impose obligations on the individual comparable to those imposed on business by subsection 23(3) of the regulations. I understand there may be some concern about imposing on an individual some obligation to give information about himself, but if the employer has the same obligation, I would like to suggest this be considered.

Comment two: section 15 requires a chief firearms officer to consider revoking a licence issued to an individual if the chief firearms officer becomes aware that the individual has been involved in an act of domestic violence. A concern one might have here is that the individual has already been involved in the act of domestic violence. It may be a little late in the day.

So a recommendation with respect to this comment would be that you add:

or if the chief firearms officer becomes aware that the individual's physical or mental state has deteriorated to an extent that may affect the safety of the individual or of any other person.

This is comparable to paragraph 6(b) of the authorizations to carry regulations.

If you're going to take away someone's carry permit, which means the loss of his employment, it seems to me the same concern should perhaps apply to someone who has a licence to own the gun. If his mental state is such that he constitutes a danger to others, perhaps there should be authority to yank the licence and deal with that situation.

Comment three: section 20 specifies persons who are "in a prescribed relationship to the business". You may recall that if you're applying for a corporate licence, the chief firearms officer is supposed to look at all sorts of relatives of those involved in the business.

This provision is extremely broad, and the question is, what remedy is available to a corporate business if, say, the child or brother or sister of an officer or shareholder would not be eligible? For example, I'm an officer of this company. I have a son who lives in Ann Arbor, Michigan. Goodness knows what he's been doing, but if it turned out he had some sort of problem and he would be ineligible, what is Universal supposed to do about that? Do they fire me to get rid of the problem? It seems a little onerous.

So what we'd like to suggest as recommendation 3 is to reduce the scope of this provision. Others may have other views as to how it might be reduced, but we would suggest it be reduced to apply to persons resident in the province of the issuance of the licence, for example, or children residing with the person referred to in paragraph 20(a) or 20(b). If the children have grown up and moved on, I'm not sure what the nature of the concern is with respect to them.

Comment four: subsection 23(3) of this regulation requires the business to notify the chief firearms officer if the business becomes aware of specified circumstances relating to the employees - some question of instability or inappropriate behaviour.

I would suggest adding as paragraph (c):



(c) if the business becomes aware of a situation in which the individual's physical or mental state has deteriorated to an extent that may affect the safety of the individual or of any other person.

This again is comparable to paragraph 6(b) of the authorizations to carry regulation. In other words, we're trying to make this same test apply to other circumstances.

I'd like to move on to the regulation dealing with storage, display, and transportation of firearms and other weapons by business.

.1145 ❌

My first comment is that section 4 does not have a provision equivalent to paragraph 6(b). This deals with security of windows. In addition, it is not clear what is required to meet the requirement in paragraph 4(b) that: "every window that can be opened can be securely locked".

We have windows, and I frankly don't know what "securely locked" means - whether it means you have to have a padlock or whether you just close it and latch it. If that's the case, the recommendation would be to add a provision comparable to 6(b), and in addition, clarify what security standard is applicable to windows, such as: "can be closed and latched", if that's the case. The problem, as you know, with locking windows is if you can break the glass - if it's not bulletproof glass - your security really isn't exhaustive.

The next regulation deals with authorization to transport restricted firearms and prohibited firearms.

The first comment I'd like to make is that the regulation makes reference to authorizations issued to an individual, but makes no express references to authorizations to a business to transport. It's unclear to me whether section 3 is intended in fact to apply to a business. If so, the recommendation would be to amend section 3 for clarity to read:

that takes the form of a condition attached to a licence issued to an individual or a business must...

This is in the brief and people may refer to it.

Also consider amending subsection 6(1) in line 5 to substitute "holder" for "individual", if revocation of a business authorization is contemplated by that.

The next regulation is on authorizations to carry restricted firearms and certain handguns.

The first comment I have there is that paragraph 3(a) restricts its application to an individual whose principal activity is as set out in the paragraph. I have some concern with this.

At the principal location of armoured car companies, where substantial funds are held, there are persons whose principal activity may in fact be collateral to the handling, transportation, or protection of valuables, but who should, in my view, for greater terminal security, be armed.

For example, we at Universal and other companies have internal security people. They are not counting money and they are not supervising money, but they have duties to perform within the building. If someone comes through the front door and they need to be escorted, for example, these people will conduct the escort. If their bags need to be searched, these people will do so, and so on.

Paragraph 2(a) covers people obtaining a carry permit to protect their lives because their lives may be in imminent danger. The problem is establishing that these people's lives are in imminent danger would be difficult, so I don't think they'd fall under that provision.

The recommendation therefore is to amend paragraph 3(a) to read: "the individual's employer's principal activity". The terms of the actual carry permit may limit the authorization to the environs of the facility, or alternatively paragraph 2(a) may be revised to extend to such circumstances.

In other words, we're saying if we have people in the building who are not counting money, they are armed. You may not wish them to be outside the facility, except marginally outside the facility, so the terms of the carry permit can say they can only carry this weapon within this certain geographical area.

In addition, it is submitted that paragraph 5(c), which would require that such persons be in uniform, should exempt such persons in the facility from the requirement that they be in uniform if they are in this category. My suspicion is in fact that today, at least in some companies, such persons may exist, and this may be in the grey area in the sense that it doesn't have the formal blessing of the.... The practice may deviate from the regulations.

The last regulation I want to comment on regards conditions of transferring firearms and other weapons.

The first comment is that paragraph 6(a) also refers to an individual's principal activity. The recommendation is to make the same change as above, to make it the employer's principal activity, so you're not immediately tied to the actual function you're performing.

.1150 ❌

I apologize for being so specific, but I was aware that others who preceded me were dealing with more general concerns, which we certainly shared. I had the sense that if we didn't make some of these specific comments at this hour, it may be getting late to do so.

We would be happy, if there are any additional submissions we're invited to make, to either amplify or comment on the submissions made by others.

Thank you, Mr. Chairman.

**The Chairman:** Thank you very much.

There are no further submissions, I believe, so we'll go directly to Mr. de Savoye.

[Translation]

**Mr. de Savoye:** The industry you belong to is one that we don't often have the opportunity to talk with. You can be sure that the views you expressed today about your concerns and activities mean we have a better understanding of your concerns about the regulations we are examining.

Mr. Read, you were very specific about some elements. I'm sure that the people that have to harmonize the different aspects of the regulations will be inspired by your comments.

That being said, Mr. Cameron, your presentation on the consequences of these regulations for your employees and the possibility of hiring new employees or replacing those who leave you, does concern me. I have a few questions for you in order to better understand the problems. First of all, when your employees finish their shift, do they keep their firearm or do they hand it back at your place of business?

[English]

**Mr. Cameron:** Yes, they do. The firearm is kept in that location.

**Mr. de Savoye:** They remit the firearm to their superior at your location.

**Mr. Cameron:** At the end of each shift, yes.

[Translation]

**Mr. de Savoye:** The next day, when they come back to work, are they given back the same weapon or another one?

[English]

**Mr. Cameron:** If it is a permanent, full-time employee, the same firearm will be given to that employee. If it is a part-time employee, that employee will be given a gun from a pool of guns. By that practise we minimize the number of guns we have, because we don't need a separate gun for each potential employee. We just have enough guns to deal with the part-time employees as they come in.

[Translation]

**Mr. de Savoye:** Must the employee who is given a firearm sign a register to indicate that it is in his possession?

[English]

**Mr. Cameron:** Yes.

[Translation]

**Mr. de Savoye:** And when he hands in his firearm at the end of his shift, is it indicated in the register that the firearm was handed in?

[English]

**Mr. Cameron:** The custodian of the firearm signs to show receipt of the firearm back from the employee.

[Translation]

**Mr. de Savoye:** And then the firearms are stored safely, I'm sure.

[English]

**Mr. Cameron:** Yes, they're safely stored. An inventory is taken of them daily to make sure that what should be there is there.

[Translation]

**Mr. de Savoye:** I think I understood that you have approximately 800 employees.

[English]

**Mr. Cameron:** Eighteen hundred.

[Translation]

**Mr. de Savoye:** How many of these 1,800 employees work part-time?

[English]

**Mr. Cameron:** About 60%.

[Translation]

**Mr. de Savoye:** So 60 per cent of them are part-time and 40 per cent are full time employees.

I've always had some admiration for those people who transport securities and money and are thus running a constant risk. You never know what can happen. Those people have very steady nerves. That said, however, I'm now learning that they have to pay for their own firearms handling training.

.1155 ✂

I imagine that your company, Brinks, pays for other kinds of training. What is your training budget for your total of 1,800 employees.

[English]

**Mr. Cameron:** I don't know if we have the figure for the budget, but, yes, we have very stringent policies and procedures, and we train our employees so that they can follow those procedures.

[Translation]

**Mr. de Savoye:** But you haven't the foggiest about what kind of money training represents annually?

[English]

**Mr. Cameron:** I'm sorry, we don't have that figure. We can find it out and advise the committee if it's an item of information you would like.

[Translation]

**Mr. de Savoye:** When I look at other companies that invest in their manpower, generally speaking, the ones that have qualified manpower, see to it that they stay qualified by investing whatever monies are necessary to keep their people's knowledge up to date. I imagine you must do the same.

And if, from one day to the next, you had to pay \$1,000 to train each one of your 1,800 employees and pay for their permits, this would represent \$1,800,000 overnight. But in reality you don't train all your employees simultaneously. You do have a rate for your staff turnover. What is it like? How many people leave each year?

[English]

**Mr. Cameron:** We don't have the specific figure, but as has been described here by both me and some of my colleagues from the industry, and as demonstrated by the 60% part-time figure, quite a few people with other full-time jobs or with full-time occupations as students, or whatever period of their life they're coming to Brink's for, will use the part-time position for as long as their situation accommodates it. Then when they graduate from school and get a job in a police force, they won't want to any more, or when their personal circumstances simply don't accommodate it.

There is also the fact that Brink's and the other armoured car companies are quite selective in their employees. The six-month probation period is very much a probation period. I don't have the percentage figure, but there are character traits you can see in a six-month period that tell you this is not a person you want manning your armoured car.

So one of the concerns Brink's has about internalizing the training costs, if that became necessary, is that we would end up incurring a lot of training costs for people who did not end up working for the company.

As well, this is a mobile workforce in terms of both geographic location and between companies. Brink's and the rest of the industry have traditionally seen the cost of qualifying oneself for this position to be a cost that the individual bears. My present employer didn't pay me to go to law school. I had to pay for that myself. So the employees of armoured car companies typically qualify themselves to do the job at their own expense.

My colleague, Ms Brooks, has reminded me of another point, the security issue. Having the potential employee obtain the FAC ahead of time performs a security function for the armoured car companies. Employees being brought into your premises and being given guns for training are being exposed to your operations and procedures, your ways of having codes to get into automated teller machines and all the rest of that secure information. By having the employee get that qualification ahead of time we are gaining some assurance that the person will not have a criminal record and will not be unreliable in any of the ways that might disentitle them to get an FAC.

So it's important to the armoured car companies that they not give guns, and not divulge their confidential techniques, to people who may not be an employee down the line.

.1200 ✕

[Translation]

**Mr. de Savoye:** So, if I'm correct, you're quite happy that the acquisition of a permit means that any future employee going to work for you has already shown that he's trustworthy, at least as far as acquiring a firearm is concerned, which decreases your fears and probably even your costs because you don't hire from the less trustworthy end of the spectrum.

I'm really sorry that you haven't been able to indicate what proportion of your costs the new regulations may represent. Perhaps the SECUR Inc. representatives have figures that might make things clearer. Does your training represent 1 per cent or 10 per cent of your costs? What proportion of your income and expenditure do you invest in training? All the figures are relative. For example, if you invest less than other companies in your training, I would tend to tell you to invest more. On the other hand, if the cost of the training involved leads to unconscionable expense for your business, I shall be far more receptive to what you're saying.

As a matter of principle, your arguments seem interesting, but in my opinion, the absence of figures weakens your position. I'm sure the members of the committee would be happy to have figures on the impact this would have on your business. Perhaps the people from SECUR would be in a position to give a few indications.

**Mr. Gelderblom:** We meet the Quebec government requirements concerning the amount of 1 per cent for training. We should point out that staff turnover also means that some positions are created during certain periods.

In the matter of annual turnover for a business like SECUR, that has some 800 firearm carrying permits, 13 to 14 per cent of its people have to put in a new request for a permit to carry a firearm.

As I pointed out before, we invest a lot in training our people always with a view to making our operations safer. We demand that our staff participate in two weapon firing training sessions a year rather than a single one. Police officers specialized in safe intervention techniques also give a yearly course that all our agents must take.

It's not just a matter of training. We invest a lot in palliative safety equipment like smoke-emitting parcels that can make our securities transport operations safer. We invest a lot to make our operations more secure.

We also do some investment in different sites to make them more secure. For example, when our agents go to certain sites to deliver or pick up securities, they can do it more safely for the people working there. These investments even include relocating safes and installing extra safety devices in some places.

These are costs we have to absorb. If we have to add supplementary expense for permits, we'd have certain problems, especially in the area of training for some of our agents.

Testing our candidates costs a fair amount. They have to pass all kinds of medical and psychological tests. We retain the services of psychologists to make sure that the people we hire will have a defensive and non-aggressive attitude in the event they might have to use firearms. That's the focus of all our examinations. They cost us between \$1,500 and \$1,800, including the uniform we provide on hiring an employee.

.1205 ❌

When you're dealing a 14 per cent turnover, it involves substantial amounts.

**Mr. de Savoye:** Thank you.

[English]

**The Chairman:** Mr. Ramsay.

**Mr. Ramsay:** Thank you, Mr. Chairman.

I want to thank our witnesses for their testimony this morning. I oppose this bill, of course. The Reform Party of Canada opposes it. We say as a government we would repeal the bill and bring back a bill that would get tough on the criminal use of firearms and leave the law-abiding gun owners alone. Nevertheless, this bill is being brought in as a public safety measure. It is regulating your industry.

Inasmuch as it's supposed to be aimed at public safety, to what extent does your industry represent a threat to public safety through the use of firearms? Perhaps I could begin with Mr. England in Toronto, whom we don't want to forget about.

**Mr. England:** Sir, I would best answer the question, I suppose, by simply saying that Loomis does not see itself or any other armoured car company as posing a threat to public safety or security. I'm sheepish about the answer because I don't want to get drawn into the broader political question as to whether this is good legislation or bad legislation. But the explicit answer to your question is, no, we don't see ourselves as having been, or being, a threat to public security.

**Mr. Cameron:** I would add, Mr. Ramsay, that I cannot believe it would be in the interests of our society, in particular the financial community, to have anything other than highly secure ways of moving large amounts of money from place to place. The notion of anything other than the armoured car industry being responsible for the movement of this type of valuable property would be chaotic, I think, if not outright anarchic.

**Mr. Ramsay:** So you support the use of firearms to protect property?

**Mr. Cameron:** To be more accurate, the use of firearms carried by armoured car guards is to protect their lives and the lives of others who may be caught up in an attack on the valuables they're carrying.

**Mr. Ramsay:** So you support the use of firearms to protect lives and property in your industry?

**Mr. Cameron:** It would be analogous to a peace officer or police officer using a firearm for that purpose. I think you could make Brink's use of firearms and the armoured car industry's use of firearms analogous to that of the use by police forces.

**Mr. Ramsay:** Is there any other purpose for which your industry uses firearms other than to protect lives and property?

**Mr. Cameron:** No, I can't think of one.

**Mr. Ramsay:** Okay, thank you.

**Mr. Reid:** The point I would make is that the firearm is used to protect the lives of the crews. To dramatize the issue of property versus lives, our people are instructed that if a theft occurs - and there has been no assault on a universal crew, ever - and the bad guy picks up the money and walks away with it, and the threat to the lives of the crew has ceased, they are not to intervene. They are not to use their arms to try to stop the man taking the money away.

So is it to protect the theft of the money? In a sense, no. It's only if an assault was made on the vehicle or on them while they are at the ATM machine.

In a broader sense, much of the work that at least our company does, and to some extent the other armoured companies involved in the ATM servicing business, occurs at night. Nobody ever sees us. So if you're asking what threat we pose to the public, the public's home in bed while we're replenishing these ATM machines. They may see us if the machine goes down during the day and a crew is dispatched to fix the problem.

.1210 ❌

**Mr. Ramsay:** So if this bill is aimed at public safety, the use of firearms in your industry does not pose a threat to public safety.

**Mr. Reid:** In my view, it does not.

**Mr. Ramsay:** Consequently, the impact upon your industry is simply a consequence of these regulations applying to all firearms users and owners.

**Mr. Reid:** I don't disagree with you.

**Mr. Ramsay:** So it's simply a consequence. You're representing the concerns based upon those consequences of this legislation. It's going to impact upon your industry in a negative way financially and of course in your ability to obtain qualified and trained individuals to enter into that service. Am I correct?

**Mr. Reid:** It will be cumbersome, expensive, and difficult to live with.

**Mr. Ramsay:** Would you like to see the bill repealed?

**Mr. Reid:** Insofar as it applies to us, yes.

**Mr. Ramsay:** If Mr. England in Toronto or Gordon would like to reply to that, I would like to hear their comments for the record.

**The Chairman:** Mr. England, do you have a comment?

**Mr. England:** The lawyer's way out would be to say that I don't have any instructions from my client as to what it wishes done with the legislation. Obviously, the legislation reflects the democratic process. We're trying our best to live with the legislation and to make these representations so as to ensure, while the consultation process is still ongoing, that insofar as it handicaps our industry there can be regulatory change.

**The Chairman:** Mr. Gelderblom, do you have a comment you would like to make on this?

[Translation]

**Mr. Gelderblom:** To follow up on Mr. Ramsay's question, I would like to point out that we are presently looking at other palliative means that would allow us to avoid having an assortment of firearms. However, I don't think we're in a position right now to offer a security service without having firearms available; society just isn't ready. The obligation is there.

As the Loomis representative stated, although the bill does impose some restrictions on companies like ours, it obviously was designed according to democratic principles and our commitment is to honour it. However, we still hope that you will consider our representations so as to alleviate much as possible the extra burden created by the controls and costs provided for through the legislation.

[English]

**The Chairman:** Mr. Cameron, do you have any comments?

**Mr. Cameron:** I want to conclude by addressing Mr. Ramsay's point within the particular context of the mandate of this committee. Putting aside whether we support or oppose the bill, we're hopeful that this committee can have it administered with the minimum regulatory burden on our industry as possible.

**The Chairman:** We'll now go to either Ms Whelan or Mr. Maloney.

**Mr. Maloney:** I have a couple of comments.

Mr. Reid, you've indicated that you feel that the legislation is cumbersome and expensive. Can you give us an estimate of what the increased costs of these regulations will mean to your business?

**Mr. Reid:** That's a fair comment. I should probably have anticipated it and been prepared to answer it, but I can't. If you wish, we can identify those costs and provide them to the committee.

**Mr. Maloney:** I wish you'd do that. When you say it's expensive, I'd like to know what that expense is. Otherwise....

**Mr. Reid:** What I'd do is add up the number of employees, take the dollar figures for the permits, and just extend it.

**Mr. Maloney:** But you say they're cumbersome and expensive. Are they unreasonable, in your estimation?

**Mr. Reid:** That's interesting; what's "reasonable"? The trend in the armoured car business has been to move to longer-term contracts with fixed prices. The banks are expecting the prices to be lower, not higher. If there are costs we haven't properly anticipated that we have to absorb, they go to the bottom line. There may be at the minimum a transition period where costs are going to arise that we haven't anticipated, and these will have to be absorbed. Is that reasonable? From our point of view we would rather that did not occur, obviously.

.1215 ✕

**Mr. Maloney:** Another comment from your industry that surprised me is that you have so many part-time people, such as students, involved in your industry. Would it not be more preferable from both a professional and financial point of view to try to maintain a predominantly full-time staff?

**Mr. Reid:** I don't think I was the one who commented on the ratio. I think that was the gentleman from Brink's.

**Mr. Maloney:** I think he said it was 60%.

**Mr. Reid:** The way our business works is that when people are first brought into the company, as with others, there's a six-month probation period - a first three months and a second three months. You are a part-timer, at least officially, for that period of time. Once you pass the probation period and it's established that you're competent and capable, and you've passed all our tests and our training procedures and so on, then you may well be made a part-timer.

There is a small pool of people - and I could quantify it but I don't have the figures here - who have other jobs and are prepared to fill in when necessary. For example, if several people are sick, or there's a holiday period or something and you need some additional people, we have those people. They have a long-standing relationship with us, and they're happy with such a relationship. They have to meet very stringent standards to have that part-time relationship. They are in effect a regular employee of Universal, but officially a part-time employee.

Is that clear?

**Mr. Maloney:** Mr. Cameron, perhaps you could address that. You were the one who indicated that roughly 60% of your staff are part-timers. Are there not cost benefits to having these people full time? Or are there cost benefits to having them part time?

**Mr. Cameron:** The reason for the relatively high percentage of part-time employees is the cyclical nature...not so much season to season, although there is that. It would simply be wildly uneconomic to have exclusively full-time employees without a workforce capable of handling the peak times, such as weekends and before bank holidays and times like that, where everybody's automatic teller machine has to be reloaded several times. The number of employees that takes would leave you with a huge and idle workforce for all of the other times when there's less activity in the industry.

**Mr. Maloney:** Thank you.

No further questions, Mr. Chairman.

**The Chairman:** Thank you, Mr. Maloney.

Mr. de Savoye.

[*Translation*]

**Mr. de Savoye:** The new regulations entail extra costs for your business. However, as the Loomis representative stated, the legislation is the result of a democratic process and does have other objectives in mind. It's in trying to attain those other objectives that your companies, because of the legislation and the regulations, will have to face extra expenses and requirements.

But as Mr. Maloney pointed out, for this subcommittee the real question is whether the expense and the inconvenience are excessive or whether they're acceptable within your financial and operational framework.

I will repeat what I was saying earlier; I find it somewhat regrettable that you're introducing interesting arguments to which, in principle, we might be receptive, but that you're not supporting with figures and percentages. We're not interested in your financial statements. You're all competing against each other; you don't want to divulge information on how you make your business cost-effective.

However, it seems to me you should have been and should be able to provide this committee with evaluations, in terms of percentage, that would allow us to understand the inconvenience the regulations are causing for you.

.1220 ☒

You have suggested how registration could be done. Perhaps you could also suggest cost levels that you'd find acceptable.

Mr. Cameron, you were mentioning earlier that you had put yourself through law school on your own. I'm sure that the person taking the police techniques program at college and who is hired by SECUR for the summer also has to pay for his studies. Beyond that, as a lawyer, you have to pay your dues to the Bar every year. You also have to pay your insurance fees. In short, the job does entail some costs.

If you're self-employed, you generally pay for your employment costs out of your own pocket, but if you're an employee, it is generally your employer who pays for that in whatever area. We're talking about employment costs here. We'd like to know if they're excessive for you because you'll all be in the same situation, as competitors. We're not giving any advantage to one over the other. You're all in the same boat. Is that unreasonable?

I'd like to know if one of you, or the Loomis representative in Toronto, would be in a position to give figures to this committee.

[*English*]

**Mr. England:** Regrettably, like my colleagues, I don't have a costing analysis for this committee today, but on the basis of certain assumptions that could be made I'm certain we could deliver one up to the committee in relatively short order.

**Mr. Cameron:** I would like to make this point. We have great difficulty understanding what authorizations and licences we're going to have to have. There are versions or readings of this legislation and the regulations that have been done by experienced counsel and people in the industry over and over and over again, and we come up with permutations.

One of the reasons we don't have accurate costing figures is that on some readings of the legislation, our guards are going to need three licences and we're going to need registrations for a separate shotgun and a separate handgun for each guard, and they're going to have to be renewed. In that scenario the costs are staggering.

On other readings of the legislation we can be more surgical in the authorizations we get for each employee. In that case, the costs are certainly less but they're still going to hit us to the tune of, even in the low case...one rough figure I have is \$72,000 annually for the...and this is a new fee that comes out of this legislation, for the authorizations. The ballpark figure for training is \$1.5 million. Obviously, there will be a big initial amount and then it will be by employee thereafter.

It is because we can't see the future clearly that we don't know exactly what this is going to cost. We're hoping, after some more input from Carolyn Saint-Denis and her assistants as to what it is we're going to have to pay, that we'll be able to cost it better and then provide this committee with that information.

The other thing to remember is that this isn't Brink's complaining about it, or Loomis or SECUR. All the industry is going to face the same costs. No particular company will suffer a competitive disadvantage from this. But what that tells us is that ultimately it is going to be the customers of the banks who are going to end up paying for the cost of compliance with this regulation. That is, we will have to charge more to the companies that we move money for, and unless they change their past practices, they'll pass that on to their customers in terms of the fees they charge.

**Mr. Reid:** Or not accept it from us.

**Mr. Cameron:** Yes.

**The Chairman:** Thank you very much, Mr. Cameron.

I'll now move along to Ms Whelan.

.1225 ❌

**Ms Whelan:** Thank you, Mr. Chairman.

Mr. Reid, in your brief you make some very specific recommendations. To me, at first glance it looks almost glaringly as though there are a couple of things that definitely need to be addressed.

Your third comment in here talks about section 20. I agree that it's extremely broad. Your recommendation still suggests that children residing with the person referred to in paragraphs 20(a) and (b) should be included. I'm just not sure I'm following this at all. From what I can see, there wouldn't be a child under 18 who would qualify to hold a licence. If someone is involved in some type of business if they have a child...

So I'm not sure I'm following this. Maybe you could explain it to me.

**Mr. Reid:** First of all, I struggled with this. I was trying to sense some sort of compromise toward the concern the person who drafted this provision had. Rather than take it out completely I tried to find some middle ground. I was thinking of a child over 18 who is living with the family. Once the child is over 18 and has left home, it seemed to me perhaps that should then pass out of the group - unless I've missed something. Have I missed something?

**Ms Whelan:** I don't see anywhere where it says child over 18, but maybe I'm missing it. I see there are some real problems, and I think you've drawn them to our attention.

**Mr. Reid:** On some of these very picky details, rather than take up everybody's time I'd be happy to spend some time with you afterwards, if you'd rather do it that way.

**Ms Whelan:** I have a quick question. Has there been any consultation from the Department of Justice with your group, per se, on the different regulations? Have they sat down and gone over these, or have there been any inquiries or anything like that?

**Mr. Reid:** There have been some meetings in Ottawa to which some members of the armoured car companies were invited and attended, but not all the regulations were discussed and not all the changes that one would have liked to have seen were necessarily reflected in the current draft.

**Ms Whelan:** Thank you.

**The Chairman:** Thank you very much, Ms Whelan.

Ladies and gentlemen, I want to thank you very much for coming here this morning.

Mr. England, appearing here from Toronto, your testimony has been very helpful. It's an aspect that I think we'll certainly reflect upon.


Mr. Reid, Mr. Cameron and Mr. England, I believe you'll be sending some additional information to us on costing.

Mr. Gelderblom, if you have any as well, please feel free to do so. The committee would certainly welcome it.

We'll be adjourning until 1:15 p.m.

[Return to Committee Home Page](#)

This is **Exhibit "F"** referred to in the Affidavit of Matthew Overton, sworn before me this 24<sup>th</sup>  
day of August, 2020.



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A Notary Public or a Commissioner of Oaths  
in and for the Province of Ontario

**Sherif Rizk**  
**Barrister, Solicitor & Notary Public**  
**in the Province of Ontario**  
**LSUC # 692180**



