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Pages 25 to / à 52

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Pages 54 to / à 55

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Pages 56 to / à 58

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Pages 59 to / à 62

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Page 81

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Murray Smith - Fwd: Request for Consultation with your Department pertaining to ATIP file GA-3951-3-05708/10

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-01-05 14:08
Subject: Fwd: Request for Consultation with your Department pertaining to ATIP file GA-3951-3-05708/10
CC: Glass, Kimberley
Attachments: A201005708_2011-01-04_10-25-21.PDF

Geoff,

Attached is the consultation package from ATIP concerning the release of information on the VZ58 family of firearms imported by Marstar and others.

You may recall that we changed the classification of one version (the Petr Novorhadsky FSN series) from prohibited to restricted as a result of a survey of all VZ58 firearms initiated by SFSS to ensure consistent treatment. All the other models remained in the same classification, only the Petr Novorhadsky FSN classification had to be changed due to new information coming to light. The BN in the attached package provides a detailed explanation.

The attached package is a small subset of what was supplied to the ATIP office and represents what RCMP ATIP plans to release to the requestor if we have no objections. In addition to the inspection reports, briefing notes and FRT records associated with the Petr Novorhadsky FSN rifles, the package also details the stream of e-mail messages through Scott's office to Public Safety concerning the letter the Minister requested on the VZ58.

I believe that the information RCMP ATIP plans to release is consistent with our obligation to disclose documents requested via the ATIP protocol. My response to Rachelle/RCMP ATIP would be as follows:
- the information proposed to be released contains proprietary information about two Canadian firearms businesses, Wolverine and Marstar, which may affect their ability to compete in the Canadian firearms market. This is particularly true for Marstar as the internal notes (not normally disclosed) of the FRT records detail the serial numbers of the firearms Marstar imported. You may wish to redact some or all of that information.
- the FRT records slated for release are marked Protected "B". The only information of concern is the internal notes which in this case details proprietary business information.
- only the obsolete FRT records are slated for release. Suggest the newer versions be released as well.

I will notify Rachelle that you will be consulting the DG prior to SFSS providing a final answer on the consultation.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services

Pages 86 to / à 92

are not relevant

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Make:	Novohradsky, Petr	**Researcher:**	Greenley, Calvin
Model:	FSN-01	**Research Date:**	2009/02/02 14:29:50
Manufacturer:	Novohradsky, Petr	**Quality Control:**	Etter, William
Level:	Converted Automatics	**Quality Control Date:**	2009/02/04 0:00:00
Type:	Rifle	**Firearm Reference No.:**	129128
Action:	Converted Automatic		
Legal Classification:	Prohibited		
Manufacturer's Country:	CZECH REPUBLIC		
Serial Numbering:	Numbered		

Notes

Make:

QC *WIP*

- "PETR NOVOHRADSKY" was observed marked on the right side of the receiver/frame.

Model:

QC *WIP*

- "FSN 01" was observed marked on the right side of the receiver/frame.
- "FSN-01" is a variation of the CZ model VZ58 rifle.
- "FSN-01" has a vague external resemblance to the Kalashnikov model AK47 assault rifle but is not a member of the Kalashnikov family of firearms.
- features include: round barrel with threaded muzzle and protector; short stroke gas piston mounted above the barrel; hooded front sight and tangent rear sight; rectangular milled steel receiver/frame; striker fired; synthetic furniture.
- also available with a multi-prong or cone shaped flash hider, bipod, bayonet and a fixed or [redacted]etal right side folding buttstock.
- overall length of this model firearm with a 390mm barrel having a flash hider cone and fixed buttstock is 838 mm.
- overall length with a 390 mm barrel and the metal stock in the folded position is 635 mm.

Manufacturer:

QC *WIP*

- "PETR NOVOHRADSKY" was observed marked on the right side of the receiver/frame.

Type:

Action:

QC *WIP*

- gas operated
- striker fired.

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Barrel:
Calibre:

QC *WIP*

- "7.62 x 39" was observed marked on the right side of the receiver/frame.

Shots:

QC *WIP*

- detachable box magazine.

Serial Number:

QC *WIP*

- serial number was observed marked on the right side of the receiver/frame.
- observed serial number consisted of three numbers without a letter prefix or suffix.

Importer:
AKA/Product Code:
Year Dates:

Internal Notes:

QC *WIP*

- NOTE: the model FSN-01 firearm is a CZ model VZ58 full automatic rifle, that has been converted to fire in the semi-automatic mode only. The right side of the striker dentent has been ground-off to prevent engagement with the full automatic sear. The full automatic sear has been removed, the full automatic sear leaf spring has been cut-off, a blind pin has been installed on the right side of the receiver/frame to stop the selector lever from being rotated to the (full-automatic) 30 shot position. The disconnector (right side) has been tack welded in the down position.
- NOTE: these are serial numbers shared by one hundred (100) FSN-01 and FSN-01K rifles

Canadian Law Comments:
Other Marking:
Remarks: **CONSULT**
References:

A0235375_12-000012

Reference	Page
NOVOHRADSKY, PETR - File	images

Cross-References:

Firearm Reference No:	Make	Model	Manufacturer	Type	Action
129129	Novohradsky, Petr	FSN-01K	Novohradsky, Petr	RI	CA

Year Dates:

AKA/Product Code:

F SN 01
FSN 01
[redacted]01
[redacted]01M
FSN-01M
FSN01P
FSN-01P
FSN01V
FSN-01V

Importer:

Marstar Canada

Barrel, Calibres and Shots:

ID # / Calibre	Shots	Barrel (mm)	Level	Legal Classification	Legal Authority	Barrel Type
129128-1					CC 84(1) "prohibited firearm" para. (c)	
7.62X39 RUSSIAN	5	390	Converted Automatics	Prohibited		
[redacted]-2					CC 84(1) "prohibited firearm" para. (c)	
7.62X39 RUSSIAN	30	390	Converted Automatics	Prohibited		

Images:

Filename	Number	Lab Location	Description	Image Number
06a		FRT INSPEC FSN	Full View: Left Side	1
09b		FRT INSPEC FSN	Full View: Right Side	2
07c		FRT INSPEC FSN	Close-up: Left Side	3
10r		FRT INSPEC FSN	Close-up #1: Right Side	4
08s		FRT INSPEC FSN	Close-up #2: Right Side	5
08t				6

CONSULT

A0235375_13-000013

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Pages 96 to / à 99

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Page 100

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Pages 101 to / à 103

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Make:	Novohradsky, Petr	**Researcher:**	Greenley, Calvin
Model:	FSN-01K	**Research Date:**	2009/02/02 15:07:02
Manufacturer:	Novohradsky, Petr	**Quality Control:**	Etter, William
Level:	Converted Automatics	**Quality Control Date:**	2009/02/04 9:47:10
Type:	Rifle	**Firearm Reference No.:**	129129
Action:	Converted Automatic		
Legal Classification:	Prohibited		
Manufacturer's Country:	CZECH REPUBLIC		
Serial Numbering:	Numbered		

Notes

Make:

QC ***WIP***

- "PETR NOVOHRADSKY" was observed marked on the right side of the receiver/frame.

Model:

QC ***WIP***

- "FSN 01" and "K" was observed marked on the right side of the receiver/frame.
- "FSN-01K" is a variation of the CZ model VZ58 rifle.
- "FSN-01K" has a vague external resemblance to the Kalashnikov model AK47 assault rifle but is not a member of the Kalashnikov family of firearms.
- features include: round barrel with threaded muzzle and flash hider; short stroke gas piston mounted above the barrel; hooded front sight and tangent rear sight; rectangular milled steel receiver/frame; synthetic furniture and metal right side folding buttstock.

Manufacturer:

QC ***WIP***

- "PETR NOVOHRADSKY" was observed marked on the right side of the receiver/frame.

Type:

Action:

QC ***WIP***

- gas operated.

Barrel:

Calibre:

QC ***WIP***

- "7.62 x 39" w **CONSULT**

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Shots:

QC ***WIP***

- detachable box magazine.

Serial Number:

QC ***WIP***

- serial number was observed marked on the right side of the receiver/frame.
- observed serial number consisted of three numbers without a letter prefix or suffix.

Importer:

AKA/Product Code:

Year Dates:

Internal Notes:

QC ***WIP***

- NOTE: the model FSN-01K firearm is a CZ model VZ58 full automatic rifle, that has been converted to fire in the semi-automatic mode only. The right side of the striker dentent has been ground-off to prevent engagement with the full automatic sear. The full automatic sear has been removed, full automatic sear leaf spring has been cut-off, a blind pin has been installed on the right side of the receiver/frame to stop the selector lever from being rotated to the (full-automatic) 30 shot position. The disconnector (right side) has been tack welded in the down position.
-1 confd by inspection by FI-04 (09-02-02) s/n 351.

Canadian Law Comments:

Other Marking:

Remarks:

References:

Reference	Page
NOVOHRADSKY, PETR - File	images

Cross-References:

Firearm Reference No.	Make	Model	Manufacturer	Type	Action
129128	Novohradsky, Petr	FSN-01	Novohradsky, Petr	RI	CA

Year Dates:

AKA/Product Code:

F SN 01K
FSN 01 K
FSN 01K
FSN01K

Importer: **CONSULT**

A0235377_110-000430

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Marstar Canada

Barrel, Calibres and Shots:

ID # / Calibre	Shots	Barrel (mm)	Level	Legal Classification	Legal Authority	Barrel Type
129129-1					CC 84(1) "prohibited firearm" para. (c)	
7.62X39 RUSSIAN	5	295	Converted Automatics	Prohibited		
129129-2					CC 84(1) "prohibited firearm" para. (c)	
7.62X39 RUSSIAN	30	295	Converted Automatics	Prohibited		

Images:

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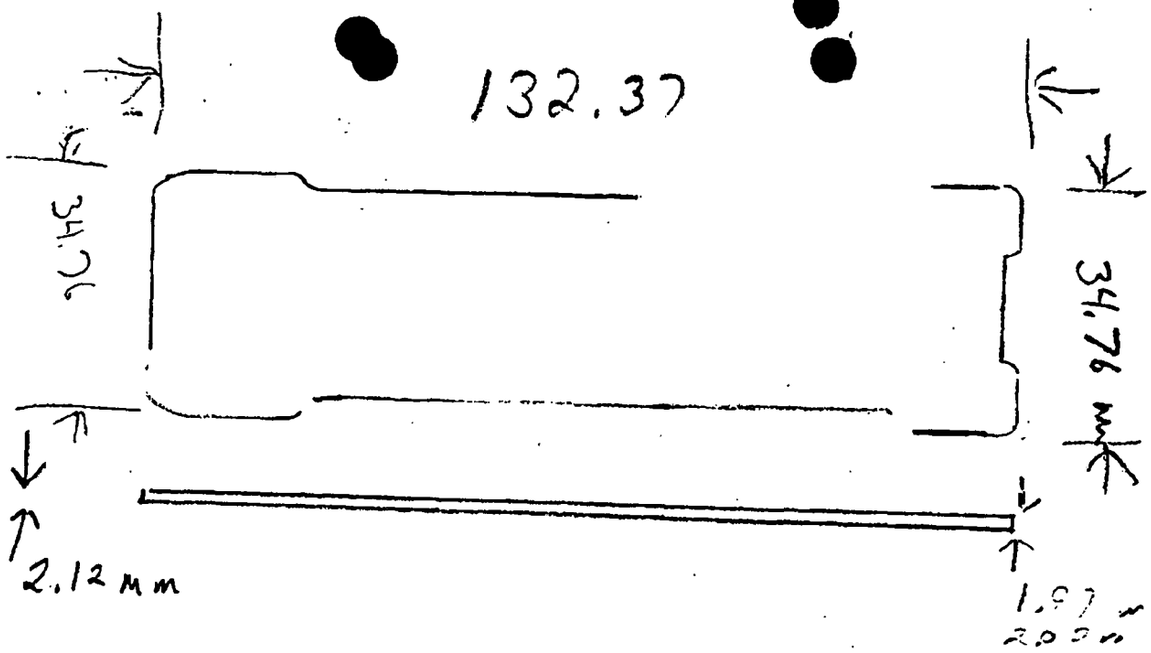

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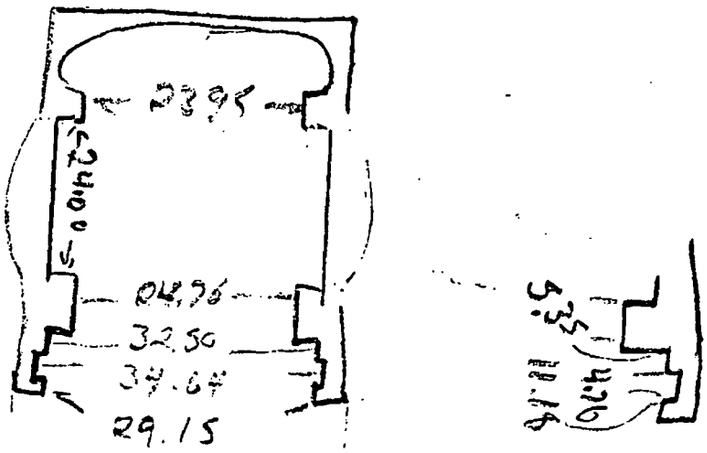

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A0074207_107-000107

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Murray Smith - Re: FRT update

From: Scott McDougall
To: Smith, Murray
Date: 10/13/2010 2:06 PM
Subject: Re: FRT update
CC: Cyr, Laurent; Sevigny, Linda

thanks Murray - I'll give PS a call -

Scott

>>> Murray Smith 10/13/2010 1:36 PM >>>
Scott,

The FRT records are live as of today. They will be visible to all Canadian businesses including Marstar tomorrow after the overnight FRT-CFIS data refresh.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 10/12/2010 3:57 PM >>>
hi Murray -

PS hasn't got it back yet, but have asked. I'll let you know what I hear -

S.

>>> Murray Smith 10/12/2010 3:50 PM >>>
Thanks Scott,

Is there any chance of getting a copy of the letter?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services

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Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 10/12/2010 2:58 PM >>>
hi Murray -

I spoke with Public Safety today, and they advised that the MO had sent the VZ58 letter to Marstar. On that basis, I would support amending the Firearms Reference Table as per your recommendation.

best -

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Murray Smith - Fwd: RE: Question re: Marstar

From: Scott McDougall
To: Smith, Murray
Date: 10/4/2010 2:03 PM
Subject: Fwd: RE: Question re: Marstar
CC: Etter, William; Francis, Geoffrey; Sevigny, Linda

hi Murray -

I've asked staff at PS a couple of times about the status of this, but can only determine that the letter/policy hasn't been finalized. I'd suggest a short BN to the Deputy on this one recommending your course of action.

Thanks -

Scott

>>> Murray Smith 10/1/2010 3:43 PM >>>
Hi Scott,

You had mentioned that you were expecting results from PSC in two weeks. Is there any news?

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 9/20/2010 12:53 PM >>>
hi Murray - I'd advise waiting until we hear from the M.O.

S.
>>> Murray Smith 9/20/2010 12:36 PM >>>
Hi Scott,

Sounds encouraging. As for the FRT, I gave instructions last week to prepare the updated Marstar Petr Novohradski models FSN-01 and FSN-01K FRT records for release. Due to other priorities that has yet to be

accomplished but I anticipate releasing the records in the next few days. As a result the draft letter sent previously to PSC will have to be edited to reflect that the FRT change has been made.
I anticipate that some members of the FRT will be encountering Marstar representatives at a gun show coming up this weekend and I do not wish to delay beyond that.

Regards,

Murra

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

y
>>> Scott McDougall 9/20/2010 10:53 AM >>>
hi again Murray - I spoke to PSC today about this issue; the letter to Marstar is in the M.O. for approval. This could take a week or two; PSC will let us know -

thanks -

Scott

>>> Murray Smith 9/3/2010 2:50 PM >>>
Scott,

Unless there is a solid reason not to release the FRT record, I plan to do so within a week or so, which would allow ample opportunity for PSC to comment.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Pages 112 to / à 116

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Page 117

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From: Scott McDougall
To: Smith, Murray
CC: Cyr, Laurent; Francis, Geoffrey
Date: 8/9/2010 1:20 PM
Subject: Re: Fwd: VZ58 Letter for Minister

We found it - the number was used twice by ES&ML.

>>> Murray Smith 8/9/2010 12:47 PM >>>
Scott,

"Ministerial Correspondence T002373 - Coordinated Response - RCMP & CBSA" was the title of the correspondence received from Constance Carlotti on May 19, which initiated the preparation of the letter. At that time we were in receipt of additional information concerning the VZ58 family of assault rifles, which had to be assessed prior to responding to the Minister's office.

The original attachment from Constance dealing with Marstar is attached here for convenience of reference.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 8/9/2010 12:21 PM >>>

I'll update you -

>>> Murray Smith 8/9/2010 11:36 AM >>>
Scott,

This is in response to your e-mail messages and voice mail from last Friday. The attached letter deals with the subject in question.

Interestingly, I had the followup to this letter on my list of things to do on return from my business trip last week. Can you confirm that the letter was indeed forwarded to PSC? The Ministerial tracking number is T002373.

As you requested, I spoke with Ryan Doyle. He is looking for the letter at his end. I do not have any information on the outcome of the Friday meeting of the Glengarry MP and the Minister; neither did Ryan. Ryan is checking into this aspect as well.

Regards,

Murray

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Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 7/14/2010 5:58 AM >>>
Scott,

Please see attached response from Murray for the Minister on the VZ58.

Thanks,

Geoff

C/Supt. Geoffrey Francis, C/Surint.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205
Fax: 905-795-5224

Email: geoffrey.francis@rcmp-grc.gc.ca

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Pages 127 to / à 129

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From: Murray Smith
To: Francis, Geoffrey
Date: 7/12/2010 5:12 PM
Subject: VZ58 situation
Attachments: VZ58 Marstar letter for Minister.wpd; BN VZ58 Marstar.docx

Geof,

Attached are the latest versions of the letter for the Minister and a BN to you explaining what happened. The original tasking for the letter came from Scott's shop. The BN was initiated here; there is no demand for a BN elsewhere as yet.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Royal Canadian Mounted Police / Gendarmerie royale du Canada

BRIEFING NOTE
Director FIESD

PURPOSE:

To inform the DG CFP of the change in classification from prohibited to restricted of the Petr Novohradski models FSN-01 and FSN-01K rifles imported by Marstar Canada Inc.

ISSUE:

A change in classification of the FSN-01 rifles occurred as a result of new information arriving coincidentally with a request from the Minister to comment on a request for compensation by the importer.

BACKGROUND:

The VZ58 family of fully automatic assault rifles was introduced by Czechoslovakia in the 1950s for use by its armed forces as a component of the Warsaw Pact alliance. The VZ58 rifle is similar in appearance to the Soviet AK47 assault rifle but is of distinct design, and as such, is not a variant of the AK47 rifle. The VZ58 assault rifle was in production only for a limited time before the Warsaw Pact nations settled on the AK47 rifle as their standard. The original fully automatic version of the VZ58 rifle is prohibited in Canada.

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Coincidentally, in May, 2010, SFSS received for inspection a genuine VZ 58 assault rifle that had been converted to semiautomatic fire and grandfathered during the 1992 phase-in of Bill C-17. As a result of the proliferation of VZ 58 rifles in circulation, SFSS undertook a comparative study of the various models in June, 2010. This revealed that the descriptions and classifications were correct in all instances except for the Marstar Petr Novohradski models FSN-01 and FSN-01K. The modifications to the FSN-01 rifles are comparable to those of the CZH2003 Sport and CZ 858 Tactical rifles, and significantly different from the original VZ58 rifle. As a result, the classification would change from prohibited to restricted. Note that the original assessment of the CZH2003 Sport, CZ858 Tactical and FSN-01 rifles as being converted automatic firearms was correct and remains correct. The problem lies in the conversion work being done in a factory environment rather than post manufacture and that the original state of the receiver cannot be verified. It is also important to note that the importer is not contesting the prohibited classification, but instead appears to be seeking compensation for the loss of the commercial value of the firearms.

The ultimate causes of this situation are:

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Royal Canadian Mounted Police / Gendarmerie royale du Canada

BRIEFING NOTE
Director FIESD

CURRENT STATUS:

A series of letters from to the Minister was sent to the RCMP on 2010-05-19 for a response to be prepared for signature by the Minister of Public safety.

For technical reasons, the classification of the Petr Novohradski FSN-01 and FSN-01K rifles must be changed from prohibited to restricted to be fair and consistent with the classification assigned to other similar rifles, such as the CZ model CZH2003 Sport and the CZ model 858 Tactical rifles. The FRT will be updated accordingly.

RECOMMENDATIONS:

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From: Constance Carlotti
To: Murray Smith
Date: 6/2/2010 1:35 PM
Subject: Re: Fwd: Ministerial Correspondence T002373 - Coordinated Response - RCMP & CBSA

Murray,

Great. I did ask for an extension but would like to know if you had a time frame when the file will be processed. Thanks for the information.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 6/2/2010 1:21 PM >>>
Constance,

We are working on it. I expect to have a reply this week but I would note that we had previously asked for an extension.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 6/2/2010 11:54 AM >>>
Murray,

Can you let me know if you have been able to start working on this file?

As you are aware, it is due this week.

If you require an extension, please let me know.

Thanks.

Constance Carlotti

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From: Constance Carlotti
To: Murray Smith
Date: 5/20/2010 10:33 AM
Subject: Re: Ministerial Correspondence T002373 - Coordinated Response - RCMP & CBSA

Murray,

Take you time in responding to this letter. I can ask for an extension. Would June 2nd by ok with you?

If you would like, I can start the letter and send it to you. As this is a co-ordinated response, we do not have to respond to CBSA's involvement with this company.

Please let me know if the above is ok with you.

Have a great long week-end.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 5/19/2010 5:26 PM >>>
Constance,

I am tied up with other matters Thursday and will be out of the office Friday. Monday is a holiday. Bill is out of the office Tuesday. Bill and I need to consult prior to formulating a response. Thus we do not stand much of a chance of replying by May 25.

Is that a firm deadline? (and if so, who set it?)

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 5/19/2010 3:50 PM >>>
Murray,

We need to respond to the Minister's office on this letter by May 25th.

Pages 137 to / à 139

are not relevant

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Pages 140 to / à 146

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Page 147

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Murray Smith - Smith & Wesson 15-22 Bulletin and BN

From: Murray Smith
To: Sevigny, Linda
Date: 2011-01-06 16:34
Subject: Smith & Wesson 15-22 Bulletin and BN

Hi Linda,

I hope all is well and you had an opportunity to relax over the holidays.

Is there any news on the Smith & Wesson 15-22 bulletin and briefing note. I believe Michelle was coordinating the former and Constance the latter. There was a lot of pressure to get those documents done quickly and then nothing heard.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074207_148-000148

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Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Page 152

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Murray Smith - Re: Fwd: David Elliott-characterization of weapons seized

From: Murray Smith
To: Conway, Nicolas; Etter, William
Date: 2011-01-07 16:50
Subject: Re: Fwd: David Elliott-characterization of weapons seized
CC: Glass, Kimberley

Nick,

I will leave it to Bill to assign someone to review the list of firearms (likely to be you as you are already involved in the file). Note that some of the firearms present issues not normally encountered due to modifications made.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Nicolas Conway 1/7/2011 3:33 PM >>>
Hi Murray,

this is in reference to the trip I took to Red Deer last year.

Do you want me dealing with a lawyer or would you rather it be handled by you or Bill?

Nicolas Conway
Firearms Technologist,
Specialized Firearms Support Services (SFSS),
Firearms Reference Table Section (FRT),
Room 504, NPS Building,
1200 Vanier Parkway,
Royal Canadian Mounted Police, Ottawa, Ontario, Canada, K1A 0R2
Nicolas.Conway@rcmp-grc.gc.ca
(613) 993-0584
Fax (613) 993-2805

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Murray Smith - Re: CZ 805 BREN A2 - Ceska zbrojovka

From: Murray Smith
To: Paul.Galveias@international.gc.ca
Date: 2011-01-10 14:35
Subject: Re: CZ 805 BREN A2 - Ceska zbrojovka

Thanks Paul,

Neither the BREN A2 nor the G1 are on the FRT. Any help the importer would be willing to provide would be welcome.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> <Paul.Galveias@international.gc.ca> 1/10/2011 1:32 PM >>>
http://www.czub.cz/en/catalog/86-armed-forces-law-enforcement/OS-AUT/CZ_805_BREN_A2.aspx

A0074207_155-000155

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Murray Smith - Fwd: CZ SCORPION EVO 3 A1 - Ceska zbrojovka

From: Murray Smith
To: Etter, William
Date: 2011-01-10 14:36
Subject: Fwd: CZ SCORPION EVO 3 A1 - Ceska zbrojovka
CC: Glass, Kimberley

Info from Paul, firearms under consideration for import to licenced businesses.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> · @international.gc.ca> 1/10/2011 1:32 PM >>>
http://www.czub.cz/en/catalog/86-armed-forces-law-enforcement/OS-AUT/CZ_SCORPION_EVO_3_A1.aspx

Here's another one from CZ under consideration.

pg

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Murray Smith - Fwd: CZ 805 BREN A2 - Ceska zbrojovka

From: Murray Smith
To: Etter, William
Date: 2011-01-10 14:37
Subject: Fwd: CZ 805 BREN A2 - Ceska zbrojovka
CC: Glass, Kimberley

More of the same. Also add the 40mm CZ 805 G1.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> @international.gc.ca> 1/10/2011 1:32 PM >>>
http://www.czub.cz/en/catalog/86-armed-forces-law-enforcement/OS-AUT/CZ_805_BREN_A2.aspx

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FRT Report

v4.1-C

Firearm Reference No.: 113135

Date: 1/12/2011

Summary

Make:	Kalashnikov
Model:	KK-MPi 69
Manufacturer:	East German State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	GERMANY
Serial Numbering:	Numbered
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification / Legal Authority	Level	Barrel Type Code
113135 - 1	22 LR	15	440	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications	

Notes

Make
- "KALASHNIKOV" is not marked on the firearm.
- Kalasknikov as a make is in reference to the designer's last name, Mikhail Timofeyevich Kalishnikov of the "Automat Kalasnikova obrazets 1947" assault rifle.
- Kalishnikov is used as the make for military versions of this firearm.

Model
- this firearm does not have a "dummy" gas tube which alters its appearance significantly, compared to an original AKM.

Manufacturer
- manufactured in the German Democratic Republic (DDR) in the 1960 to 1975 era.
- two examples examined were marked with what is suspected to be factory numbers: - 470 & 374.
- it is suspected that these firearms were manufactured by the (AKA Ernst Thalmann-Werk) VEB Fahrzeug-und-Waffenfabrik "Ernst Thalmann", Suhl.

Action
- blowback operated.
- capable of full automatic or semi-automatic fire.
- rate-of-fire (theoretical) 700 shots-per-minute.

Barrel
- barrel measurements do not include flash hider.

Calibre
- this cartridge in DDR service was known as 22 Lang M 70.

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Shots	- detachable box magazine.
Serial Number	- serial number is marked on the left side of the receiver/frame. - serial number rationalization unknown. - four specimens have been reported all having a six digit serial number without prefix or suffix.
Remarks	- this firearm was manufactured by DDR Government Arsenals during the 1960s & '70s for the Peoples Army of the German Democratic Republic. - this firearm is purpose-built to replicate the weight and appearance of the larger calibre firearm that it imitates and the automatic fire capability was included to train personnel in the use of this feature for transition to the parent firearm.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
113195	Kalashnikov	KK-MPi 69	East German State Arsenals	Rifle	Converted Automatic

Also Known As/Product Code

Kalashnikov Mpi-69 KK

KK Mpi 69

KK Mpi-69

KKMpi 69

KK-Mpi-69

Klein Kaliber-Maschinen Pistole-69

Mpi-69

Year Dates

No Data Retrieved

Importer

No Data Retrieved

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FRT Report

Network Version 3.15.0

Firearm Reference No.: 15664

Date: 1/12/2011

Summary

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA
Serial Numbering:	Numbered
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
15664 - 1	7.62X39 RUSSIAN	5	415	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
15664 - 2	7.62X39 RUSSIAN	30	415	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	

Notes

Make

- "KALASHNIKOV" is not marked on the firearm.
- Kalasknikov as a make is in reference to the designer's last name, Mikhail Timofeyevich Kalishnikov of the "Automat Kalasnikova obrazets 1947" assault rifle.
- Kalishnikov is used as the make for military versions of this firearm.

Model

- model designation not marked on firearm.
- model was accepted by the Russian Military and designated as AK47 (Avtomat Kalishnikov 1947) in 1949.
- total production of AK47 type firearms exceeds 35 million.
- adopted by several communist bloc countries, several of which manufacture their own variant of this design.
- uses a machined steel receiver, available with a fixed or under folding stock.
- a modernized version with a stamped steel receiver known as the "AKM" was also produced.

Manufacturer

- manufacturers logo will normally appear on the receiver.

Action

- gas operated.

Barrel

- barrel measurement does not include flash hider.

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Shots - detachable box magazine.

Serial Number - usually located on left side of receiver.

Cross-References No Data Retrieved

Also Known As/Product Code

AK-47

Avtomat Kalishnikov

Year Dates No Data Retrieved

Importer No Data Retrieved

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Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Full View: Left Side

Image:
1 of 6

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Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Full View: Right Side

Image:
2 of 6

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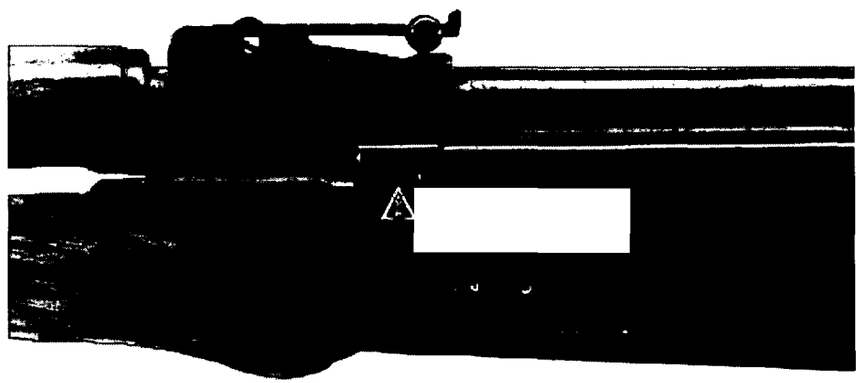
Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Close-up: Left Side

Image: 3 of 6



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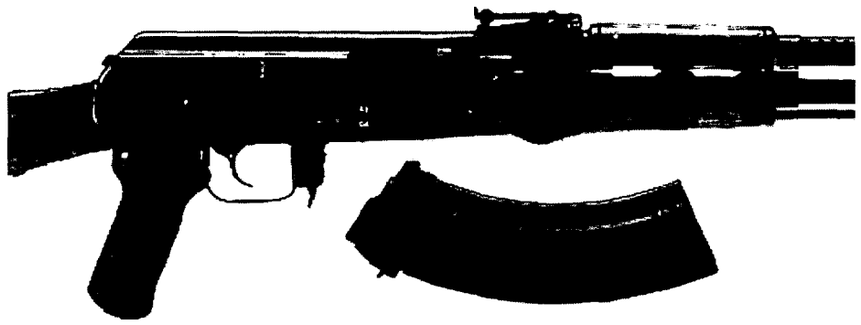
Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Close-up: Right Side

Image:
4 of 6



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Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Physical Variant #1

Image:
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Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Physical Variant #2

Image:
6 of 6

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FRT Report

v4.1-C

Firearm Reference No.: 125705

Date: 1/12/2011

Summary

Make:	Kalashnikov
Model:	AKT-98
Manufacturer:	Romanian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ROMANIA
Serial Numbering:	See Note
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification / Legal Authority	Level	Barrel Type Code
125705 - 1	22 LR	10	439	Prohibited PFR, Part 1, para. 64	Non-Commercial Customization	

Notes

Make

- "KALASHNIKOV" is not marked on the firearm.
- Kalasknikov as a make is in reference to the designer's last name, Mikhail Timofeyevich Kalishnikov of the "Automat Kalasnikova obrazets 1947" assault rifle.
- Kalishnikov is used as the make for military versions of this firearm.

Model

- the AKT-98 is a 22 LR CALIBRE firearm, either purpose-built or a conversion from an AKM.
- the conversion appears to have been done by adapting an AKM sheet metal pressing receiver/frame to become a 22 calibre training rifle, by the addition of an appropriate barrel and blow-back breech mechanism.
- It is not possible to tell exactly where or when this conversion took place and it cannot safely be presumed that that the firearm was not originally manufactured to be a 22 LR CALIBRE firearm.
- this firearm does have a "dummy" gas tube to closely resemble the parent AKM firearm.
- features include: plastic furniture which may readily be replaced with the furniture from any model of AKM.

Manufacturer

- "CUGIR - ROMANIA" is lightly stamped on the receiver/frame.
- the manufacturer is reported as being "S.C. Fabrica De Arme Cugir S.A."

Action

- blow-back operated.

Shots

- detachable box magazine.

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Serial Number

- serial number rationalization unknown.
- observed specimen serial number consisted of model designation AKT-98 followed by a dash followed by five digits followed by a dash followed by a two digit year code. EXAMPLE: - AKT-98-00084-04

Importer

- Markings consisted of:
AK-98 22 LR
ARMAMENTOS INC WPB FL

WPB FL = WEST PALM BEACH, FLORIDA

Other Markings

- the rear sight block has been observed with KK-95 marked on the left side.
- markings found on the left front of the receiver/frame include in three lines:
AKT-98 22 LR
ARMAMENTOS INC WPB FL
CUGIR -ROMANIA

Remarks

- this firearm was manufactured circa 2004, for export sales to North America by the Romanian State Arsenals or a privatised segement of the Romanian State Arsenals known as S.C. Fabbrica De Arme Cugir S.A. .
- this firearm replicates the weight and appearance of the larger calibre firearm that it imitates.

Cross-References

No Data Retrieved

Also Known As/Product Code

AKT 98

AKT98

KK-95

Year Dates

No Data Retrieved

Importer

Armamentos; UNITED STATES OF AMERICA

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FRT Report

Network Version 3.15.0

Firearm Reference No.: 16276

Summary

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY
Serial Numbering:	Numbered
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
16276 - 1	22 LR	10	451	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	
16276 - 2	22 LR	15	451	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	
16276 - 5	22 LR	15	514	Prohibited PFR, Part 1, para. 64	Non-Commercial Customization	

Notes

Make	- "Armi Jager" may be marked on the right-hand side of the receiver/frame.
Model	- "MOD AP80" is marked on the right-hand side of the receiver/frame. - sample model markings found on an observed specimen consisted of: "- ARMI JAGER ITALY - MOD AP80 - CAL 22LR CAT 2344 -". - visually resembles a Kalashnikov AK47 assault rifle. - this firearm is a 22 calibre, semi-automatic, blowback operated rifle. - features include: replica gas tube, walnut stock and forend or folding stock, post front sight, adjustable rear sight and built in cleaning rod.
Manufacturer	- "Armi Jager" and "Italy" may be marked on the right-hand side of the receive/frame. - following the Model designation the Italian Catalog number designation "CAT 2344", will be found.
Action	- blowback operated.
Calibre	- the calibre designation may be marked on the right side of the receiver/frame.

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Shots - detachable box magazine.

Serial Number
- serial number rationalization unknown.
- example examined was sequential numbered, the serial number consisted of six digits without suffix or prefix with zeros being used as place holders.
- the serial number was found stamped on upper right-hand side of the receiver / frame on the example examined.
- "CAT 2344" is marked on the right side of the receiver/frame.
- "2344" is not the serial number, this number is the Italian Proof House catalogue number.

Canadian Law Comments - this firearm model is a 22 calibre, semi-automatic, blowback operated rifle and is an unnamed variant of the AK-47 in the Regulations appended to the Criminal Code of Canada Part III, Prohibited Firearms Regulations, Para 64, sub (z.22).

Other Markings - following the Model designation the Italian Catalog number designation "CAT 2344", will be found marked on the receiver/frame.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
28902	Jager	AP80	Adler	Rifle	Semi-Automatic
82973	Mitchell Arms	AK22	Armi Jager	Rifle	Semi-Automatic

Also Known As/Product Code

2344

AK 22

AK22

AK-22

AP 80

AP-80

Armi Jager Mod AP80

Armi Jager Model AP80

CAT 2344

Italian Catalog Number 2344

Mod AP80

Year Dates

No Data Retrieved

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Importer

Mitchell Arms

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Firearm Details - Image

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Full View: Left Side

Image:
1 of 4

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Firearm Details - Image

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Full View: Right Side

Image:
2 of 4

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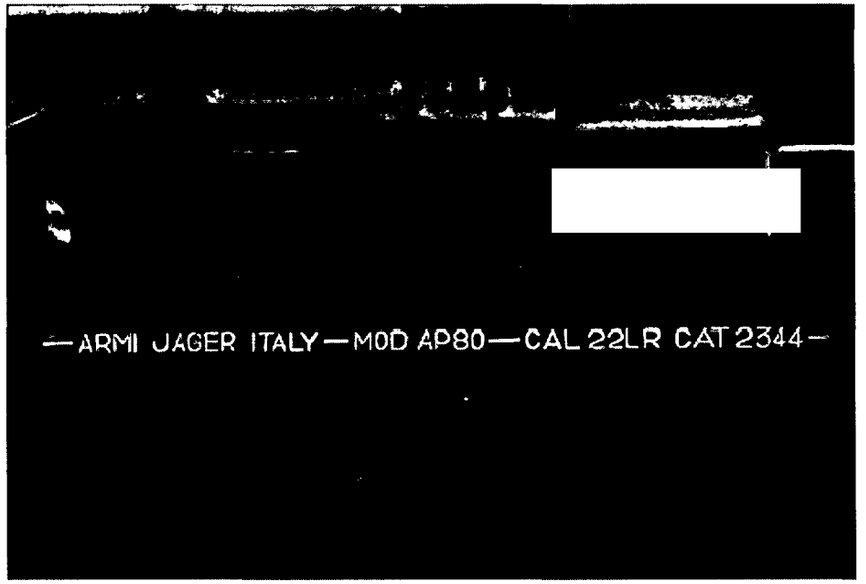
Firearm Details - Image

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Close-up: Right Side



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Firearm Details - Image

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Variant Markings

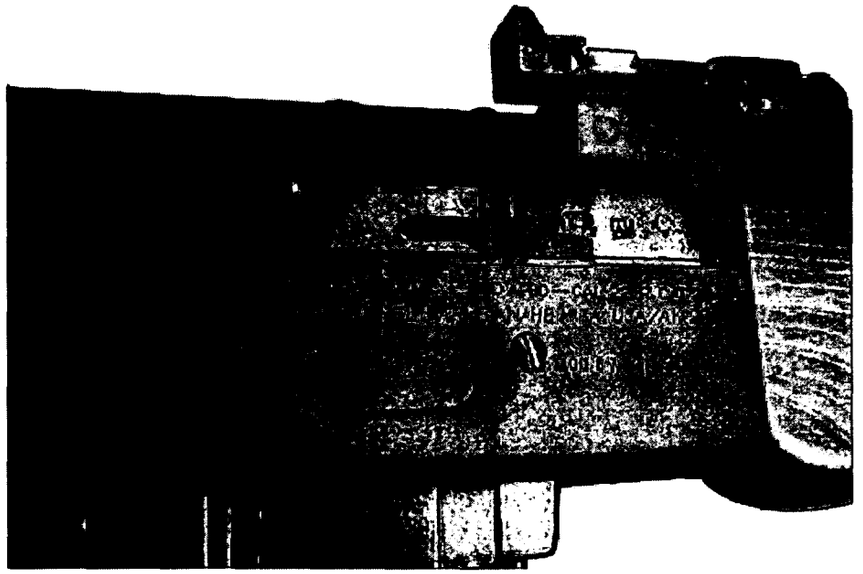

Image: 4 of 4

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FRT Report

Network Version 3.14.0

Firearm Reference No.: 32392

Summary

Make:	Armscor
Model:	M AK47/22
Manufacturer:	Arms Corporation of the Philippines (Armscor)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	PHILIPPINES
Serial Numbering:	Numbered
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification / Legal Authority	Level	Barrel Type Code
32392 - 1	22 LR	10	464	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	
32392 - 2	22 LR	10	470	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	
32392 - 3	22 LR	15	464	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	
32392 - 4	22 LR	15	470	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	
32392 - 7	22 LR	30	337	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	
32392 - 5	22 LR	30	464	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	
32392 - 6	22 LR	30	470	Prohibited PFR, Part 1, para. 64	Manufacturer Specifications and Commercial Customization	

Notes

Model	- model designation is marked on the right side of the firearm. - externally resembles a Kalishnikov model AK 47.
Manufacturer	- the manufacturers name appears on the right side of the receiver/frame.

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.14.0, 2010/04/14. All rights reserved, RCMP, 1998-2010.

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Action	- blow-back operated.
Calibre	- marked on the right side of the receiver/frame.
Shots	- detachable box magazine.
Serial Number	- marked on the receiver/frame, may incorporate an alpha character.
Importer	- marked on the left side of the receiver/frame.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
35445	Squires Bingham	M AK47/22	Arms Corporation of the Philippines (Armscor)	Rifle	Semi-Automatic
35447	Squires Bingham	M AK47/22F	Arms Corporation of the Philippines (Armscor)	Rifle	Semi-Automatic

Also Known As/Product Code

AK22
AK-22
AK22S
AK-22S
AK47/22
AK47-22
M-AK22
M-AK47/22
M-AK47-22
Model AK22
Model AK47/22
Model AK47-22

Year Dates

No Data Retrieved

Importer

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Importer

Ruko

Ruko Of Canada

Kassnar Imports

Armscor Precision Incorporated (API)

KBI Incorporated

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Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Firearm Details - Image

Make:	Armscor
Model:	M AK47/22
Manufacturer:	Arms Corporation of the Philippines (Armscor)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	PHILIPPINES

Full View: Left Side

Image:
1 of 5

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Firearm Details - Image

Make:	Armscor
Model:	M AK47/22
Manufacturer:	Arms Corporation of the Philippines (Armscor)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	PHILIPPINES

Full View: Right Side

Image:
2 of 5

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.14.0, 2010/04/14. All rights reserved, RCMP, 1998-2010.

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Firearm Details - Image

Make:	Armscor
Model:	M AK47/22
Manufacturer:	Arms Corporation of the Philippines (Armscor)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	PHILIPPINES

Close-up: Left Side

Image:
3 of 5

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.14.0, 2010/04/14. All rights reserved, RCMP, 1998-2010.

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Firearm Details - Image

Make:	Armscor
Model:	M AK47/22
Manufacturer:	Arms Corporation of the Philippines (Armscor)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	PHILIPPINES

Close-up #1: Right Side

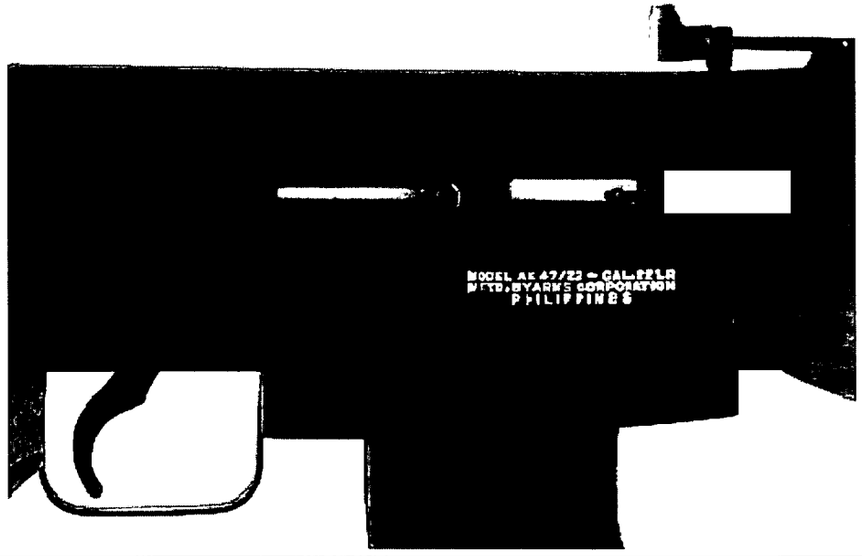

Image: 4 of 5

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.14.0, 2010/04/14. All rights reserved, RCMP, 1998-2010.

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information.

Firearm Details - Image

Make:	Armscor
Model:	M AK47/22
Manufacturer:	Arms Corporation of the Philippines (Armscor)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	PHILIPPINES

Close-up #2: Right Side

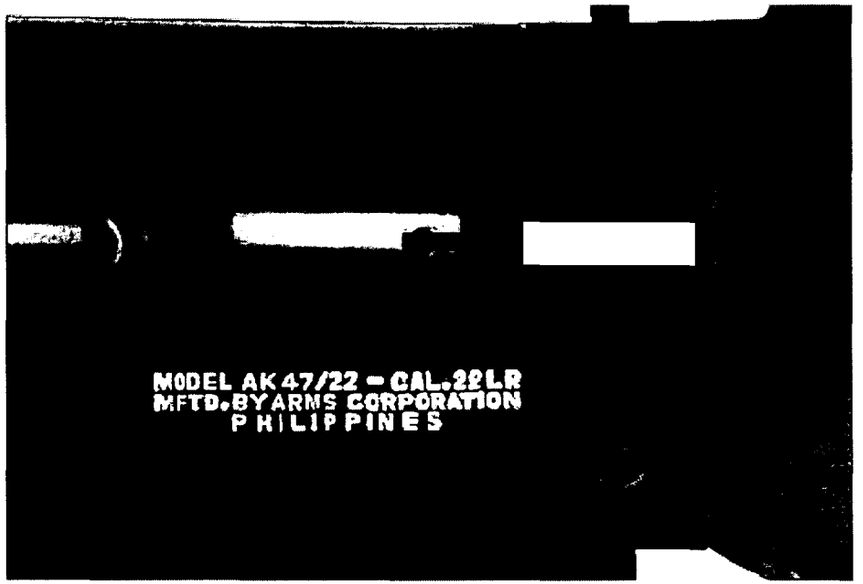

Image: 5 of 5

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FRT Report

v4.1-C

Firearm Reference No.: 113417

Date: 1/12/2011

Summary

Make:	Kalashnikov
Model:	AKAT-74
Manufacturer:	Bulgarian State Arsenal, Factory 10
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	BULGARIA
Serial Numbering:	Numbered
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification / Legal Authority	Level	Barrel Type Code
113417 - 1	22 LR	20	568	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications	

Notes

Make

- "KALASHNIKOV" is not marked on the firearm.
- Kalasknikov as a make is in reference to the designer's last name, Mikhail Timofeyevich Kalishnikov of the "Automat Kalasnikova obrazets 1947" assault rifle.
- Kalishnikov is used as the make for military versions of this firearm.

Model

- this firearm is a converted AK-47.
- the conversion appears to have been done by adapting an AK milled / forged receiver/frame to become a 22 calibre training rifle, by the addition of an appropriate barrel and blow-back breech mechanism.
- It is not possible to tell exactly where or when this conversion took place and it cannot safely be presumed that that the firearm was adapted / manufactured or re-manufactured at the factory which manufactured of the receiver / frame.
- this firearm does have a "dummy" gas tube to closely resemble the parent AK-47 firearm.

Manufacturer

- manufactured by an unknown manufacturer in the Bulgarian State Arsenal system, the receiver / frame was manufactured by Factory Number 10.

Action

- blowback operated.
- capable of full automatic or semi-automatic fire.
- rate-of-fire (theoretical) 700 shots-per-minute.

Barrel

- barrel measurements do not include flash hider.

Firearms Reference Table, Policing Support Services, Royal Canadian Mounted Police. Version 4.1-C, June 2010. All rights reserved, RCMP, 1998-2011.

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Shots	- detachable box magazine.
Serial Number	- serial number is marked on the left side of the receiver/frame. - serial number rationalization unknown. - one specimen reported revealed the following information: full year prefix 1960 followed by two letters followed by three digits.
Remarks	- this firearm was manufactured by the Bulgarian State Arsenals during the 1970's for export sales to Canada and other trading partners. - it replicates the weight and appearance of the larger calibre firearm that it imitates.

Cross-References No Data Retrieved

Also Known As/Product Code

AK AT 74

AK-AT 74

AK-AT-74

Kalashnikov AKAT 74

Submachinegun - AKAT 74

Submachinegun-AKAT .74

Year Dates No Data Retrieved

Importer No Data Retrieved

Firearms Reference Table, Policing Support Services, Royal Canadian Mounted Police. Version 4.1-C, June 2010. All rights reserved, RCMP, 1998-2011.

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Pages 257 to / à 260

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Page 261

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Page 262

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of the Access to Information Act

de la Loi sur l'accès à l'information

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de la Loi sur l'accès à l'information

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Murray Smith - Fwd: RE: REPLY - Air Soft Gun Importation

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-01-20 11:29
Subject: Fwd: RE: REPLY - Air Soft Gun Importation

Geoff,

FYI, a nice thank-you from a happy customer. We are getting a lot of technical questions these days.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Dear Mr. William Etter,

Thank you for your kind response and for the answers. It was really helpful and I really appreciate it. I just wanted to write this email back to you to show that I am really thankful and appreciate your assistance on this matter.

I hope you have a wonderful day!

Kind regards,

Date: Wed, 19 Jan 2011 07:47:58 -0500
From: William.Etter@rcmp-grc.gc.ca
CC: Kimberley.Glass@rcmp-grc.gc.ca; Murray.A.Smith@rcmp-grc.gc.ca; Rose.Thomas@rcmp-grc.gc.ca
Subject: REPLY - Air Soft Gun Importation
To:

Good morning

SUBJECT: The assignment of a legal classification to AirSoft products.

The e-mail message you forwarded to RCMP, Canadian Firearms Program, Policy Branch was forwarded to this Specialized Firearms Support Services Section as the appropriate Policy Centre for comment on this subject.

BACKGROUND

Airsoft devices are designed by their manufacturers to not qualify as firearms anywhere in the world and in general they have succeeded in achieving that goal. Most airsoft devices are designed to strongly resemble a

A0074207_304-000304

Pages 305 to / à 308

are not relevant

sont non pertinentes

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Murray Smith - Fwd: The assignment of a legal classification to firearms.

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-01-20 11:32
Subject: Fwd: The assignment of a legal classification to firearms.

Geoff,

Further to my last message, below is another example of the technical questions we have seen a lot of recently. The message trail shows how these sort of questions ricochet around the communications units at CPS and Leikin Drive and eventually to us.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 1/20/2011 8:52 AM >>>
Good morning

SUBJECT: The assignment of a legal classification to firearms.

The e-mail messages that you exchanged with the RCMP, Canadian Firearms Program, Public Enquiries was forwarded to the Specialized Firearms Support Services Section as the appropriate Policy Centre for comment.

Let me firstly identify myself and my job function to you. I hold the job/position title, Senior Firearms Technologist, Specialized Firearms Support Services Section (SFSS). The SFSS Section is the policy centre / technical authority in the subject area of assigning the applicable legal class to all Firearms found on the Firearms Reference Table. The Specialized Firearms Support Services Section is a component of the Firearms Investigative and Enforcement Services Directorate, RCMP, Canadian Firearms Program.

The Criminal Code of Canada PART I, Section 2, Definitions, definition of "Firearm"; the Criminal Code of Canada PART III (FIREARMS AND OTHER WEAPONS) and the Regulations appended thereto are the statutory authority for the legal classification of firearms.

REFERENCES

1. Criminal Code of Canada PART I, Section 2, Definitions, definition of "Firearm"

"Firearm" means a barrelled weapon from which any shot, bullet or other projectile can be discharged

A0074207_309-000309

Pages 310 to / à 315

are not relevant

sont non pertinentes

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Murray Smith - Type 97A inspection by appellant

From: Murray Smith
To: GROSSPIETSCH, Frank
Date: 2011-01-20 12:01
Subject: Type 97A inspection by appellant
CC: CUNNINGHAM, Jim

Frank,

If you think it necessary for me to be there for the inspection, let me know. I am still waiting for the final terms. CBSA has stipulated that the appellant may not disassemble or modify the rifles. Whether this limitation will stand is unknown at present.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074207_316-000316

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de la Loi sur l'accès à l'information

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Murray Smith - Fwd: New FRT Number Required

From: Murray Smith
To: Fraser, George; Greenley, Calvin
Date: 2011-01-21 12:49
Subject: Fwd: New FRT Number Required
CC: Etter, William

Cal & George,

This is the technical information received from Frank. He called to today to say thanks for the quick turnaround. He needs the FRT record to attach to his report to the BC Combined Guns and Gangs Task Force.

Would one of you please send Frank a pdf version today.

Thanks

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 1/6/2011 12:43 PM >>>
Hi Murray,

As per our conversation, the following Blank Gun has been converted to fire modified 380 calibre ammunition.

Manufacturer: ATAK Silah Sanayi Tic. Ltd
Make: Zoraki
Model: 914
Overall Length: 154 mm
Barrel Length: 85 mm
Blank Calibre: 9mm
Ammunition Calibre (modified): 380
Type: Handgun
Action: Semi-Automatic
Serialized by manufacturer
Manufacturer's Country: Turkey
Legal Classification: Prohibited

NOTE: As File is too photo heavy / disc sent via post

Cheers

Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

A0074207_336-000336

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Fwd: Ministerial Correspondence T007390

From: Murray Smith
To: Thomas, Rose
Date: 2011-01-25 11:41
Subject: Re: Fwd: Ministerial Correspondence T007390

Hi Rose,

I am aware of T007390 which involves a BD38 transfer that has been held up. Bill and I have conducted a thorough review of the information we have on this firearm. Based on what we now know, we are going to suggest an inspection of the firearm. Since the answer is non-technical, perhaps you could draft the reply to the owner from the Minister requesting he submit his BD38 for an inspection.

What are the other two enquiries on the BD38 about?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 1/25/2011 10:24 AM >>>
Good morning

I have three outstanding Ministerial Correspondence from December 2010 that have yet to be completed (T007390, T007677 and T07670), all regarding DB38.

Can you please advise when I can receive your input so that I can complete my response for the Minister's signature?

Thank you

Rose Thomas

>>>

> **From:** Murray Smith
> **To:** Thomas, Rose
> **CC:** Doran, Lynn; Etter, William
> **Date:** 12/10/2010 12:26 PM
> **Subject:** Re: Fwd: Ministerial Correspondence T007390

A0074207_337-000337

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Hi Rose,

Bill has been working on this matter and has prepared a draft response which I am reviewing. We should have a response to you soon.

There are certain sensitivities associated with this file which we intend to handle delicately, not the least of which is the owner's depiction of the firearm in question as a simple "rifle", which strongly contrasts with the reality that the "rifle" is a copy of a German WW II submachine gun complete with Nazi era markings.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 12/7/2010 11:43 AM >>>
Good morning,

A friendly little reminder that I have not yet received your input to this Ministerial Correspondence. Please note that the ES&ML deadline is next week.

Thank you

Rose Thomas

>>>

From: Rose Thomas
To: Smith, Murray
Date: 12/1/2010 3:26 PM
Subject: Ministerial Correspondence T007390

Please find attached a letter received via ES&ML requesting a response for the Minister's signature.

The client expressed concerns of his SSD BD38 9mm rifle and the reclassification of such firearms. Could you please provide me with some input that could be incorporated into my proposed response.

Thank you

Rose Thomas

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Fwd: Ministerial Correspondence T007390

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-01-25 12:49
Subject: Re: Fwd: Ministerial Correspondence T007390
Attachments: SKMBT_50110120116140_1.pdf

Geoff,

A copy of the original incoming correspondence is attached for convenience of reference.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074207_339-000339

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

>>> Murray Smith 1/25/2011 11:41 AM >>>
Hi Rose,

I am aware of T007390 which involves a BD38 transfer that has been held up. Bill and I have conducted a thorough review of the information we have on this firearm. Based on what we now know, we are going to suggest an inspection of the firearm. Since the answer is non-technical, perhaps you could draft the reply to the owner from the Minister requesting he submit his BD38 for an inspection.

What are the other two enquiries on the BD38 about?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 1/25/2011 10:24 AM >>>
Good morning

I have three outstanding Ministerial Correspondence from December 2010 that have yet to be completed (T007390, T007677 and T07670), all regarding DB38.

Can you please advise when I can receive your input so that I can complete my response for the Minister's signature?

Thank you

Rose Thomas

>>>

From: Murray Smith
To: Thomas, Rose
CC: Doran, Lynn; Etter, William
Date: 12/10/2010 12:26 PM
Subject: Re: Fwd: Ministerial Correspondence T007390

Hi Rose,

Bill has been working on this matter and has prepared a draft response which I am reviewing. We should have a response to you soon.

There are certain sensitivities associated with this file which we intend to handle delicately, not the least of which is the owner's depiction of the firearm in question as a simple "rifle", which strongly contrasts with the reality that the "rifle" is a copy of a German WW II submachine gun complete with Nazi era markings.

A0074207_340-000340

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 12/7/2010 11:43 AM >>>
Good morning,

A friendly little reminder that I have not yet received your input to this Ministerial Correspondence. Please note that the ES&ML deadline is next week.

Thank you

Rose Thomas

>>>

From: Rose Thomas
To: Smith, Murray
Date: 12/1/2010 3:26 PM
Subject: Ministerial Correspondence T007390

Please find attached a letter received via ES&ML requesting a response for the Minister's signature.

The client expressed concerns of his SSD BD38 9mm rifle and the reclassification of such firearms. Could you please provide me with some input that could be incorporated into my proposed response.

Thank you

Rose Thomas

A0074207_341-000341

Pages 342 to / à 343

are not relevant

sont non pertinentes

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Murray Smith - Re: Fwd: Ministerial Correspondence T007390

From: Murray Smith
To: Thomas, Rose
Date: 2011-01-25 13:29
Subject: Re: Fwd: Ministerial Correspondence T007390
Attachments: T007670_1.pdf; T007677_1.pdf

Hi Rose,

T007677 deals exclusively with the BD38, but is very general in nature. A response might include the following:

1. There has been no change to the Criminal Code which impacts the BD38 copy of the German MP38/40 submachine gun.

2. The RCMP does not have the authority to change the Criminal Code nor is it doing so.

3. The RCMP is responsible for applying the law as it presently exists, and is in fact doing so.

4. The BD38 has come to the attention of the RCMP and is presently under review. No decision has yet been made.

5. If a change to the Criminal Code is desired, the matter must be referred to the appropriate authority, namely Parliament in the case of the Criminal Code, and the Governor in Council for the Criminal Code Regulations.

The other correspondence, T007670, deals with several firearms. A similar response would be appropriate.

1. There has been no change to the Criminal Code which impacts the BD38 copy of the German MP38/40 submachine gun, the Type 97A rifle, the various VZ58 rifles or any of the other firearms mentioned.

2. The RCMP does not have the authority to change the Criminal Code nor is it doing so.

3. The RCMP is responsible for applying the law as it presently exists, and is in fact doing so.

4. The firearms mentioned have come to the attention to the RCMP in the ordinary course of business. For some of the firearms a decision has been rendered. Others are presently under review. In all cases, decisions were made in accordance with the law as presently written.

5. If a change to the Criminal Code is desired, the matter must be referred to the appropriate authority, namely Parliament in the case of the Criminal Code, and the Governor in Council for the Criminal Code Regulations.

I would like to see the correspondence prior to submission to the DG. The approach taken is consistent with that advocated by the DG.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services

A0074207_344-000344

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Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 1/25/2011 11:44 AM >>>
Attached are the other two letters. They are also about the BD 38.

Thanks

Rose

>>>

From: Murray Smith
To: Thomas, Rose
Date: 1/25/2011 11:41 AM
Subject: Re: Fwd: Ministerial Correspondence T007390

Hi Rose,

I am aware of T007390 which involves a BD38 transfer that has been held up. Bill and I have conducted a thorough review of the information we have on this firearm. Based on what we now know, we are going to suggest an inspection of the firearm. Since the answer is non-technical, perhaps you could draft the reply to the owner from the Minister requesting he submit his BD38 for an inspection.

What are the other two enquiries on the BD38 about?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 1/25/2011 10:24 AM >>>
Good morning

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Can you please advise when I can receive your input so that I can complete my response for the Minister's signature?

Thank you

Rose Thomas

A0074207_345-000345

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>>>

From: Murray Smith
To: Thomas, Rose
CC: Doran, Lynn; Etter, William
Date: 12/10/2010 12:26 PM
Subject: Re: Fwd: Ministerial Correspondence T007390

Hi Rose,

Bill has been working on this matter and has prepared a draft response which I am reviewing. We should have a response to you soon.

There are certain sensitivities associated with this file which we intend to handle delicately, not the least of which is the owner's depiction of the firearm in question as a simple "rifle", which strongly contrasts with the reality that the "rifle" is a copy of a German WW II submachine gun complete with Nazi era markings.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 12/7/2010 11:43 AM >>>
Good morning,

A friendly little reminder that I have not yet received your input to this Ministerial Correspondence. Please note that the ES&ML deadline is next week.

Thank you

Rose Thomas

>>>

From: Rose Thomas
To: Smith, Murray
Date: 12/1/2010 3:26 PM
Subject: Ministerial Correspondence T007390

Please find attached a letter received via ES&ML requesting a response for the Minister's signature.

The client expressed concerns of his SSD BD38 9mm rifle and the reclassification of such firearms. Could you please provide me with some input that could be incorporated into my proposed response.

Thank you

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Pages 348 to / à 356

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Pages 357 to / à 373

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Murray Smith - Re: Rossi S12

From: Murray Smith
To: Guay, Daniel
Date: 2011-01-27 11:36
Subject: Re: Rossi S12

Thanks Dan.

Bill & Kimberley,

See below from Dan. This arose out of a conversation I had with Grace Zhang yesterday. The goal is to determine whether the restricted variants of the Rossi S12 can be discerned via telephone verification. This will avoid a huge exercise for SFSS setting up a physical inspection protocol, presuming the telephone verification can be accomplished with little risk.

Let me know what you think.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Daniel Guay 1/27/2011 11:15 AM >>>
Murray,

As discussed yesterday, I have reviewed the Rossi S12 file and the inspection report from Bill dated 2010-08-05.

There is few features that appear to be unique to this firearm, some of them can be telephone verified by CFR clerks.

1- the serial number block (SP130 prefix ex : SP130048, SP130041.. etc) indicate a special run.
2- presence of a black rubber pistol grip. (A regular butt stock cannot be retrofitted to this firearm)
3- barrel length is off standard, 457mm as opposed to 559mm and 584mm on regular production Rossi single shot firearm in 12 GA X 3" shotgun calibers.
4- Overall length of the firearm is 578mm.
5- the barrel is marked "cylinder bore" and there are 10 port holes present in the top portion of the barrel near the muzzle end.
6- presence of a blued recoil buffer tube mounted in front of the black synthetic ringed forend. (look like a pump action shotgun forend).

Al the above features can be confirmed by telephone verification and would indicate a Rossi S12 Handgun version.

One last feature to ascertain that the subject firearm is a Rossi S12 Handgun would drive a request to the owner to remove the pistol grip and confirm the receiver configuration. This would have to be verified only by a

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Murray Smith - Re: Fwd: ATAK ZORAKI 914

From: Murray Smith
To: CUNNINGHAM, Jim; Courtois, René; Francis, Geoffrey; Leighton, Mike
Date: 2011-01-27 11:46
Subject: Re: Fwd: ATAK ZORAKI 914

Thanks Jim,

An FRT record has been prepared for the modified blank gun based on Frank's data and photographs. Frank has a pdf copy of the record and I presume he will be distributing it with the background paper he is preparing.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jim CUNNINGHAM 1/26/2011 4:09 PM >>>
Gentlemen,

FYI. I have distributed the following to the members of Western Region. It is unknown if this is occurring elsewhere or if it is currently restricted to B.C. I would suggest that if these items have not surfaced in your areas, it may simply be a matter of time much the way the Rohm .22 cal flare guns have popped up.

Regards, Jim

J.G. (Jim) Cunningham, Insp.
OIC National Weapons Enforcement Support Team - Western Region
RCMP/Policing Support Services
Canadian Firearms Program
P.O. Box 42529
New Westminster, B.C.
V3M 6L7

Phone: (604) 777-7901

Fax: (604) 777-7810
email: james.cunningham@rcmp-grc.gc.ca

POLICE INVESTIGATIVE SUPPORT LINE 1-866-920-0553

>>> Jim CUNNINGHAM 2011-01-26 13:03 >>>
Gents,

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Pages 378 to / à 388
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Murray Smith - Fwd: Speaking points - BD38

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 2011-02-02 10:40
Subject: Fwd: Speaking points - BD38

FYI

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2/1/2011 2:45 PM >>>
Sport Systems Dittrich (SSD) BD38 FRT record #126518
Created: February 13, 2007
Suspended: March 3, 2009

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Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Fwd: ARMI CHIAPPA - M FOUR - Rifle & Handgun Magazines

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-02-04 14:38
Subject: Fwd: ARMI CHIAPPA - M FOUR - Rifle & Handgun Magazines
CC: Etter, William; Glass, Kimberley
Attachments: ARMI CHIAPPA - M FOUR - Magazines - master.pdf

Geoff,

Attached is the bulletin we spoke of yesterday concerning the cartridge magazine common to the Armi Chiappa m four-22 rifle and handgun. The situation is almost an exact analog to the Smith & Wesson M&P 15-22 rifle and handgun. This is to provide advance notice to the DG CFP.

The text is reproduced in the body of the e-mail message for ease of reference on a Blackberry.

The bulletin is presently formulated for internal distribution to FIESD, with a copy to FOSD. If a wider distribution is required, please advise accordingly.
We propose to distribute the bulletin next week as soon as it is translated.

Grace Zhang is checking to determine how many Armi Chiappa rifles, handguns and magazines have been imported. So far as we know, only the one rifle and magazine that we inspected are in Canada.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 2/4/2011 1:55 PM >>>
Good afternoon Murray:

Attached you will find, in pdf format the Subject **ARMI CHIAPPA - M FOUR - Rifle & Handgun Magazines Bulletin,** which I have reproduced below in text.

ARMI CHIAPPA MODEL m four-22 RIFLE & PISTOL CARTRIDGE MAGAZINES

Royal Canadian Mounted Police
Canadian Firearms Program
Firearms Investigative and Enforcement Services Directorate
Specialized Firearms Support Services (SFSS)

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Pages 394 to / à 401

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Murray Smith - S&W 15-22 BN

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-02-04 16:02
Subject: S&W 15-22 BN

Geoff,

I was just notified by Connie (and she was just notified by ES&ML) that the scope of the BN has been expanded to include how the rifle itself was classified (as a variant of the M16 rifle).

This is a whole different issue and opens the door to comments concerning the updating of the CC regulations. This is the kind of response envisioned by the DG concerning transference of responsibility where it belongs.

I made Connie aware of these issues and provided some text but I doubt it will make it through the policy department filters, hence this message.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074207_402-000402

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Murray Smith - Fwd: Re: BN due - February 7, 2011

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-02-07 11:54
Subject: Fwd: Re: BN due - February 7, 2011
Attachments: Re: BN due - February 7, 2011

Geoff,

Below is the revised tasking from ES&ML concerning the BN for the Smith & Wesson M&P 15-22 rifle, pistol and their magazines. Note the due date from ES&ML is noon tomorrow.

I had a conversation with CFP Policy late Friday and provided a rationale for the restricted classifications of the rifle and pistol. I received a revised BN with that information incorporated.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/4/2011 3:58 PM >>>
Murray,

This is what ES&ML is looking for in the B.N.

I will send it to you tonight.

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Pages 404 to / à 405

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Murray Smith - Strategy for release of bulletins on the magazine issue

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-02-07 12:11
Subject: Strategy for release of bulletins on the magazine issue
CC: Etter, William; Glass, Kimberley

Geoff,

I propose the following strategy:

1. The SFSS bulletin on the Armi Chiappa will be sent for translation and then held for concurrent release of the notice to businesses.

2. CFP Policy can prepare a communique to businesses specifically on the Armi Chiappa based on the content of the SFSS bulletin.

3. The general bulletin to businesses on magazine issues that is mentioned in the BN to the Minister concerning the S&W M&P 15-22 needs to be made final and translated. SFSS prepared the bulletin last December, responded to the comments on the first draft received last week, and is awaiting approval of draft 2 which was sent to CFP Policy last Friday.

4. Suggest the following sequence of events: (1) release of the S&W M&P 15-22 BN to PSC; (2) release of the general bulletin to businesses on magazine issues; (3) release of the bulletin to businesses specifically on the Armi Chiappa.

5. Suggest the general bulletin and the SFSS bulletin on the Armi Chiappa be released internally to the CFP the day before release to the businesses.

6. Everything should be done by the end of this week.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Briefing Note #52

From: Murray Smith
To: Carlotti, Constance
Date: 2011-02-07 13:29
Subject: Re: Briefing Note #52

Hi Constance,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/7/2011 12:58 PM >>>
Murray,

Here is the Briefing Note that was due at noon today. Scott has made his changes.

Please send me your comments A.S.A.P.

Thanks.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

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Murray Smith - Fwd: Re: Briefing Note #52

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-02-07 13:34
Subject: Fwd: Re: Briefing Note #52
Attachments: CFP-2010-52 BN to Min2nd- Feb 3, 2011, 2nd draftS&W M&P 15-22_2.doc

Geoff,

They did not a bad job rewriting the BN. One big mistake concerning possession of prohibited magazines, otherwise minor concerns.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2/7/2011 1:29 PM >>>
Hi Constance,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	ES&ML No: / No. des SE&LM: / Pages : 2	Security Classification : / Classification sécuritaire: Protected

BRIEFING NOTE
TO THE MINISTER OF PUBLIC SAFETY

NOTE D'INFORMATION
AU MINISTRE DE LA SÉCURITÉ PUBLIQUE

ISSUE:

To inform the Minister of Public Safety regarding an on-going issue with the classification of the Smith and Wesson M&P 15-22 rifle and the sale and distribution of the Smith and Wesson 25 shot cartridge magazine.

BACKGROUND:

In 2009, Smith and Wesson introduced the M&P 15-22 rifle, followed by the introduction of the Smith and Wesson M&P 15-22 pistol in early 2010. The Smith and Wesson M&P 15-22 rifle was recently inspected by the Royal Canadian Mounted Police (RCMP) and is being treated as a restricted firearm because it is a variant of the M-16 assault rifle. Prohibited and restricted firearms are defined under Part III of the Criminal Code, while specific models and variants are classified under the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted.* These *Regulations* are under the purview of the Minister of Justice, and were last updated in 1995. The Smith and Wesson M&P 15-22 handgun is being treated as restricted because the barrel length exceeds 105 mm.

Smith and Wesson produces 25 and 10 shot magazines that can be used in both the M&P 15-22 rifle and the M&P 15-22 pistol. Both the rifle and the pistol are commercially sold with 25 shot magazines and are advertised with the 25 shot cartridge magazines, because those magazines are standard issue for both the rifle and pistol.

The *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* found in the *Criminal Code* which govern cartridge magazine capacities state the 25 shot cartridge magazine is a prohibited device because it is designed and manufactured for use in a semi-automatic handgun. Hand gun magazines are limited to a 10 shot cartridge capacity.

CURRENT STATUS:

STRATEGIC CONSIDERATIONS:

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Royal Canadian Mounted Police | Gendarmerie royale du Canada

ES&ML No:
No. des SE&LM:

Pages :

Security Classification :
Classification sécuritaire

An information bulletin is being prepared to remind businesses regarding the maximum permitted capacity of cartridge magazines designed and manufactured for use in more than one kind of firearm. The businesses will have the option of exchanging the 25 shot magazines for 10 shot magazines at their own expense or recalling and pinning the 25 shot magazines to 10 shots.

The CFP has consulted with the Chief Firearms Officers of Ontario and Saskatchewan, as well as the RCMP legal services on this issue and it was agreed that the CFP will work with businesses, manufacturers, and importers to mitigate risk and facilitate compliance with the regulations.

BN Identification Number: CFP-2010-52
CCM #: 10-006454

Prepared by : Rédigée par :	Recommended by : Recommandée par :		Approved by : Approuvée par :	Date
Pierre Perron, C/Supt. Director General	Line Carbonneau, D/Commr. Policing Support Services	R.R. (Rod) Knecht, D/Commr. Senior Deputy Commissioner	William J.S. Elliott Commissioner	

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Murray Smith - Re: B.N. #52

From: Murray Smith
To: Carlotti, Constance
Date: 2011-02-07 14:28
Subject: Re: B.N. #52

Hi Constance,

The BN looks OK. As for the statistics, I believe they came from FOSD. I have no way of verifying the information. The firearms registry does not record magazines, which you may nonetheless wish to verify with them.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/7/2011 2:20 PM >>>
Murray,

Thanks for comments.

I have incorporated you comments. Hwan made the comment that the stats may be incorrect for the number of cartridge magazines that have been imported. Hwan also mentioned that he thought cartridge magazines were not in the registrar's inventory. Is that correct?

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

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Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Fwd: ACCESS TO INFORMATION REQUEST A-2010-05152 / f107

From: Murray Smith
To: CFP-ATIP@rcmp-grc.gc.ca; Lucas, John
Date: 2011-02-07 15:09
Subject: Re: Fwd: ACCESS TO INFORMATION REQUEST A-2010-05152 / f107
CC: Etter, William; Francis, Geoffrey; Glass, Kimberley

Rachelle,

The RCMP applies the law as passed by Parliament or proclaimed by the Governor in Council. The RCMP has no authority to "reclassify" firearms as that involves a change to the law. The Federal Department of Justice is the agency responsible for the Criminal Code and its associated Regulations, which is where the firearms classification rules are enacted. Consequently any amendments to the Criminal Code would be initiated by the Department of Justice and then forwarded to Parliament or the Governor in Council as appropriate.

What the RCMP does when evaluating a firearm, is establish the physical characteristics and operating parameters of the firearm in question, and assess how those features correspond to the criteria set out in Part III of the Criminal Code and associated Regulations.

As new firearms enter the marketplace, they are evaluated, their classifications determined, and the results recorded in the Firearms Reference Table database. The classification of a firearm remains static unless the Government changes the Criminal Code or a Court issues a ruling that alters case law. On rare occasions, the recorded classification of a firearm might change as a result of new information being brought to the attention of the RCMP. This may give the illusion of reclassification, but it is not the case, as any re-evaluation is based on the same Criminal Code criteria.

I would be happy to discuss the matter with the Information Commissioner's office.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> CFP-ATIP 2/7/2011 2:21 PM >>>
Hi gentlemen,

Please see message below from ATIP Branch. They have received a complaint with regards to this original request. John / Murray, the response you originally provided and that was provided to ATIP Branch in response to the original request is below:

Reply from Murray's shop at SFSS is as follows:

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Pages 414 to / à 416

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Murray Smith - Re: B.N. #52 - urgent due noon February 8th

From: Murray Smith
To: Carlotti, Constance
Date: 2011-02-07 15:18
Subject: Re: B.N. #52 - urgent due noon February 8th

Constance,

It took a few months, possibly more. I will have to check the files to determine the exact answer. It seems to me that we had a number of similar requests concerning clones of the M-16/AR-15 family of firearms and we waited for the entire batch to arrive before starting work, so we could see how all the various subtypes interrelated.
How soon is an answer required?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/7/2011 2:56 PM >>>
Murray,

The D.G.'s office is looking for how long it took to classify the Smith & Wesson M&P 15-22 rifle?

Thanks.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 2/7/2011 2:28 PM >>>
Hi Constance,

The BN looks OK. As for the statistics, I believe they came from FOSD. I have no way of verifying the information. The firearms registry does not record magazines, which you may nonetheless wish to verify with them.

A0074207_417-000417

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Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/7/2011 2:20 PM >>>
Murray,

Thanks for comments.

I have incorporated you comments. Hwan made the comment that the stats may be incorrect for the number of cartridge magazines that have been imported. Hwan also mentioned that he thought cartridge magazines were not in the registrar's inventory. Is that correct?

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
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Email: Constance.Carlotti@rcmp-grc.gc.ca

A0074207_418-000418

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: B.N. #52 - urgent due noon February 8th

From: Murray Smith
To: Carlotti, Constance
Date: 2011-02-08 14:51
Subject: Re: B.N. #52 - urgent due noon February 8th

The inspection took longer than normal, just under six months, 172 days to be precise. The S&W M&P 15-22 was intentionally held back because there were a number of other similar firearms under review at the same time, including the Colt M4 Carbine, Colt M4 Ops, Remington 597VTR, and the Ruger SR-22. Concurrent examination of all the various types was judged prudent to ensure consistency.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/7/2011 3:49 PM >>>
Murray,

This afternoon.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 2/7/2011 3:18 PM >>>
Constance,

It took a few months, possibly more. I will have to check the files to determine the exact answer. It seems to me that we had a number of similar requests concerning clones of the M-16/AR-15 family of firearms and we waited for the entire batch to arrive before starting work, so we could see how all the various subtypes interrelated.
How soon is an answer required?

Regards,

Murray

A0074207_419-000419

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Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/7/2011 2:56 PM >>>
Murray,

The D.G.'s office is looking for how long it took to classify the Smith & Wesson M&P 15-22 rifle?

Thanks.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 2/7/2011 2:28 PM >>>
Hi Constance,

The BN looks OK. As for the statistics, I believe they came from FOSD. I have no way of verifying the information. The firearms registry does not record magazines, which you may nonetheless wish to verify with them.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/7/2011 2:20 PM >>>
Murray,

Thanks for comments.

I have incorporated you comments. Hwan made the comment that the stats may be incorrect for the number of cartridge magazines that have been imported. Hwan also mentioned that he thought cartridge magazines were not in the registrar's inventory. Is that correct?

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Murray Smith - Fwd: Briefing Note to the Minister

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-02-08 16:25
Subject: Fwd: Briefing Note to the Minister
Attachments: SKMBT_C45211020816470.pdf

FYI

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/8/2011 3:57 PM >>>
Good Afternoon,

Attached is the approved Briefing Note to the Minister of Public Safety.

Thanks for you hard working in getting this briefing note completed on time.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	ES&ML No: / No. des SE&LM: / Pages : 2	Security Classification : / Classification sécuritaire / Protected

BRIEFING NOTE
TO THE MINISTER OF PUBLIC SAFETY

NOTE D'INFORMATION
AU MINISTRE DE LA SÉCURITÉ PUBLIQUE

ISSUE

To inform the Minister of Public Safety of an on-going issue with the classification of the Smith and Wesson M&P 15-22 rifle and the sale and distribution of the Smith and Wesson 25 shot cartridge magazine.

BACKGROUND

In 2009, Smith and Wesson introduced the M&P 15-22 rifle, followed by the introduction of the Smith and Wesson M&P 15-22 pistol in early 2010. The Smith and Wesson M&P 15-22 rifle was recently inspected by the Royal Canadian Mounted Police's Canadian Firearm Program (CFP) and is considered a restricted firearm because it is a variant of the M-16 assault rifle. Prohibited and restricted firearms are defined under Part III of the *Criminal Code*, including specific models and variants classified under the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (Regulations). These Regulations are under the purview of the Minister of Justice, and were last updated in 1995. The Smith and Wesson M&P 15-22 handgun is considered a restricted firearm because the barrel length exceeds 105 mm.

Smith and Wesson produces 25 and 10 shot magazines that can be used in both the M&P 15-22 rifle and the M&P 15-22 pistol. Both the rifle and the pistol are commercially sold with 25 shot magazines and are advertised with the 25 shot cartridge magazines.

These Regulations specify the 25 shot cartridge magazine is a prohibited device because it is designed and manufactured for use in a semi-automatic handgun. Handgun magazines are regulated to a limit of a 10 shot cartridge capacity.

CURRENT STATUS

A total of 1,120 M&P 15-22 rifles with the standard issue 25 shot cartridge magazines have been imported into Canada; 572 of these rifles are owned by individuals and 548 are owned by at least two Canadian businesses. A total of 5 M&P 15-22 pistols have been imported into Canada. At least two businesses have imported the rifles and accompanying 25 shot cartridge magazines and have distributed them to other businesses and individuals. The 25 shot cartridge magazines were imported without the CFP having had the opportunity to inspect them. The vast majority of the Smith and Wesson 15-22 rifles with a magazine capacity of 25 shots were imported by one firearms business in Ontario.

STRATEGIC CONSIDERATIONS

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The CFP will work with businesses, manufacturers, and importers to mitigate risk and facilitate compliance with the Regulations.

The CFP's position on this issue is supported by the Department of Justice.

BN Identification Number: CFP-2010-52
CCM #: 10-006454

Prepared by : Rédigée par :	Recommended by : Recommandée par :		Approved by : Approuvée par :	Date
Pierre Perron, C/Supt. Director General	Line Carbonneau, D/Commr. Policing Support Services	R.R. (Rod) Knecht, D/Commr. Senior Deputy Commissioner	William J.S. Elliott Commissioner	

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Murray Smith - Fwd: Re: Tasking: Ministerial Briefing Note on the review of the legal classification of a firearm.

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 2011-02-09 13:32
Subject: Fwd: Re: Tasking: Ministerial Briefing Note on the review of the legal classification of a firearm.
Attachments: Fwd: Re: Tasking: Ministerial Briefing Note on the review of the legal classification of a firearm.

FYI

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2/9/2011 10:12 AM >>>
Good Morning,

Attached is an electronic version of the Briefing Note to the Minister that was approved by Mr. Buckle, Acting D/C PSS.

Thanks for all your hard working in getting this Briefing Note completed.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
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Royal Canadian Mounted Police / Gendarmerie royale du Canada	ES&ML No: / No. des SE&LM: / Pages : 2	Security Classification : / Classification sécuritaire / Protected

BRIEFING NOTE
TO THE MINISTER OF PUBLIC SAFETY

NOTE D'INFORMATION
AU MINISTRE DE LA SÉCURITÉ PUBLIQUE

ISSUE

To inform the Minister of Public Safety of an on-going issue with the classification of the Smith and Wesson M&P 15-22 rifle and the sale and distribution of the Smith and Wesson 25 shot cartridge magazine.

BACKGROUND

In 2009, Smith and Wesson introduced the M&P 15-22 rifle, followed by the introduction of the Smith and Wesson M&P 15-22 pistol in early 2010. The Smith and Wesson M&P 15-22 rifle was recently inspected by the Royal Canadian Mounted Police's Canadian Firearm Program (CFP) and is considered a restricted firearm because it is a variant of the M-16 assault rifle. Prohibited and restricted firearms are defined under Part III of the *Criminal Code*, including specific models and variants classified under the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (Regulations). These Regulations are under the purview of the Minister of Justice, and were last updated in 1995. The Smith and Wesson M&P 15-22 handgun is considered a restricted firearm because the barrel length exceeds 105 mm.

Smith and Wesson produces 25 and 10 shot magazines that can be used in both the M&P 15-22 rifle and the M&P 15-22 pistol. Both the rifle and the pistol are commercially sold with 25 shot magazines and are advertised with the 25 shot cartridge magazines.

These Regulations specify the 25 shot cartridge magazine is a prohibited device because it is designed and manufactured for use in a semi-automatic handgun. Handgun magazines are regulated to a limit of a 10 shot cartridge capacity.

CURRENT STATUS

A total of 1,120 M&P 15-22 rifles with the standard issue 25 shot cartridge magazines have been imported into Canada; 572 of these rifles are owned by individuals and 548 owned by
A total of 5 M&P 15-22 pistols have been imported into Canada. At least two businesses have imported the rifles and accompanying 25 shot cartridge magazines and have distributed them to other businesses and individuals. The 25 shot cartridge magazines were imported without the CFP having had the opportunity to inspect them.

STRATEGIC CONSIDERATIONS

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	ES&ML No: / No. des SE&LM: / Pages :	Security Classification : / Classification sécuritaire

The CFP's position on this issue is supported by the Department of Justice.

BN Identification Number: CFP-2010-52
CCM #: 10-006454

Prepared by : / Rédigée par :	Recommended by : / Recommandée par :		Approved by : / Approuvée par :	Date
Pierre Perron, C/Supt. Director General	Line Carbonneau, D/Commr. Policing Support Services	R.R. (Rod) Knecht, D/Commr. Senior Deputy Commissioner	William J.S. Elliott Commissioner	

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Murray Smith - Fwd: 8051743 (Smith & Wesson M&P 15-22)

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-02-09 16:34
Subject: Fwd: 8051743 (Smith & Wesson M&P 15-22)
Attachments: 8051743_FR_ARMI_CHIAPPA___M_FOUR___Magazines___master_pdf_1_1.doc

Geoff,

As you can see, the SFSS bulletin is translated (except for one correction). I will send it to CFP Policy to assist with the preparation of their communication to businesses. As soon as the corrected version is ready, probably tomorrow, I will send it to CFP Policy as well.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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RCMP·GRC
ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

CHARGEURS GRANDE CAPACITÉ POUR CARABINE ET PISTOLET CHIAPPA, MODÈLE m4-22

Gendarmerie royale du Canada
Programme canadien des armes à feu
Direction des services d'enquête et d'application en matière d'armes à feu
Services spécialisés de soutien en matière d'armes à feu (SSSAF)

LISTE DE DISTRIBUTION

2011-02-04

Une nouvelle question, au sujet des chargeurs grande capacité pour la carabine et le pistolet Armi Chiappa, de modèle m4-22 et de calibre 22 LR, a été portée à l'attention des employés du Programme canadien des armes à feu (PCAF). Ces chargeurs ont été conçus et fabriqués pour contenir des cartouches de calibre 22 LR.

1. La question

À la fin de l'année 2010, Armi Chiappa a introduit sur le marché la carabine de modèle m4-22, ainsi que le pistolet de modèle m4-22. Tous deux sont munis d'une chambre logeant une cartouche de calibre 22 LR, à percussion annulaire. Le chargeur grande capacité vendu avec ces deux armes à feu est doté d'une capacité nominale de 28 cartouches, mais celui qui a été mis à l'essai pouvait en contenir 30. Le chargeur est le même pour la version carabine et la version arme de poing (pistolet) et dans toutes les annonces publicitaires pour ces deux armes à feu, elles sont assorties du chargeur d'une capacité de 28 cartouches. Dans l'annonce pour ces armes à feu, de la société Armi Chiappa, il est mentionné qu'un chargeur à dix cartouches est disponible étant donné les restrictions relatives à la capacité du chargeur dans certaines administrations.

Le chargeur pouvant loger 10 cartouches pour l'arme à feu Armi Chiappa modèle m4-22, vendu comme accessoire, est un dispositif non réglementé au Canada. Cependant le chargeur d'une capacité de 28 cartouches est un dispositif prohibé, étant donné qu'il s'agit d'un chargeur conçu et fabriqué pour être utilisé avec une arme de poing semi-automatique. Au moins une entreprise a importé une quantité inconnue du chargeur d'une capacité de 28 cartouches pour carabine et pistolet Armi Chiappa de modèle m4-22 et pourrait les avoir distribués à d'autres entreprises ou les avoir vendus à des particuliers.

2. Contexte

Tard en 2010, la société Armi Chiappa a mis en marché la carabine et l'arme de poing de modèle m4-22, de calibre 22 LR. Les SSSAF ont procédé à une vérification d'un exemplaire de cette carabine pour

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déterminer à quelle classe d'armes à feu elle appartient. Il s'agissait de déterminer si la carabine était une variante d'une arme à feu prévue par règlement comme une arme à feu « à autorisation restreinte ».

En février 2011, le SSSAF a rendu sa décision : la carabine Armi Chiappa modèle m4-22, de calibre 22LR est une variante d'une arme à feu à autorisation restreinte, la carabine M-16/AR-15. Fiche numéro 132701 (carabine) et fiche 134899 (pistolet) de la Table de référence des armes à feu.

À la fin de janvier 2011, les SSSAF ont obtenu un exemplaire du catalogue 2010 des produits de la société Armi Chiappa (daté de décembre 2010). La carabine et le pistolet de modèle m4-22 figurent dans ce catalogue et sont décrits comme se vendant avec un chargeur d'une capacité de 28 cartouches qui est le chargeur standard. On y mentionne qu'un chargeur de 10 cartouches est « aussi disponible » pour ces deux armes. Dans l'annonce, le chargeur d'une capacité de 28 cartouches pour la carabine et le pistolet Armi Chiappa, de modèle 4-22, est clairement décrit par le fabricant comme un chargeur d'arme de poing et est un « dispositif prohibé ».

3. Conclusions / Recommandations

Les chargeurs d'armes de poing semi-automatiques à percussion annulaire de calibre 22 LR doivent contenir au plus 10 cartouches du type pour lequel le chargeur est conçu. Il n'y a pas de numéro de série pour ces chargeurs, car ils sont « conçus et fabriqués pour servir » avec l'arme de poing. Ces chargeurs font partie des classes suivantes, prévues par la loi :

1. **le chargeur d'une capacité de 10 cartouches est un chargeur acceptable.**
2. **le chargeur d'une capacité de 28 cartouches est un "dispositif prohibé ».**

Ces renseignements vous sont communiqués à titre d'information ou pour la prise de mesures au besoin.

F. A. William Etter
Technicien principal en armes à feu
Services spécialisés de soutien en matière d'armes à feu
Direction des services d'enquête et d'application en matière d'armes à feu
Programme canadien des armes à feu
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William.etter@rcmp.grc.gc.ca

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Murray Smith - S&W M&P 15-22 bulletin

From: Murray Smith
To: Rose, Michelle
Date: 2011-02-09 16:39
Subject: S&W M&P 15-22 bulletin
Attachments: 8051743_FR_ARMI_CHIAPPA___M_FOUR___Magazines___master_pdf_1_1_1.doc

Michelle,

Attached is the French version of the draft bulletin to FIESD concerning the Armi Chiappa rifle and magazines. The bulletin has not been sent as it needs to be coordinated with the general bulletin on magazines and the bulletin to businesses on the Armi Chiappa. The French copy is supplied to assist you with the preparation of the bulletin. Please advise when bulletins are to be released as we feel it important to notify FIESD staff and the business that originally submitted the Armi Chiappa rifle for inspection by SFSS one day prior to general release.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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RCMP·GRC
ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

CHARGEURS GRANDE CAPACITÉ POUR CARABINE ET PISTOLET CHIAPPA, MODÈLE m4-22

Gendarmerie royale du Canada
Programme canadien des armes à feu
Direction des services d'enquête et d'application en matière d'armes à feu
Services spécialisés de soutien en matière d'armes à feu (SSSAF)

LISTE DE DISTRIBUTION

2011-02-04

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1. La question

À la fin de l'année 2010, Armi Chiappa a introduit sur le marché la carabine de modèle m4-22, ainsi que le pistolet de modèle m4-22. Tous deux sont munis d'une chambre logeant une cartouche de calibre 22 LR, à percussion annulaire. Le chargeur grande capacité vendu avec ces deux armes à feu est doté d'une capacité nominale de 28 cartouches, mais celui qui a été mis à l'essai pouvait en contenir 30. Le chargeur est le même pour la version carabine et la version arme de poing (pistolet) et dans toutes les annonces publicitaires pour ces deux armes à feu, elles sont assorties du chargeur d'une capacité de 28 cartouches. Dans l'annonce pour ces armes à feu, de la société Armi Chiappa, il est mentionné qu'un chargeur à dix cartouches est disponible étant donné les restrictions relatives à la capacité du chargeur dans certaines administrations.

Le chargeur pouvant loger 10 cartouches pour l'arme à feu Armi Chiappa modèle m4-22, vendu comme accessoire, est un dispositif non réglementé au Canada. Cependant le chargeur d'une capacité de 28 cartouches est un dispositif prohibé, étant donné qu'il s'agit d'un chargeur conçu et fabriqué pour être utilisé avec une arme de poing semi-automatique. Au moins une entreprise a importé une quantité inconnue du chargeur d'une capacité de 28 cartouches pour carabine et pistolet Armi Chiappa de modèle m4-22 et pourrait les avoir distribués à d'autres entreprises ou les avoir vendus à des particuliers.

2. Contexte

Tard en 2010, la société Armi Chiappa a mis en marché la carabine et l'arme de poing de modèle m4-22, de calibre 22 LR. Les SSSAF ont procédé à une vérification d'un exemplaire de cette carabine pour

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déterminer à quelle classe d'armes à feu elle appartient. Il s'agissait de déterminer si la carabine était une variante d'une arme à feu prévue par règlement comme une arme à feu « à autorisation restreinte ».

En février 2011, le SSSAF a rendu sa décision : la carabine Armi Chiappa modèle m4-22, de calibre 22LR est une variante d'une arme à feu à autorisation restreinte, la carabine M-16/AR-15. Fiche numéro 132701 (carabine) et fiche 134899 (pistolet) de la Table de référence des armes à feu.

À la fin de janvier 2011, les SSSAF ont obtenu un exemplaire du catalogue 2010 des produits de la société Armi Chiappa (daté de décembre 2010). La carabine et le pistolet de modèle m4-22 figurent dans ce catalogue et sont décrits comme se vendant avec un chargeur d'une capacité de 28 cartouches qui est le chargeur standard. On y mentionne qu'un chargeur de 10 cartouches est « aussi disponible » pour ces deux armes. Dans l'annonce, le chargeur d'une capacité de 28 cartouches pour la carabine et le pistolet Armi Chiappa, de modèle 4-22, est clairement décrit par le fabricant comme un chargeur d'arme de poing et est un « dispositif prohibé ».

3. Conclusions / Recommandations

Les chargeurs d'armes de poing semi-automatiques à percussion annulaire de calibre 22 LR doivent contenir au plus 10 cartouches du type pour lequel le chargeur est conçu. Il n'y a pas de numéro de série pour ces chargeurs, car ils sont « conçus et fabriqués pour servir » avec l'arme de poing. Ces chargeurs font partie des classes suivantes, prévues par la loi :

1. **le chargeur d'une capacité de 10 cartouches est un chargeur acceptable.**
2. **le chargeur d'une capacité de 28 cartouches est un "dispositif prohibé ».**

Ces renseignements vous sont communiqués à titre d'information ou pour la prise de mesures au besoin.

F. A. William Etter
Technicien principal en armes à feu
Services spécialisés de soutien en matière d'armes à feu
Direction des services d'enquête et d'application en matière d'armes à feu
Programme canadien des armes à feu
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Murray Smith - Re: S&W M&P 15-22 bulletin

From: Murray Smith
To: Rose, Michelle
Date: 2011-02-10 11:30
Subject: Re: S&W M&P 15-22 bulletin
Attachments: 8051743_FR.doc; ARMI CHIAPPA - M FOUR - Magazines - master.pdf_1.doc

Hi Michelle,

We have provided the technical bulletin in both French and English. There is no additional technical content that requires drafting. It is now a question of communications strategy.
You can attach the bulletin to a letter to businesses or quote from the bulletin as appropriate. I would suggest that extracting and quoting sections 1 and 3 of the bulletin would suffice. It is also important to state that the outcome is entirely due to the way the Criminal Code Regulations are written. The exact quote can be lifted from the briefing note on the Smith & Wesson M&P 15-22.

I would still ask that you give us 24 hours notice prior to distribution to businesses so we can notify our partners in advance of general distribution.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Michelle Rose 2/10/2011 7:29 AM >>>
Good morning Murray,

Thank you for this, however, I was expecting to get a draft bulletin from either yourself or Bill. Our role is to edit for style and messaging and push it through the approval process for something as technical as this.

I will forward you the e-mail exchange with Scott indicating this and perhaps we can discuss further.

Thank you,

Michelle

>>> Murray Smith 2/9/2011 4:39 PM >>>
Michelle,

Attached is the French version of the draft bulletin to FIESD concerning the Armi Chiappa rifle and magazines. The bulletin has not been sent as it needs to be coordinated with the general bulletin on magazines and the bulletin to businesses on the Armi Chiappa. The French copy is supplied to assist you with the preparation of the

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bulletin. Please advise when bulletins are to be released as we feel it important to notify FIESD staff and the business that originally submitted the Armi Chiappa rifle for inspection by SFSS one day prior to general release.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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RCMP·GRC
ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

CHARGEURS GRANDE CAPACITÉ POUR CARABINE ET PISTOLET CHIAPPA, MODÈLE m4-22

Gendarmerie royale du Canada
Programme canadien des armes à feu
Direction des services d'enquête et d'application en matière d'armes à feu
Services spécialisés de soutien en matière d'armes à feu (SSSAF)

LISTE DE DISTRIBUTION

2011-02-04

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Le chargeur pouvant loger 10 cartouches pour l'arme à feu Armi Chiappa modèle m4-22, vendu comme accessoire, est un dispositif non réglementé au Canada. Cependant le chargeur d'une capacité de 28 cartouches est un dispositif prohibé, étant donné qu'il s'agit d'un chargeur conçu et fabriqué pour être utilisé avec une arme de poing semi-automatique. Au moins une entreprise a importé une quantité inconnue du chargeur d'une capacité de 28 cartouches pour carabine et pistolet Armi Chiappa de modèle m4-22 et pourrait les avoir distribués à d'autres entreprises ou les avoir vendus à des particuliers.

2. Contexte

Tard en 2010, la société Armi Chiappa a mis en marché la carabine et l'arme de poing de modèle m4-22, de calibre 22 LR. Les SSSAF ont procédé à une vérification d'un exemplaire de cette carabine pour

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déterminer à quelle classe d'armes à feu elle appartient. Il s'agissait de déterminer si la carabine était une variante d'une arme à feu prévue par règlement comme une arme à feu « à autorisation restreinte ».

En février 2011, le SSSAF a rendu sa décision : la carabine Armi Chiappa modèle m4-22, de calibre 22LR est une variante d'une arme à feu à autorisation restreinte, la carabine M-16/AR-15. Fiche numéro 132701 (carabine) et fiche 134899 (pistolet) de la Table de référence des armes à feu.

À la fin de janvier 2011, les SSSAF ont obtenu un exemplaire du catalogue 2010 des produits de la société Armi Chiappa (daté de décembre 2010). La carabine et le pistolet de modèle m4-22 figurent dans ce catalogue et sont décrits comme se vendant avec un chargeur d'une capacité de 28 cartouches qui est le chargeur standard. On y mentionne qu'un chargeur de 10 cartouches est « aussi disponible » pour ces deux armes. Dans l'annonce, le chargeur d'une capacité de 28 cartouches pour la carabine et le pistolet Armi Chiappa, de modèle 4-22, est clairement décrit par le fabricant comme un chargeur d'arme de poing et est un « dispositif prohibé ».

3. Conclusions / Recommandations

Les chargeurs d'armes de poing semi-automatiques à percussion annulaire de calibre 22 LR doivent contenir au plus 10 cartouches du type pour lequel le chargeur est conçu. Il n'y a pas de numéro de série pour ces chargeurs, car ils sont « conçus et fabriqués pour servir » avec l'arme de poing. Ces chargeurs font partie des classes suivantes, prévues par la loi :

1. **le chargeur d'une capacité de 10 cartouches est un chargeur acceptable.**
2. **le chargeur d'une capacité de 28 cartouches est un "dispositif prohibé ».**

Ces renseignements vous sont communiqués à titre d'information ou pour la prise de mesures au besoin.

F. A. William Etter
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RCMP·GRC
ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

ARMI CHIAPPA MODEL m four-22 RIFLE & PISTOL CARTRIDGE MAGAZINES

Royal Canadian Mounted Police
Canadian Firearms Program
Firearms Investigative and Enforcement Services Directorate
Specialized Firearms Support Services (SFSS)

DISTRIBUTION LIST

2011-02-04

There is an emerging issue concerning the cartridge magazines for the Armi Chiappa Model m four-22, 22 LR Calibre, Rifle and the Armi Chiappa m four-22, 22 LR Calibre Pistol of interest to employees of the Canadian Firearms Program (CFP). These cartridge magazines are designed and manufactured for use with 22 LR caliber cartridges.

1. The Issue

Armi Chiappa introduced both the Model m four-22 Rifle and the Model m four-22 Pistol in late 2010. Both firearms are chambered for 22LR rim-fire ammunition. The cartridge magazine sold with both firearms has a nominal capacity of 28 shots although our test sample was capable of holding 30 cartridges. The magazines are common to both the rifle and handgun (Pistol) version of the firearm and all advertising material portrays the two firearms with the 28 shot magazine. There is a reference in the Armi Chiappa advertising to a ten shot magazine as a gesture to jurisdictions where there are cartridge magazine capacity limitations.

The Armi Chiappa Model m four-22, ten (10) shot magazine sold as an accessory, is an unregulated item in Canada; however, the Armi Chiappa Model m four-22, twenty-eight (28) shot magazine is a prohibited device, since it is a magazine designed and manufactured for use in a semiautomatic handgun. At least one business, has imported unknown quantities of the 28 shot, Armi Chiappa Model m four-22 Rifle & Pistol cartridge magazines and may have distributed them to other businesses and / or sold them to individuals.

2. Background

The Armi Chiappa introduced the Model m four-22, 22 LR caliber Rifle and Handgun in late 2010. An Armi Chiappa Model m four-22, 22 LR caliber Rifle was inspected by Specialized Firearms Support Services (SFSS) to determine the classification of the firearm. The question was whether or not the rifle was a variant of any firearm prescribed by regulation to be a "restricted" firearm.

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A decision was issued by Specialized Firearms Support Services Section (SFSS) in Feb, 2011, which determined the Armi Chiappa Model m four-22 Rifle in 22 LR caliber to be a restricted variant of the M-16/AR-15 Rifle. Firearms Reference Table record - FRT # 132701 (RIFLE) & FRT # 134899 (Pistol).

SFSS Section obtained a copy of the Armi Chiappa 2010 product catalog (dated December 2010) in late January, 2011. Both the rifle and pistol versions of the Armi Chiappa Model m four-22 Rifle and Pistol were depicted as being sold with a twenty-eight (28) shot magazines as standard equipment and a ten (10) shot magazine was portrayed as "being available". The twenty-eight (28) shot cartridge magazine for the Armi Chiappa Model m four-22 Rifle and Pistol is clearly portrayed in advertising by the manufacturer as a handgun magazine and is a "prohibited device".

3. Conclusions / Recommendations

22 LR rim-fire calibre semi automatic handgun cartridge magazines are limited to ten (10) shots of the kind or type for which the cartridge magazine was designed. Cartridge magazines are not serial numbered, since the cartridge magazines in question are "designed and manufactured for use in a handgun", the cartridge magazines fall into the following legal class:

1. **The ten shot (10 shot) cartridge magazine is an acceptable cartridge magazine.**
2. **The twenty-eight shot (28 Shot) cartridge magazine is a "prohibited device".**

For information and / or action as required.

F. A. William Etter
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of the Access to Information Act

de la Loi sur l'accès à l'information

Summary

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA
Serial Numbering:	Numbered
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification / Legal Authority	Level	Barrel Type Code
129257 - 9	223 REM	5	318	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
129257 - 5	223 REM	5	458	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
129257 - 1	223 REM	5	480	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
129257 - 6	223 REM	20	458	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
129257 - 2	223 REM	20	480	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
129257 - 7	223 REM	30	458	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
129257 - 3	223 REM	30	480	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
129257 - 8	223 REM	75	458	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
129257 - 4	223 REM	75	480	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	

Notes

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Make

- "NORINCO" was not observed marked on the some examples of the Type 97A.
- "EXPORTED BY NORINCO" was observed marked on the right side of the magazine housing of the receiver/frame of one example.
- "NORINCO" is the trade name of China North Industries Corporation.
- there are three Chinese State owned / controlled marketing agencies:
- "Norinco" is a Chinese State marketing agency that sells products of the Chinese State Arsenals.
- "Norinco" is not a manufacturer.
- "Poly Technologies" is the trade name of "Poly Technologies International Incorporated", a marketing agency which is a subsidiary of the Chinese People's Liberation Army.
- "China Jin An" is the sales branch of the Ministry of Public Security.

Model

- "TYPE 97" was observed marked on the right side of the magazine housing of the receiver/frame of some examples.
- "MADE IN CHINA" over "TYPE 97A" was observed marked on the left side of the magazine housing of the receiver/frame of one example.
- introduced circa 1997.
- this is a variant of the QBZ (Qing Buquiang Zu) or Light Rifle Family.
- this firearm is an export version of the 5.8x42MM CHINESE Type 95 service rifle (aka QBZ-95) and is chambered for 223 REM/5.56 NATO calibre ammunition.
- Type 97A is a "bullpup" design firearm.
- features include: bird cage type flash eliminator/muzzle break; round tapered barrel with a bayonet mount and grenade launcher mounting capability; aluminum alloy receiver/frame attached to a steel trunion that has an integral top mounted frame for the carrying handle; cocking lever is mounted inside the carrying handle (similar to the Armalite AR-10 or Famas F1); pistol grip stock; selective fire (S-E-3-F type) trigger group; ventilated top cover; vertically grooved forearm; rotating bolt locking system; fire selector/safety catch dial is located on the left rear side of the receiver/frame; rear sight is located in the rear of the carrying handle, front sight located on top of the gas block (similar to the AR 15/M16); sling attachment points; flat matte black finish.
- accessories may include optical and night vision sights, sound suppresser, laser designator and under barrel mounted grenade launcher.
- overall length with a 480 mm barrel and flash eliminator is 756mm and average weight is 3.7 kg.
- also available in a "Carbine" version that features a short barrel; a pistol grip stock with a second grip as part of the trigger guard and a Krinkov-type muzzle attachment.

Manufacturer

- manufacturer's designation was not observed marked on the firearm.

Action

- gas operated.
- adjustable gas mechanism, short stroke gas piston.

Shots

- detachable box magazine or high capacity QBZ-95 / type 95 drum magazine.

Serial Number

- serial number rationalization unknown.
- serial number was observed marked on the right side of the magazine well.
- observed serial number consisted of eight numbers, the letters "CA" and two numbers.
- observed serial number consisted of eight numbers without a letter prefix or suffix.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
127807	Norinco	Type 97A	Chinese State Arsenals	Rifle	Full Automatic
129254	Poly Technologies	Type 97A	Chinese State Arsenals	Rifle	Full Automatic
129752	Norinco	Type 97A Sniper Rifle	Chinese State Arsenals	Rifle	Semi-Automatic

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Also Known As/Product Code

97A

97-A

97A Export Rifle

NQZ03C

Type 97 A

Type 97A Carbine

Type 97A QBZ

Year Dates No Data Retrieved

Importer No Data Retrieved

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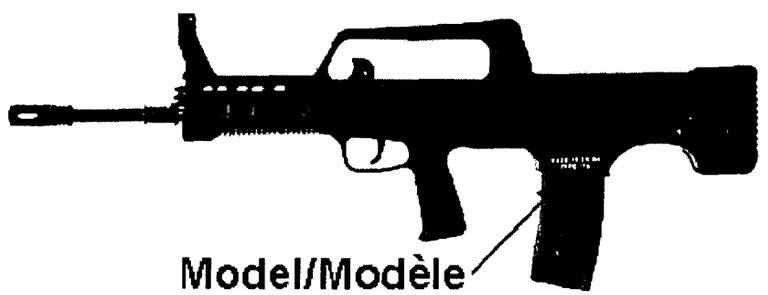
Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Full View: Left Side

Image:
1 of 12



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Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Full View: Right Side

Image:
2 of 12

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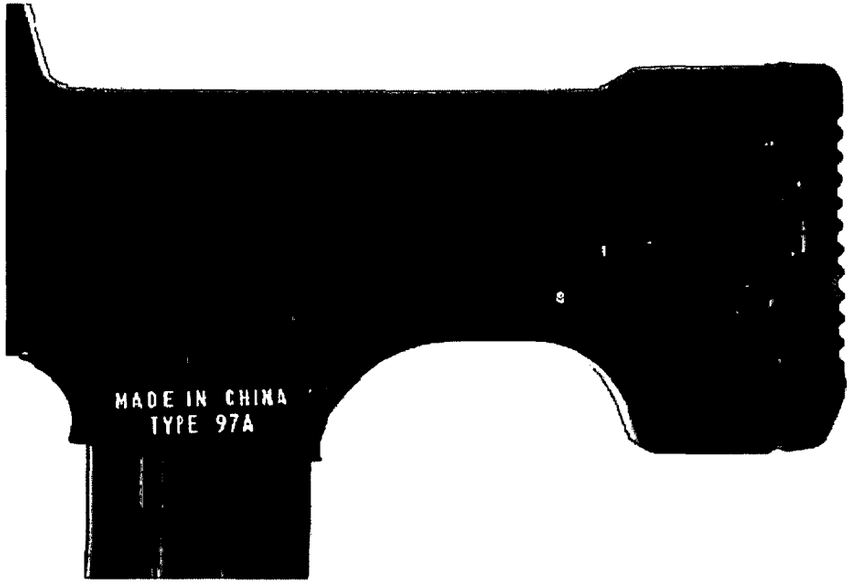
Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Close-up: Left Side



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Firearm Details - Image

Make:	Norinco
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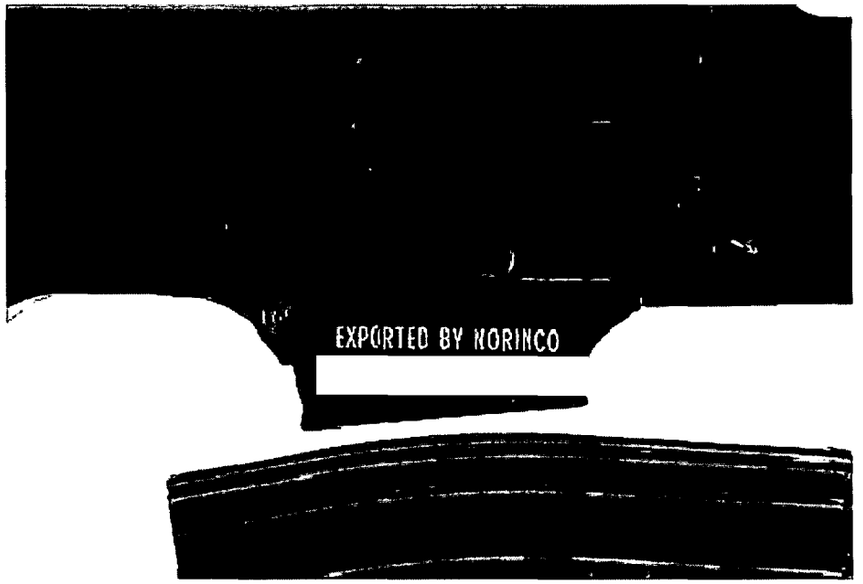
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Close-up: Right Side



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Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Full View: Bottom

Image:
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Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Physical Variant #1

Image:
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Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Physical Variant #2

Image:
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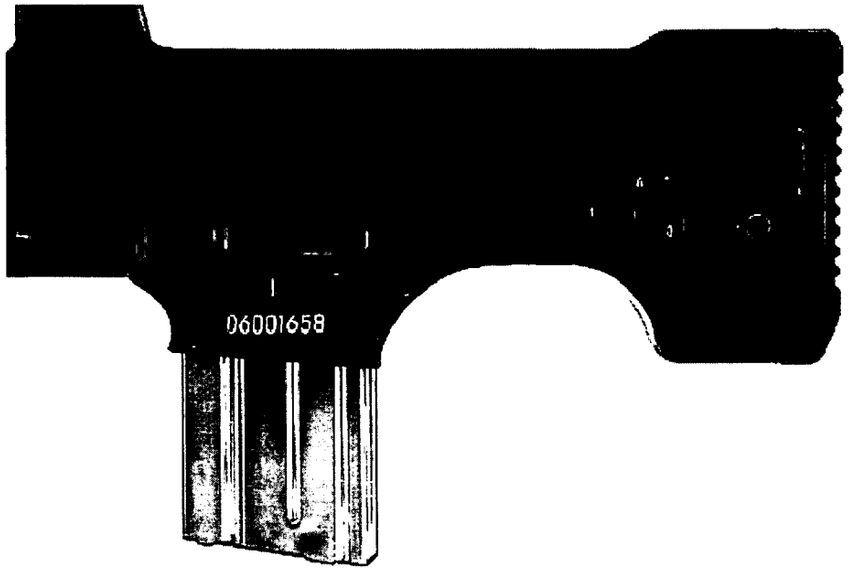
Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Variant Markings #1



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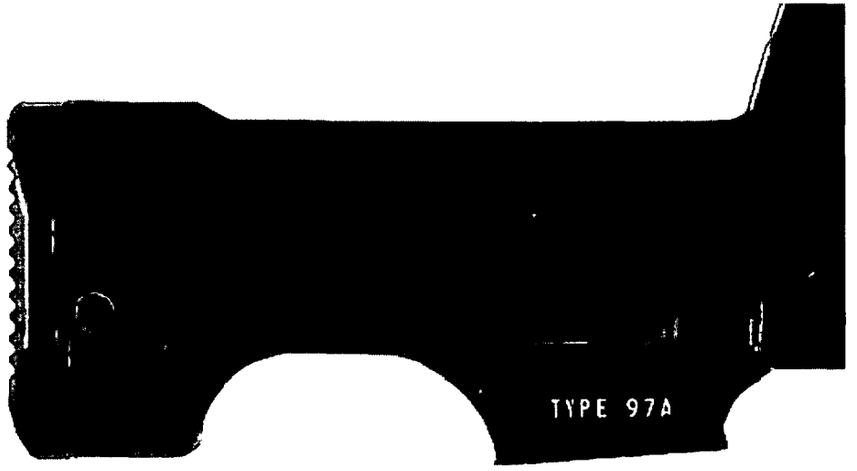
Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Variant Markings #2



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Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Physical Variant #3

Image:
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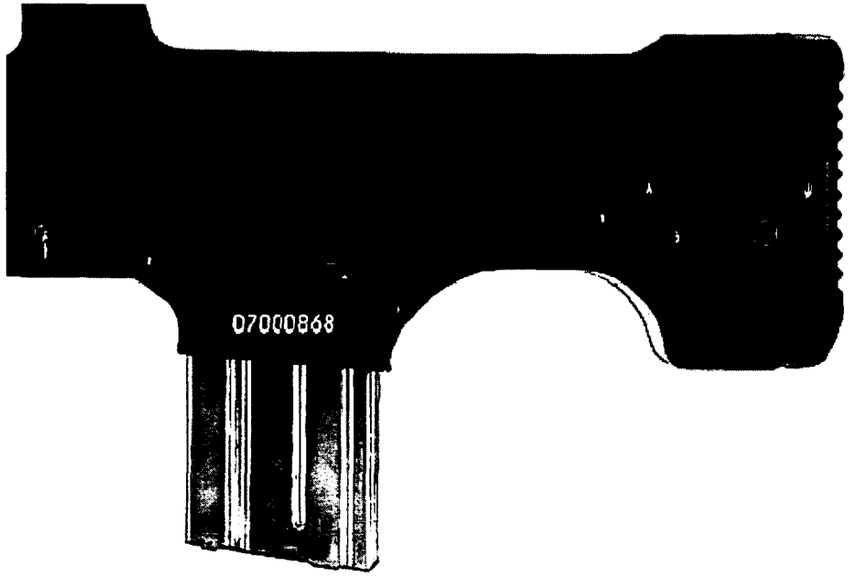
Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Variant Markings #3



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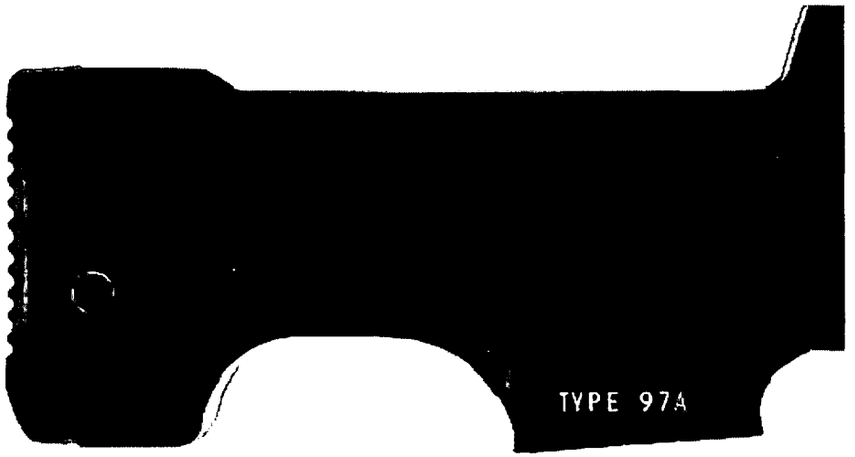
Firearm Details - Image

Make:	Norinco
Model:	Type 97A
Manufacturer:	Chinese State Arsenal, JianShe Industries
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	CHINA

Variant Markings #4



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FRT Report

Network Version 3.14.0

Firearm Reference No.: 129752

Date: 2010-03-19

Summary

Make:	Norinco
Model:	Type 97A Sniper Rifle
Manufacturer:	Chinese State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	CHINA
Serial Numbering:	Numbered
Legal Classification:	Non-Restricted

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
129752 - 2	5.56MM NATO	5	620	Non-Restricted CC 2 "firearm"	Non-Commercial Customization	
129752 - 1	5.56MM NATO	10	620	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	

Notes

Make

- "NORINCO" was not observed marked on the firearm.
- "NORINCO" is the trade-name of China North Industries Corporation.
- there are three Chinese State owned / controlled marketing agencies:
- "Norinco" is a Chinese State marketing agency that sells products of the Chinese State Arsenals.
- "Norinco" is not a manufacturer.
- "Poly Technologies" is the trade name of "Poly Technologies International Incorporated", a marketing agency which is a subsidiary of the Chinese People's Liberation Army.
- "China Jin An" is the sales branch of the Ministry of Public Security.

Model

- "TYPE 97A" is marked on the left side of the receiver/frame.
- "TYPE 97A Sniper Rifle" is the semi-automatic export version of the Type 88 sniper rifle.
- this is a "bullpup" design firearm.
- features include: fold down iron sights and scope mounts; round barrel with flash hider/muzzle break; machined steel receiver/frame; rotating bolt head locking system; cocking handle located on the right side of the bolt carrier group; hammer fired; magazine release and safety located behind the magazine well; synthetic vented top cover, forearm/pistol grip assembly, and buttstock.
- accessories may include optical and night vision sights, sound suppressor, laser designator and bipod.
- overall length with a 620mm barrel is 920mm and average weight is 4.1kgs.

Manufacturer

- manufacturer's designation was not observed marked on the firearm.

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Action	- gas operated, short stroke gas piston.
Shots	- detachable box magazine.
Serial Number	- serial number was observed marked on the right side of the receiver/frame. - serial number rationalization is unknown. - observed serial number consisted of six numbers without a letter prefix or suffix. - last four numbers of the serial number were observed repeated on the right side of the stock and on the underside of the receiver/frame.
Remarks	- although named a "Sniper Rifle", this firearm more correctly is a "Battlefield Sharpshooter's Rifle" or a "Designated Marksman's Rifle". - this rifle is designed primarily to utilize optical sights.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
126530		Type 88 Sniper Rifle		Rifle	Full Automatic
	Chinese Service Rifle		Chinese State Arsenals		

Also Known As/Product Code

97 Sniper Rifle

KBU-97A

QBU-97

Type 97 Sniper

Type 97A KBU

Type 97A QBU

Year Dates

No Data Retrieved

Importer

No Data Retrieved

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Firearm Details - Image

Make:	Norinco
Model:	Type 97A Sniper Rifle
Manufacturer:	Chinese State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	CHINA

Full View: Left Side

Image:
1 of 7

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Firearm Details - Image

Make:	Norinco
Model:	Type 97A Sniper Rifle
Manufacturer:	Chinese State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	CHINA

Full View: Right Side

Image:
2 of 7

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Firearm Details - Image

Make:	Norinco
Model:	Type 97A Sniper Rifle
Manufacturer:	Chinese State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	CHINA

Close-up: Left Side

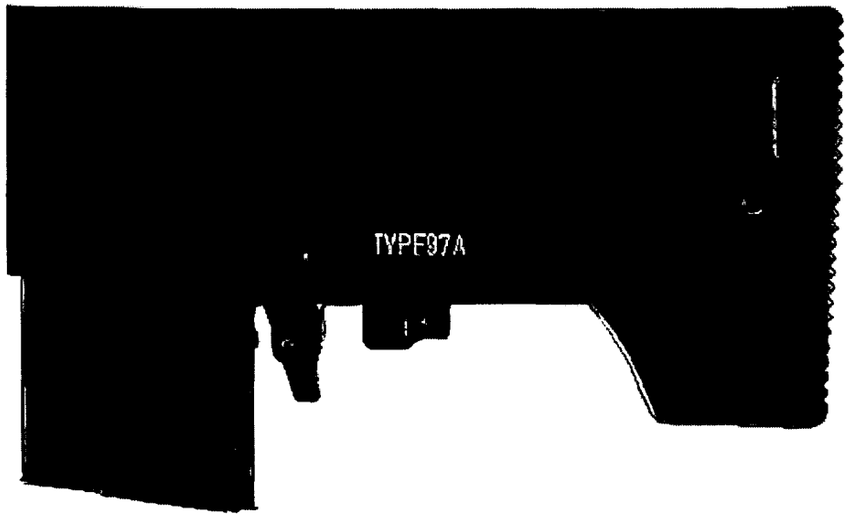

Image:
3 of 7

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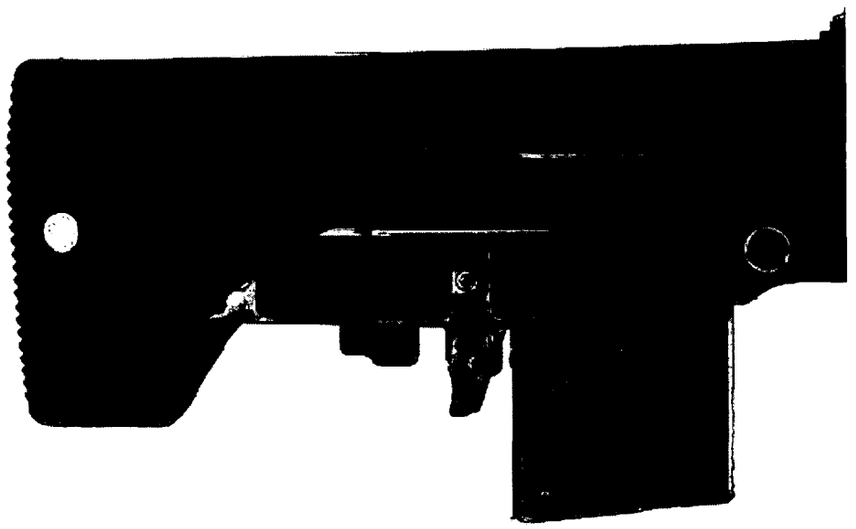
Firearm Details - Image

Make:	Norinco
Model:	Type 97A Sniper Rifle
Manufacturer:	Chinese State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	CHINA

Close-up #1: Right Side



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Firearm Details - Image

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Manufacturer:	Chinese State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	CHINA

Close-up #2: Right Side

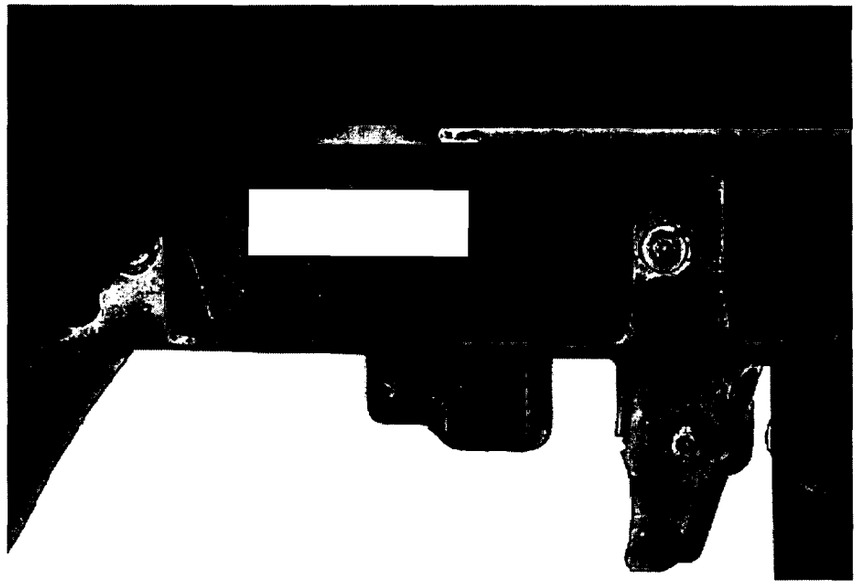

Image:
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Firearm Details - Image

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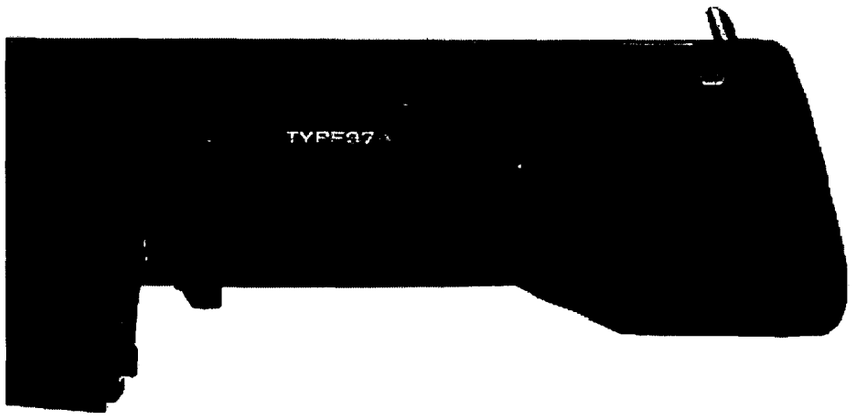
Model:	Type 97A Sniper Rifle
Manufacturer:	Chinese State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	CHINA

Close-up: Bottom

Image: 6 of 7



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Firearm Details - Image

Make:	Norinco
Model:	Type 97A Sniper Rifle
Manufacturer:	Chinese State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	CHINA

Additional View

Image:
7 of 7

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Pages 484 to / à 497

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Pages 498 to / à 504

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Murray Smith - Re: Ministerial Correspondence T009184 - for input please

From: Murray Smith
To: Thomas, Rose
Date: 2011-02-18 11:21
Subject: Re: Ministerial Correspondence T009184 - for input please

Hi Rose,

It seems to me that there is a BN to the DG on the Rossi issue, probably under the name Rossi S12 shotgun. This should answer your questions. I would attach the BN but I cannot seem to find a copy this morning. I may not have received the final copy.
In terms of the tone of the response to the MP:

1. The Rossi S12 shotgun (also known as the backpacker) employs a handgun frame and remains a handgun regardless of further modifications per the Criminal Code definition of handgun. The Rossi issue is similar to the Type 97A rifle issue in that there are two completely different shotguns in circulation, both named the Rossi S12. One is a non-restricted shotgun typical of the kind used for hunting whereas the other is based on a handgun dressed up to look a bit like a hunting shotgun. The latter is restricted due to its handgun heritage.

2. The Type 97A is before the Courts. There was also the buyback program.

3. As you indicated, the BD38 is under review. No changes have been made.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 2/17/2011 2:10 PM >>>
Good afternoon

I received the attached correspondence via ES&ML. The MP is writing about the reclassification of the Norinco Type 97, BD-38 and Rossi Backpacker. He has also attached two articles about this issue.

I started preparing a response, however, could you please provide me with your input for the Rossi Backpacker shotgun? A copy of the draft response is also attached, for your information.

Thank you

Rose Thomas

A0074207_511-000511

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Murray Smith - Fwd: Re: Ministerial Correspondence T009184 - for input please

From: Murray Smith
To: CUNNINGHAM, Jim
Date: 2011-02-18 11:25
Subject: Fwd: Re: Ministerial Correspondence T009184 - for input please
CC: Francis, Geoffrey
Attachments: T009184_1.pdf; T009184 - Dykstra_1.doc

Hi Jim,

This is one response from CFP Communications I am watching carefully to see what happens. The draft response so far is far too timid.

The incoming material is attached for ease of reference.

No response is required at present, just some interesting reading if you have time.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2/18/2011 11:21 AM >>>
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2. The Type 97A is before the Courts. There was also the buyback program.

3. As you indicated, the BD38 is under review. No changes have been made.

A0074207_512-000512

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addressed head on.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Thank you

Rose Thomas

A0074207_513-000513

Pages 514 to / à 518

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Pages 519 to / à 522

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Murray Smith - Re: CEW Classification

From: Murray Smith
To: Knezevic, Vesna
Date: 2011-02-25 16:52
Subject: Re: CEW Classification
CC: Wright, Christina

Hi Vesna,

Barrel:
The barrel is located in the cartridge attached to the Taser. The cartridge contains the barrel, with sealed projectile and propellant.

The barrel in the cartridge performs the usual functions of a barrel, namely to guide the projectile with some degree of accuracy and to contain the pressure required for propulsion of the projectile. Absent a barrel, the projectile would just fall to the floor with no forward velocity. Since this is obviously not the case for the Taser, the barrel in the cartridge is fulfilling its function as a barrel.

There is nothing in law which requires a barrel to be a permanent fixture of the firearm. Many firearms have easily removable barrels and we do not consider them to cease being firearms simply because the barrel is removed. There are other firearms, perhaps not a common design, that operate with sealed disposable barrels containing the projectile and propellant charge. One of them is another prohibited firearm, the SS1 Stinger.

The unloaded Taser may have no barrel present but it is nonetheless the frame or receiver of a firearm, which still meets the definition of firearm per section 2 CC.

Reclassification of Taser to Prohibited weapon

Civilian possession would clearly be stopped as there is no provision for individuals to be in possession of prohibited weapons. This may not be the case for the current situation due to a lack of clarity on how the exemption in Sec 84(3) operates.

The liability for mandatory minimum penalties disappears.

The liability for minimum sentences also disappears for criminals who use Tasers.

That's it for now. If I think of anything else, I will let you know.

Regards,

Murray

Murray A. Smith

Page 524

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Page 525

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Murray Smith - RE: CEW Classification

From: Murray Smith
To: Knezevic, Vesna
Date: 2011-03-01 15:45
Subject: RE: CEW Classification
CC: Wright, Christina

Hi Vesna,

The following is provided in the context that the desire is to attempt to re-declare the Taser to a prohibited weapon rather than a prohibited firearm, with no other changes to the Criminal Code. The two questions are linked so I will answer them together.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> "Knezevic, Vesna" <Vesna.Knezevic@ps-sp.gc.ca> 2/27/2011 2:15 PM >>>

Murray – thank you very much - I would appreciate a bit more clarification on two issues below:

Vesna

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Page 527

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Pages 528 to / à 529

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Page 531

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Murray Smith - Fwd: RE: CEW Classification

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-03-02 10:01
Subject: Fwd: RE: CEW Classification

FYI, the Taser is still a hot item at PSC. I believe they are still dealing with the CACP letter on the Taser.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 3/1/2011 3:45 PM >>>
Hi Vesna,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program

A0074207_532-000532

Pages 533 to / à 534

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Murray Smith - Re: Blue Guns

From: Murray Smith
To: Stoik, Carol
Date: 2011-03-08 13:38
Subject: Re: Blue Guns

Carol,

We are looking into this product line. How soon is a response required?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Carol Stoik 3/8/2011 11:04 AM >>>
Hi Murray,

I have received an inquiry regarding the attached from an instructor who would like to use them in the CFSC. Could you please provide me with a classification.

http://www.blueguns.com/default.asp?

Thanks,

Carol Stoik
A/Operations Coordinator
RCMP
Canadian Firearms Program
Manitoba/Nunavut District Office
1 - 1680 Ellice Avenue
Winnipeg MB R3H 0Z2
Phone: (204) 984-0722
Fax: (204) 984-0670

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Murray Smith - Fwd: Blue Guns

From: Murray Smith
To: Etter, William
Date: 2011-03-08 13:39
Subject: Fwd: Blue Guns

Bill,

Would you ask someone to look into this product line.

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Fax: (204) 984-0670

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Murray Smith - Re: Blue Guns

From: Murray Smith
To: Stoik, Carol
Date: 2011-03-08 13:48
Subject: Re: Blue Guns

Carol,

We will not know how long until we have had a look through the catalog available from the web site. It is more a question of scheduling, as my staff are already assigned a variety of end of fiscal year projects. It should not take more than a week or so.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Carol Stoik 3/8/2011 1:43 PM >>>
Hi Murray,

It's not an emergency. I think if I let him know we are looking into it, that will be sufficient in the interim. How long do you think it will take?

>>> Murray Smith 3/8/2011 12:38 PM >>>
Carol,

We are looking into this product line. How soon is a response required?

Regards,

Murray

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Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Carol Stoik 3/8/2011 11:04 AM >>>
Hi Murray,

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Page 555

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Murray Smith - Re: Blue Guns

From: Murray Smith
To: Stoik, Carol
Date: 2011-03-08 14:29
Subject: Re: Blue Guns

Carol,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Carol Stoik 3/8/2011 2:04 PM >>>
Ok, that sounds great. Thanks!

>>> Murray Smith 3/8/2011 12:48 PM >>>
Carol,

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Regards,

Murray

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Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray

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Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
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Policing Support Services
Office: (613) 993-0139

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Winnipeg MB R3H 0Z2
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Murray Smith - Fwd: NEW FRT# Requested

From: Murray Smith
To: Fraser, George
Date: 2011-03-11 10:40
Subject: Fwd: NEW FRT# Requested
CC: Etter, William

Here is the technical information.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 3/1/2011 2:08 PM >>>
Good Afternoon Murray,

I require a new FRT # be created for the following Firearm

Make: ZORAKI
Model: 925 (originally manufactured as a 9mm PAK Blank Gun)
Type: Handgun
Action: Semi-Automatic & Full Automatic
Calibre: .380 (modified) *
Capacity: 2 magazines provided 16 & 25
Advertised Capability: 1200 rds/min
Barrel Length: 76mm
Overall Length: 186mm
Classification: Prohibited
Serialized: Yes

Disc with photographs enroute

Thank You

Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

A0074207_578-000578

Pages 579 to / à 594

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Murray Smith - Re: ANTI TANK GUN

From: Murray Smith
To: JOHNSON, Ron
Date: 2011-03-22 13:43
Subject: Re: ANTI TANK GUN

Ron,

We are pulling the rocket launcher out of our reference collection to determine if it qualifies as a firearm or not, and if it does, what can be done to neutralize it. I expect to have an answer tomorrow.

We have pictures of the item in the FRT, and if the owner does not object to continued use of the images, we have no further need for the launcher itself and will return it.

The only obstacle that remains is to ensure the launcher is deactivated.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Ron JOHNSON 3/22/2011 12:08 PM >>>
Murray: Perhaps you can help me out with something. A couple of months ago I sent an anti tank gun to the FRT for the records. The item was a LRAC 89-F1, which is a semi disposable, French made bazooka type thing. When it was sent to the FRT, we did not have an owner for it. Since then the initial investigator has located the owner, and he would like this thing back.
There are a couple of issues here. Technically this item meets the definition of a firearm under section 2 of the criminal code. Realistically, it is a piece of scrap metal, and getting any ammunition that could be fired out of it would be virtually impossible for your average citizen.
The owner of this item is a low functioning individual who is a military buff. He is not capable of passing the firearms test, and apparently paid about $500 for this thing from an army surplus store. That is a significant amount of money, but even more so for a person who is probably working for close to minimum wage.

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Murray Smith - Fwd: AK-47 BB Rifle

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-03-23 15:26
Subject: Fwd: AK-47 BB Rifle
Attachments: Chinese AK-47 BB Gun_FA Receiver.doc

Geoff,

Your advice on how to proceed.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Mario Lussier 3/23/2011 12:16 PM >>>
Good day,
an other "Chinese" product that may be of interest.

FYI

Mario Lussier

A0074207_596-000596

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http://www.replicaairguns.com/posts/tag/ak-47

AK-47 BB Rifle
$299
Buy Now

Entries in Rifle (11)

Tuesday

Jan112011

AK-47 CHINESE CO2 BB GUN REPLICA REVIEW

Tuesday, January 11, 2011 at 7:48PM

Related Posts:

- CHINESE AK-47 CO2 BB GUN REPLICA ON ITS WAY
- AK-47 CHINESE CO2 BB GUN REPLICA ARRIVES

Type: BB air Rifle.

Manufacturer: **Somewhere in China???**

Model: AK-47 Tactical version.

Materials: Metal and Wood.

Weight: 9+ pounds.

Barrel: Metal, non-rifled.

Propulsion: CO2 x1.

Action: Semi auto.

Ammunition Type: Steel BBs 4.5mm.

Ammunition Capacity: 18 rounds

FPS: 400

Trigger Pull: The trigger pull is medium with no real distinguishable break.

Accuracy: Very good, nice tight 1 inch group at 20 feet!

Build Quality: Excellent, with an all metal and wood construction. This gun is more like a real AK-47 than it's like a BB gun. As with many Russian guns, they don't focus on the small details but rather make it tough and reliable. This is the same feeling I get from this AK47 replica shooter.

Realism: This is a very close replica of a real type AK-47 rifle. It is a variant of an AK-47 but as with many of the AK-47 rifles out there, this is just another version with it's own style and look.

Purchased From: The Replica Airgun Store

Pros:

- Extremely realistic airgun replica, it's hard t believe you're holding an air gun.
- All metal and wood construction - built like its real big brother.
- Would make an excellent training gun as it functions like a real AK-47..
- Can be field striped like the real McCoy.

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- Nice quad aluminum tactical rails for a scope or accessories
- Well priced ($299) compared to similar products.

Cons:

- CO2/BB Magazine houses the only plastic in the gun, would have been nice if this too was all metal.
- CO2 is very hard to tighten as there is little leverage available with the current setup.
- The tactical rails are just slightly under sized making tightening down your accessories a bit of work.

Comments:

I was expecting this gun to be like most Chinese made airguns, close to the real deal but lacking in a few department. Instead I got an air gun that looks like it could have been made to shoot actual 7.62x39mm rounds. The metal is not painted but rather blued and it's not the cheap bendable stuff but more like the harder weapons grade metal of a real gun. My initial shot test was also pleasing with a nice tight grouping at 20 feet out.

I HIGHLY recommend this gun to anyone looking for either an AK-47 Replica or Replica/BB Shooter. At **$299** it's a no brainer!

And don't forget you can get it exclusively here at our Replica Airguns Store!

My YouTube Video Review for this Airgun:

AK-47 BB Rifle

C$299.00

Stock Wood

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Related Posts:

- CHINESE AK-47 CO2 BB GUN REPLICA ON ITS WAY
- AK-47 CHINESE CO2 BB GUN REPLICA REVIEW

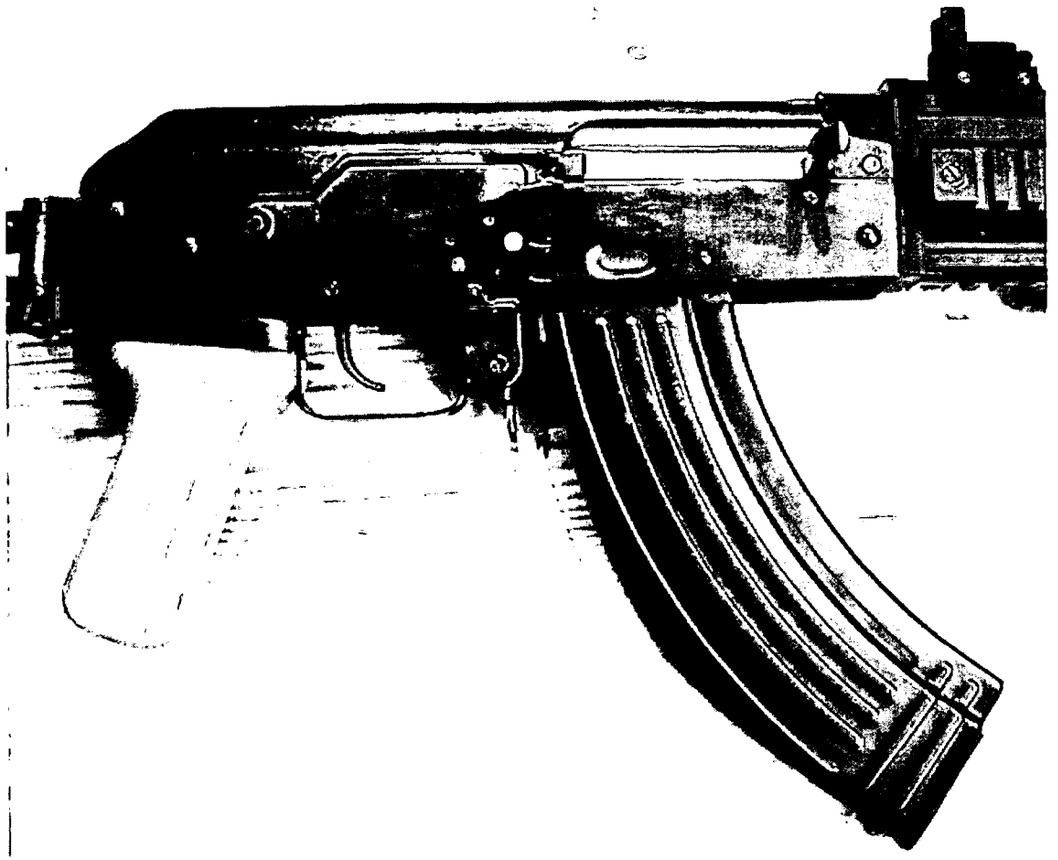
My AK-47 Chinese CO2 BB Gun Replica arrived today, all 9 pounds of it :) I haven't really said much about the price of this all Metal and Wood AK47 BB Replica other than it didn't break the bank. If you have been looking around for one of the Russian made Yunkers then you know you would have to spend $600+ for one. I'm happy to say we are selling this Chinese AK-47 CO2 BB Gun Replica in our Replica Airgun Store for $299, and that's about half of what you would pay for a Yunker model.

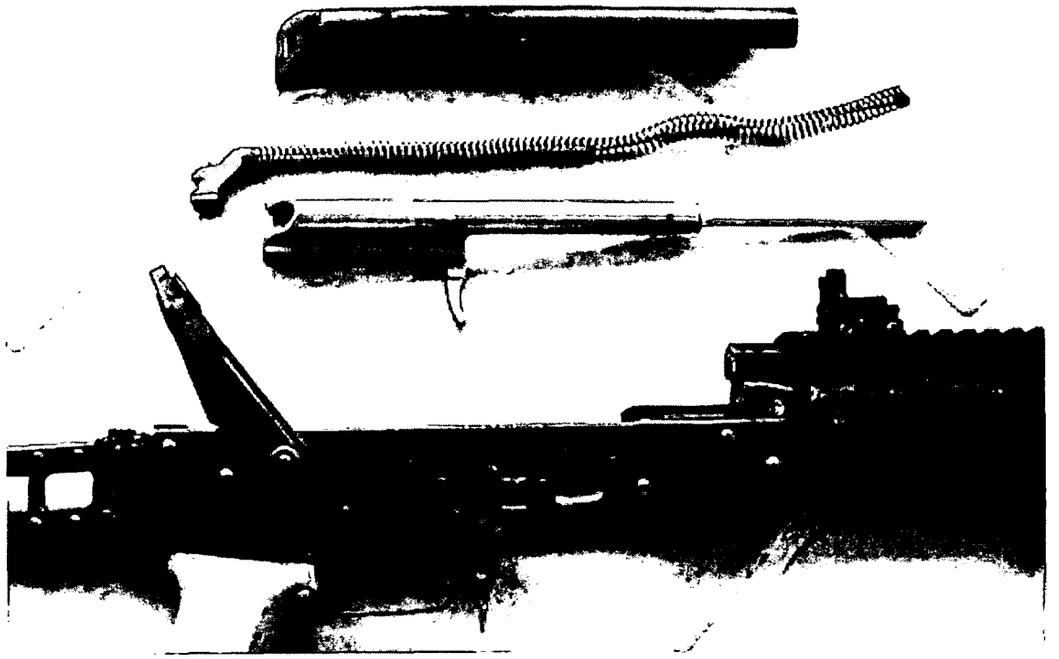
The question is, do you get half of the gun when you pay half the price? Unfortunately I don't have a Yunker BB AK47 to compare it to but from my experience with my Russian made Baikal Makarov I would have to say my Chinese made AK-47 CO2 BB Gun is right on track with the build quality of a Russian made gun.

One thing I noticed about my Baikal Makarov is that it is not so refined, but it's built heavy duty! My Chinese AK47 reminds me of this in many ways. There's a few wear marks and scratches but it's solid, well built and far from what you would expect a BB gun to be built like. Picking this gun up feels like you're picking up the real deal and as mentioned before it strips down just like it's 7.62x39mm big brother.

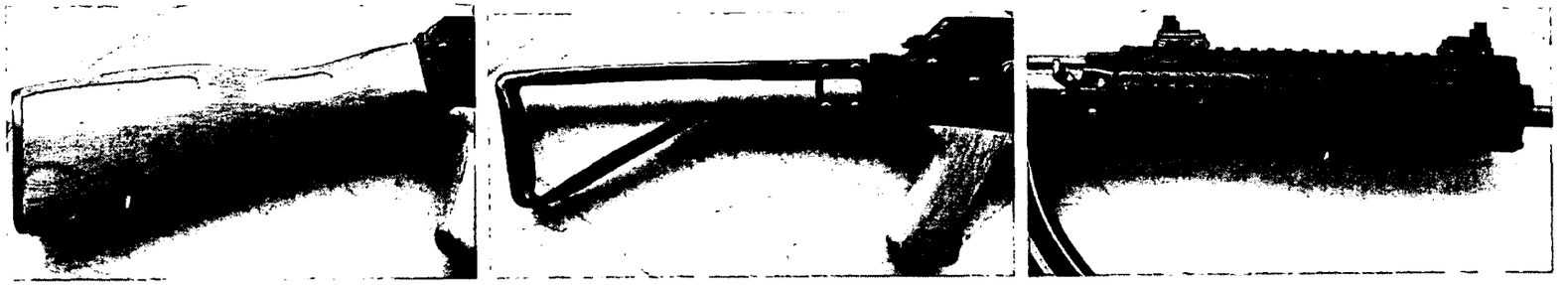
My first impressions about this nice Replica AK-47 is that there really isn't anything about this gun so far that disappoints me. Hopefully when I get the chance to shoot a few rounds through it over the next few days I am equally as pleased.

Well I've said enough so far, I did take a bunch of pictures of it and all I can say is the pictures really show it off - but it's even better in person!!





*Check out our **Replica Airguns Store** for pricing and availability.*



AK-47 BB Rifle

C$299.00

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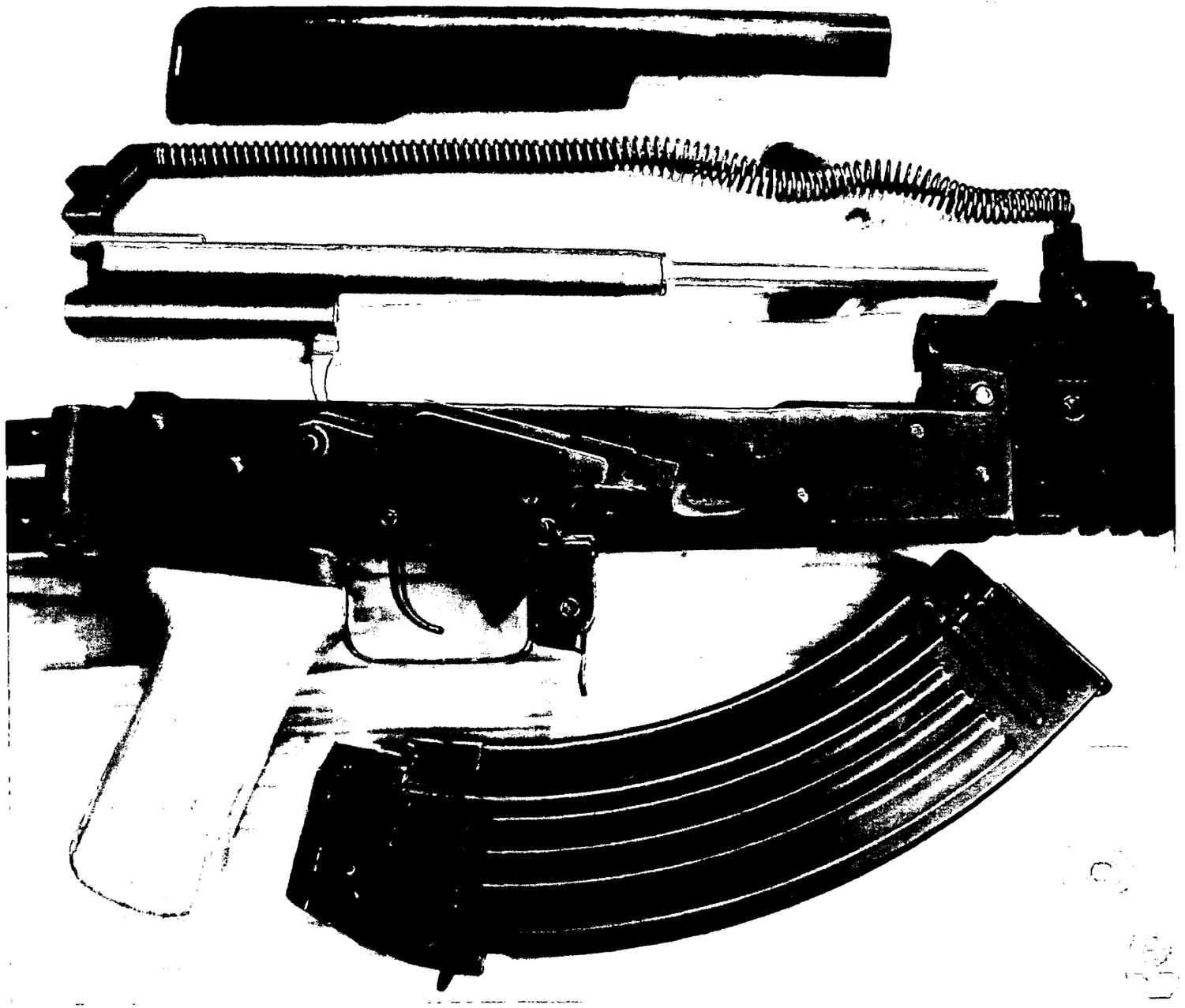
http://www.replicaairguns.com/buy-air-blank-guns/#ecwid:category=713881&mode=product&product=2901299 printed 2011-03-23



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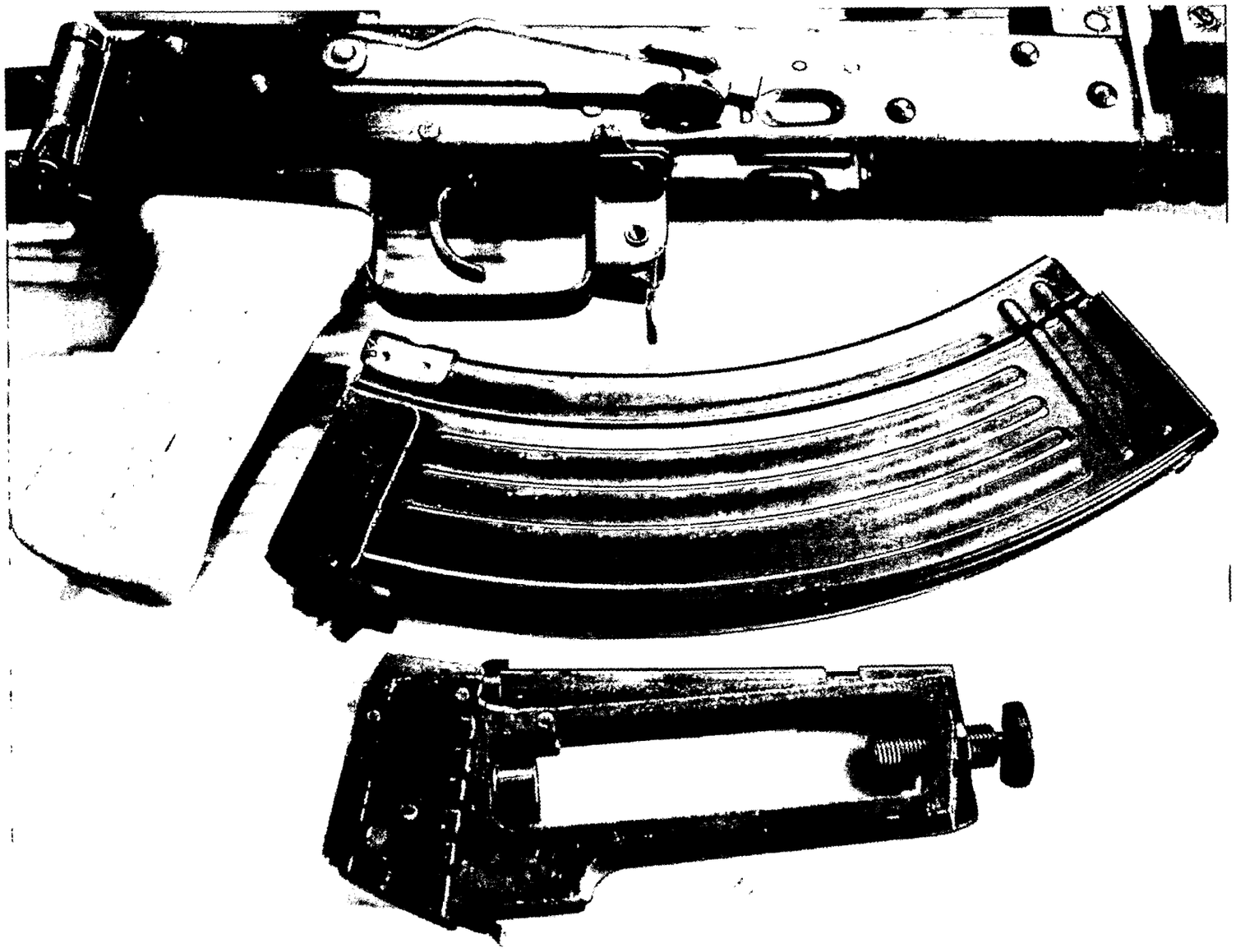

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Murray Smith - Re: ANTI TANK GUN

From: Murray Smith
To: JOHNSON, Ron
Date: 2011-03-24 13:18
Subject: Re: ANTI TANK GUN

Ron,

I had a quick look at the launcher today. It has been deactivated. However, at lease one of the deactivation modifications has been removed: a bolt blocking the muzzle end of the launch tube has been removed. Additionally, the launcher is magneto fired and we are checking to determine if the magneto remains present.

I will be out of the office for a day or two. I have asked Mike and Nick to remove the magneto if present and any of its associated internal wiring (no change to the appearance of the launcher will occur). I have also asked them to replace the muzzle bolt and glue it in place. The launcher will then be shipped back to you.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Ron JOHNSON 3/22/2011 3:03 PM >>>
Thanks a million Murray. That is very kind of you, and I am sure the owner will appreciate your extra effort.
Ron

>>> Murray Smith 3/22/2011 11:43 AM >>>
Ron,

We are pulling the rocket launcher out of our reference collection to determine if it qualifies as a firearm or not, and if it does, what can be done to neutralize it. I expect to have an answer tomorrow.

We have pictures of the item in the FRT, and if the owner does not object to continued use of the images, we have no further need for the launcher itself and will return it.

The only obstacle that remains is to ensure the launcher is deactivated.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services

A0074207_606-000606

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Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074207_607-000607

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Rossi Single Shot 12-Gauge

From: Murray Smith
To: Smith, Joel
Date: 2011-03-29 12:46
Subject: Re: Rossi Single Shot 12-Gauge
CC: Duncan, Glenn; Sevigny, Linda

Hi Joel,

As it turns out the Court dates were rescheduled to April 11 & 12 in Vancouver and April 20 for Alberta. I was out of the office Friday and Monday, just back to the office today.
The root cause was a verifier error which confused two firearms with the same name (at the time) - Rossi S12; one non-restricted and the other restricted (as it is built on a handgun frame).

I am presently pulling more relevant information from the file to ensure the matter is correctly described. What is your deadline?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 3/29/2011 8:32 AM >>>
Hi Murray,

I hope you had a pleasant weekend and your trip to B.C. went well. I was wondering if you had a chance to review the e-mail that I sent your way on Friday? If not it is attached below concerning the Rossi single shot 12-gauge firearm. A response at your earliest convenience would be appreciated as this BN is required to brief senior management.

Thanks
Joel

>>> Joel Smith 3/25/2011 3:27 PM >>>
Murray,

I hope you trip to BC went well. I was hoping you might be able to provide me by way of an update on the second verification that was being performed on the Rossi Single Shot 12-Gauge firearm. Furthermore, if you would be able to provide me with the reason (short description) as to why it was classified restricted the first time (e.g. pistol grip, barrel length under 470mm). I am simply looking for text to include in a BN to the D/Commr on the issue.

Any help would be appreciated.
Thanks

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Page 609

is not relevant

est non pertinente

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Murray Smith - Re: Rossi Single Shot 12-Gauge

From: Murray Smith
To: Smith, Joel
Date: 2011-03-29 14:51
Subject: Re: Rossi Single Shot 12-Gauge
CC: Duncan, Glenn; Sevigny, Linda
Attachments: Rossi S12 Shotgun FRT_101617_1.PDF; Rossi S12 Handgun FRT_132589_1.PDF

Joel,

Here is more background information:

The original S12 non-restricted sporting shotgun is described in FRT record 101617 (attached).

The model in question, FRT #132589 (attached), is based on the Rossi Rocket Pistol with a longer barrel installed.

Followup by the CFR detected a second restricted version having a different barrel length. This was confirmed through an inspection by SFSS and which resulted in the creation of a new child entry in record #132589.

SFSS trained additional verifiers for the importer in January, 2011.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 3/29/2011 1:11 PM >>>
It was last week prior to being told that a second firearm was being verified. If you could provide the information tomorrow by noon that would be great. If not I understand, and will wait until you are able to provide the information.
Thanks,
Joel

>>> Murray Smith 3/29/2011 12:46 PM >>>
Hi Joel,

A0074207_610-000610

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As it turns out the Court dates were rescheduled to I was out of the office Friday and Monday, just back to the office today.
The root cause was a verifier error which confused two firearms with the same name (at the time) - Rossi S12; one non-restricted and the other restricted (as it is built on a handgun frame).

I am presently pulling more relevant information from the file to ensure the matter is correctly described. What is your deadline?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 3/29/2011 8:32 AM >>>
Hi Murray,

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Thanks
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Murray,

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Any help would be appreciated.
Thanks
J

Joel Smith
Policy Analyst
RCMP Canadian Firearms Program,
Firearms Mgt. & Strategic Services
73 Leikin Drive, Building M1, 803-61
Phone: (613) 843-6929

A0074207_611-000611

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FRT Report

Network Version 3.15.0

Firearm Reference No.: 101617

Date: 2011-03-29

Summary

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL
Serial Numbering:	Numbered
Legal Classification:	Non-Restricted

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
101617 - 17	12 GA X 3 1/2"	1	610	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	
101617 - 16	12 GA X 3 1/2"	1	660	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	
101617 - 1	12 GA X 3"	1	559	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	
101617 - 5	12 GA X 3"	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	
101617 - 2	12 GA X 3"	1	711	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	
101617 - 11	17 HMR	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 4	22 LR	1	470	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 3	22 LR	1	559	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 10	22 LR	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 9	22 MAG	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 12	223 REM	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel

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Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
101617 - 7	243 WIN	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 15	270 WIN	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 14	30-06 SPRG	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 13	308 WIN	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 6	50 PERCUSSION	1	584	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel
101617 - 8	50 PERCUSSION	1	711	Non-Restricted CC 2 "firearm"	Manufacturer Specifications and Commercial Customization	Accessory Barrel

Notes

Make

- "A. Rossi", "A. Rossi SA" or a variation thereof is usually marked on the barrel and/or receiver/frame.
- "Rossi" or "Amadeo Rossi" are registered trade marks of Amadeo Rossi, S.A.

Model

- "S12" may be marked on the underside of the receiver/frame in front of the trigger guard.
- "S" model is sold with one receiver/frame and a single barrel.
- "M" model or "Matched Pair" is sold with one receiver/frame and two barrels.
- "MS" model or "Matched Set" is sold with one receiver/frame and three or four barrels.
- features include: blued round shotgun barrel with bead front sight or ramp front sight and adjustable rear sight; barrel may be ported; blued front hinged receiver/frame with push-type break action release lever located on the top tang behind the hammer; exposed spur hammer; auto-ejecting; plain uncheckered hardwood forearm and pistol grip buttstock.
- safety features include a transfer bar mechanism; manual safety with change lever located on the left side of the receiver/frame, and a breech lock system that prevents the action being closed or opened if the hammer is cocked.
- available in standard and youth size.
- rifled calibre accessory barrels available with a blued or stainless steel finish, standard or heavy contour, and with or without iron sights.
- rifle and muzzleloader barrels are drilled and tapped for scope mounts.

Action

- break open action.

Calibre

- calibre designation usually marked on rear of barrel.

Other Markings

- known example marked "Made in Brazil" on left side of receiver/frame.

Cross-References

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Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
101996	Rossi	S12	Rossi	Rifle	Single-Shot

Also Known As/Product Code

Full Size Field Grade Shotgun

Rifled Slug Gun

S 12

S12 Field Grade

S12 Rifled Slug Gun

S12 Slug Gun

S12 Turkey Gun

S12 Youth Model

S121230

S121230BS

S121240

S121240S

S121240ST

S121240STC

S121280

S121280BS

S121280S

The Headstart

Turkey Gun

Year Dates

No Data Retrieved

Importer

BrazTech

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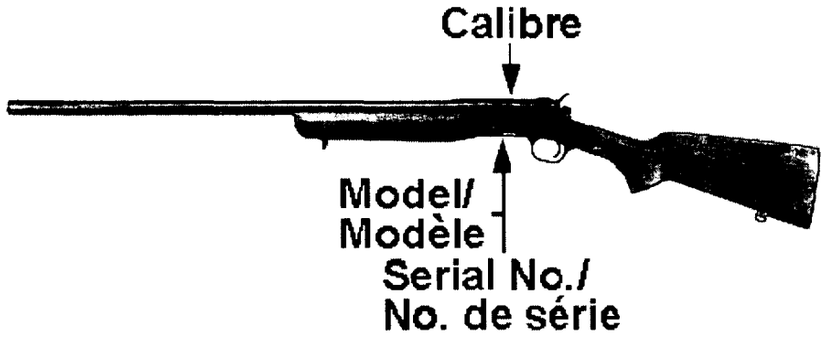
Firearm Details - Image

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL

Full View: Left Side

Image:
1 of 8



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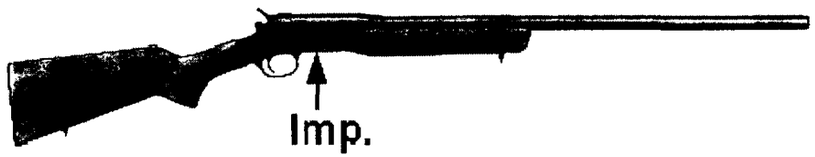
Firearm Details - Image

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL

Full View: Right Side

Image:
2 of 8



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Firearm Details - Image

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL

Close-up: Left Side

Image:
3 of 8

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Firearm Details - Image

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Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL

Close-up: Right Side

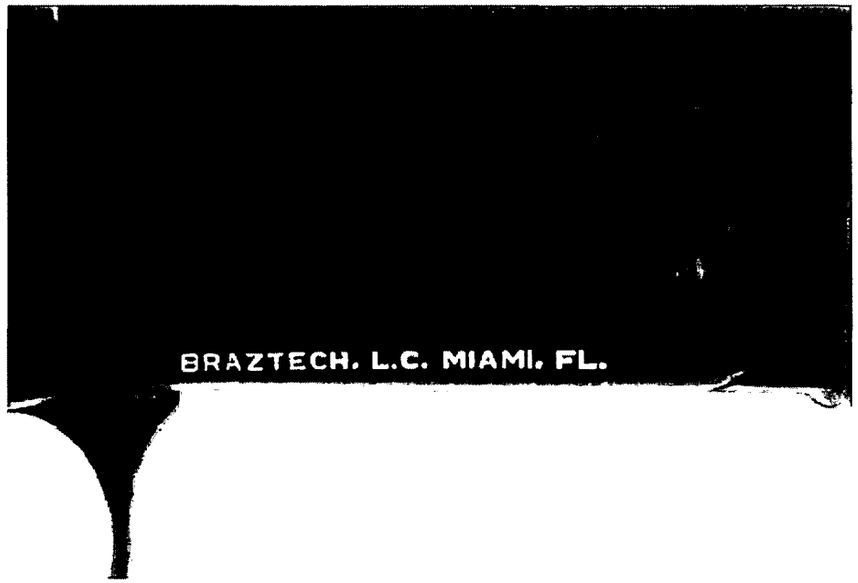

Image:
4 of 8

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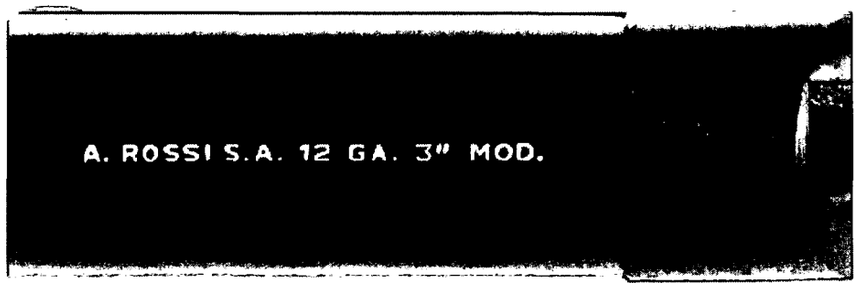
Firearm Details - Image

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL

Close-up: Top

Image:
5 of 8



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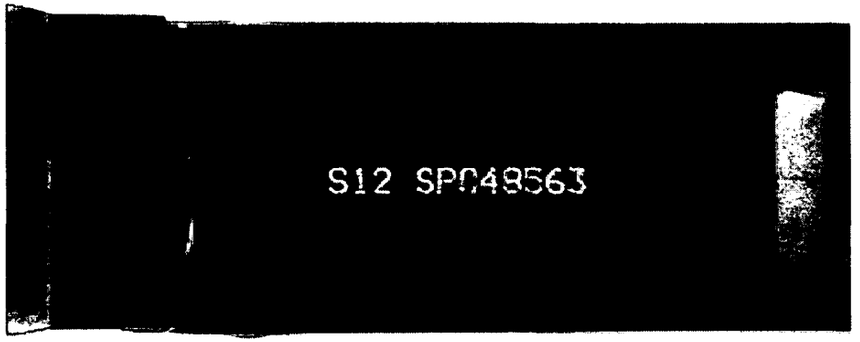
Firearm Details - Image

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL

Close-up: Bottom

Image:
6 of 8



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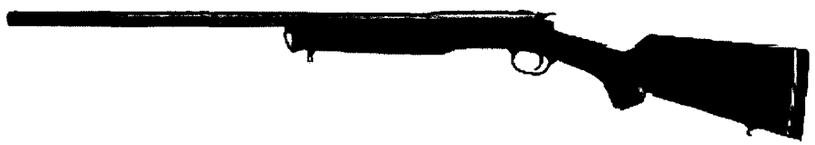
Firearm Details - Image

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL

Physical Variant #1

Image:
7 of 8



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Firearm Details - Image

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL

Physical Variant #2

Image:
8 of 8

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FRT Report

Network Version 3.15.0

Firearm Reference No.: 132589

Date: 2011-03-29

Summary

Make:	Rossi
Model:	S12
Manufacturer:	Rossi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Handgun
Action:	Single-Shot
Country of Manufacturer:	BRAZIL
Serial Numbering:	Numbered
Legal Classification:	Restricted

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
132589 - 1	12 GA X 3"	1	457	Restricted CC 84(1) "restricted firearm" para. (a)	Manufacturer Specifications and Commercial Customization	
132589 - 2	12 GA X 3"	1	470	Restricted CC 84(1) "restricted firearm" para. (a)	Manufacturer Specifications and Commercial Customization	

Notes

Make

- "A. Rossi", "A. Rossi SA" or a variation thereof is usually marked on the barrel and/or receiver/frame.
- "Rossi" or "Amadeo Rossi" are registered trade marks of Amadeo Rossi, S.A.

Model

- model designation is not marked on the firearm.
- "S" models are sold as a receiver/frame with a single barrel.
- this firearm is a purpose-built handgun with no provison to attach a traditional buttstock.
- features observed: ported, round shotgun barrel with bead front sight; front hinged, purpose built "handgun" receiver with push-type action release lever located on the top tang behind the hammer; blued recoil buffer tube mounted in front of the black, synthetic, ringed forend; exposed spur hammer; auto-ejecting; rubber; the "S12 Handgun" has a synthetic rubber pistol grip similar to the "Taurus "Raging Bull" handgun pistol grip mounted onto a permanent metal hand grip; available in nickel finish or blued finish.
- the permanent metal "pistol grip" prevents this firearm from having a conventional butt-stock installed.
- the S12 handgun is a variation of the ROSSI "ROCKET PISTOL" and consists of a shotgun barrel assembled to a "ROSSI ROCKET PISTOL" receiver/frame.
- safety features include a transfer bar mechanism; manual safety with selector lever located on the left side of the receiver/frame, and a built-in safety mechanism that prevents the action being closed or opened when the hammer is cocked.

Manufacturer

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Action

- hinged barrel design.

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Calibre	- "12 GA.3" CYL." is marked on the top of the barrel at the breech.
Serial Number	- serial number was observed marked on the underside of the receiver/frame. - observed serial number consisted of a two letter "SP" prefix and six numbers.
Canadian Law Comments	- this firearm by serial number (SP130048) and all others of its kind or type have been found to be "handguns" and "restricted firearms" in a manner similar to the H&R Handy Gun, and the Ithica Auto & Buglar" shotgun.
Other Markings	- "MADE IN BRAZIL" is marked on the left side of the receiver/frame.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
133516	Rossi	Rocket Pistol	Rossi	Handgun	Single-Shot

Also Known As/Product Code

212

Backpacker

Rocket Pistol

S12 P

S12 Pistol

S12 Rocket Pistol

S121218006SP

Year Dates

No Data Retrieved

Importer

North Sylva

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police.Network Version 3.15.0, 2011/03/29. All rights reserved, RCMP, 1998-2011.

Pages 625 to / à 627

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Murray Smith - Fwd: Re: Incoming - TOW010264 -(1).PDF

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-04-08 16:47
Subject: Fwd: Re: Incoming - TOW010264 -(1).PDF
Attachments: Fwd: Re: Incoming - TOW010264 -(1).PDF

Hi Geoff,

This Ministerial enquiry was just received today and is due Monday. Bill and I have discussed the response and Bill will be replying Monday. The short answer is that the classification is derived from the Criminal Code, we cannot change that, and the classification remains restricted. This firearm is like the Rossi S12 in that it is a handgun frame with a longer barrel and handgrip extension.

I will flip you the response once Bill has finished drafting.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 4/8/2011 2:58 PM >>>
Minquery - Circuit Judge legal class.

CBSA Minquery for CFP input.

Bill

F.A. William (Bill) ETTER
Royal Canadian Mounted Police
Senior Firearms Technologist
Specialized Firearms Support Services
Firearms Investigative & Enforcement Services Directorate
NPS - Rm 504
P.O. Box 8885,
Ottawa, Ontario, Canada
K1G 3M8
613-993-6684

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Pages 694 to / à 699

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Murray Smith - Fwd: Re: Incoming - TOW010264 -(1).PDF

From: Murray Smith
To: Etter, William
Date: 2011-04-11 11:35
Subject: Fwd: Re: Incoming - TOW010264 -(1).PDF
CC: Glass, Kimberley

Perfect.

Thanks Bill.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 4/11/2011 8:12 AM >>>
Hi Rose:

The Manager of Specialized Firearms Support Services, Mr Murray A. Smith and the author of this reply would like to review the finalized CFP response to Ministerial Correspondence **(T0W010264)** before a reply is sent to the Minister's Office.

The following are the relevant discussion points from the viewpoint of SFSS,

1. RCMP, Specialized Firearms Support Services (SFSS) confirms the "restricted" legal classification of the ROSSI, Model 4510 Circuit Judge firearm based on information supplied by the manufacturer and the dealer/distributor.

2. SFSS is prepared to inspect a sample firearm and review any written discussion that the importer would care to make if they choose to do so.

3. The legal class of this firearm model and firearms in general, is derived from PART III of the Criminal Code of Canada.

4. Contrary to the opinion held by it is permissible to import restricted firearms into Canada for the purpose of commercial resale.

I trust this will be of assistance.

William Etter
Senior Firearms Technologist
Specialized Firearms Support Services
Firearms Investigative & Enforcement Services Directorate

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Murray Smith - Fwd: Re: BN on Rossi Single Shot 12-Gauge

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 2011-04-11 22:35
Subject: Fwd: Re: BN on Rossi Single Shot 12-Gauge
Attachments: CFP-2011-10(with comments).wpd

Bill & Kimberley,

The Rossi BN looks OK to me. Would you have a look at it and if you agree, reply to Joel. Because of the time change I will not have another opportunity to deal with this BN prior to the due date.

CITT went OK today. The applicant was very capable and put up good arguments. No feedback from he Court. Decision deferred for three weeks.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139
(
>>> Joel Smith 4/11/2011 3:29 PM >>>
Murray and Grace,

Please find attached a revised version of the BN with your comments incorporated. Thank you for your cooperation in putting together this BN. If I could ask both of you to either re-submit any further comments and/or indicate your approval by COB Tuesday, April 12, 2011, that would be greatly appreciated.

Thank you
Joel

Joel Smith
Policy Analyst
RCMP Canadian Firearms Program,
Firearms Mgt. & Strategic Services
73 Leikin Drive, Building M1, 803-61
Phone: (613) 843-6929
>>> Murray Smith 4/7/2011 3:41 PM >>>
Joel,

I think it would be appropriate for the BN to be circulated prior to submission to the DG for final approval. This will confirm the accuracy of the document. The BN is a joint production of all three directorates and as such, needs confirmation that the activities of each directorate have been correctly depicted. Plus, the DG will have

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the comfort of knowing that all three Directors are in agreement on this matter.

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139
Cell: (613) 859-5708
>>> Joel Smith 4/7/2011 3:34 PM >>>
Thank you Murray I appreciate your timely response and comments.

The BN will be going for DG approval tomorrow, April 8, 2010. I will send you the final version prior to sending it to the D/Commr office

Joel Smith
Policy Analyst
RCMP Canadian Firearms Program,
Firearms Mgt. & Strategic Services
73 Leikin Drive, Building M1, 803-61
Phone: (613) 843-6929
>>> Murray Smith 4/7/2011 3:30 PM >>>
Hi Joel,

I have discussed this matter with C/Supt Francis. Attached are FIESD comments. We would like to see the final version prior to release.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 4/6/2011 1:39 PM >>>
Colleagues,

Attached is a BN to the D/Commr. It has been approved by Scott, and I am sending it for comment. Could you please provide feedback (if any) on the BN by COB Monday, April 7, 2011.

Thanks
Joel

Page 704

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Protected	Total Pages Pages totales 2

BRIEFING NOTE TO D/Commr PSS

NOTE D'INFORMATION au S.-comm SSP

PURPOSE:

To brief the Deputy Commissioner on action taken by the RCMP Canadian Firearms Program (CFP) with respect to 119 Rossi single shot 12-gauge firearms that were incorrectly registered at the time of importation.

ISSUE:

New information provided to the CFP on the Rossi single shot 12-gauge firearm, previously imported and registered in Canada as a non-restricted shotgun, concluded there are restricted variants.

BACKGROUND:

Prepared by - Rédigé par	Date	Recommended by - Recommandée par	Date	Approved by - Approuvé par	Date
Linda Sevigny Manager, Strategic Policy Canadian Firearms Program Policing Support Services	2011-03-25	Scott McDougall, Director Firearms Management & Strategic Policy Canadian Firearms Program Policing Support Services	2011-04-05	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program Policing Support Services	2011-04-11

3571 (1998-02) (WPT)

☐ Advice to the Minister-Conseil au Ministre

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MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Protected

The Canadian Firearms Information System indicates that 119 Rossi single shot 12-gauge firearms imported were sold to 114 individual firearm owners. Of those 114 individuals, 32 have only non-restricted privileges on their firearms licences while the remaining 82 individuals have licences with both non-restricted and restricted privileges.

CURRENT STATUS:

The CFP will complete phone verifications of the affected firearms by the end of May 2011, to confirm whether the remaining Rossi single shot 12-gauge firearms are restricted firearms. A subsequent letter will be sent to all of the owners, confirming the verification results and providing a list of options the owners can take to comply with the law. To date, the CFP has completed over 30 phone verifications.

STRATEGIC CONSIDERATIONS:

The 82 individuals with restricted privileges on their firearms licences have been advised they can either keep their firearms or return them to for a refund.

The CFP is advising the individuals that have only non-restricted privileges on their firearms licence, they can apply to their provincial CFO to upgrade their licence to possess and acquire restricted firearms, or they can lawfully transfer the firearms to another individual or business who has a firearms licence allowing for the possession and acquisition of restricted firearms. These individuals can also make arrangements for the return of the firearms to

A communication plan has been prepared by the CFP to mitigate potential discontent amongst Rossi owners over actions taken with respect to these firearms.

RECOMMENDATION

It is recommended that the Commissioner and the Minister of Public Safety be briefed on the status of the Rossi single shot 12-gauge firearm.

BN Identification Number: CFP-2011-10
CCM #: 11-001502

Approved By (SIGNATURE)-Approuvé par (SIGNATURE)	Date

3571 (1998-02) (WPT)

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Pages 708 to / à 710

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Murray Smith - Fwd: Montague

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-04-14 15:33
Subject: Fwd: Montague
Attachments: Montague

Geoff,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 4/14/2011 7:00 AM >>>
Good morning:

The geographic address of the OPP Det Dryden is as follows:

389 Government Street,
Dryden, Ontario.
P8N 2P4

Tel. 807-223-2221

The attached is all personal contact information for the trip.

Bill

F.A. William (Bill) ETTER
Royal Canadian Mounted Police
Senior Firearms Technologist
Specialized Firearms Support Services
Firearms Investigative & Enforcement Services Directorate
NPS - Rm 504
P.O. Box 8885,
Ottawa, Ontario, Canada
K1G 3M8
613-993-6684

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Page 714

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Murray Smith - Fwd: BN on Heera

From: Murray Smith
To: McDougall, Scott
Date: 2011-04-14 15:41
Subject: Fwd: BN on Heera
CC: Francis, Geoffrey
Attachments: PS-SP-#410034-v1-Memorandum_to_the_Minister_-_TAB_B_-_FRT_Record_for_AK47_variant.PDF; PS-SP-#410032-v1-Memo_to_the_Minister_-_TAB_A_-_Notice_of_Application_and_Constitutional_Issue.PDF; PS-SP-#409817-v1-Memorandum_to_the_Minister___Constitutional_Challenge_to_the_Firearms_Classification_Regulation.DOC; Picture (Metafile) 1.jpg

Scott,

I am happy to help out with this BN for Public Safety, but I believe this should have come through your office.

I am an expert witness for the Crown on this trial and have filed affidavits, so I have a good working knowledge of the issues involved.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> "Doyle, Ryan" <Ryan.Doyle@ps-sp.gc.ca> 4/14/2011 9:53 AM >>>
Morning all,

I have been tasked to write a BN to the Deputy by tomorrow on the Heera challenge. I have pulled together a Memo based on what we know, with the caveat to management that this is still early days. I would be grateful if you could review the proposed memo and provide any feedback, suggestions or comments. Alternatively, feel free to plagiarize from it too! :)

Ry

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

Public Safety Canada | Sécurité Publique Canada
Ottawa, Canada K1A 0P8
ryan.doyle@ps.gc.ca
Telephone | Téléphone 613-990-2721 / Facsimile | Télécopieur 613-954-4808 / Secure 613-991-6669 / Blackberry 613-240-4403
Government of Canada | Gouvernement du Canada

Public Safety Canada | Sécurité publique Canada

Canada

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Pages 716 to / à 723

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Pages 724 to / à 736

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Murray Smith - Re: Ministerial Correspondence T010162 - for your review

From: Murray Smith
To: Thomas, Rose
Date: 2011-04-19 12:27
Subject: Re: Ministerial Correspondence T010162 - for your review

Hi Rose,

I think the whole point of the question has been missed. The question has to do with who has the authority to issue regulations. I suggest the response address the following:

1. The question touches on many federal acts including the Firearms Act, Criminal Code, Customs Act, Customs Tariff and the EIPA, and their associated regulations.

2. In general, Regulations are made by the Governor in Council, which effectively means the Federal Cabinet of the day. Some Regulations are also subject to Parliamentary review.
You may wish to discuss your response with CFP Legal.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 4/19/2011 10:13 AM >>>
Good morning

Please find attached, for your review and/or comments, a copy of the proposed response for Ministerial Correspondence T01062.

A copy of the incoming correspondence has also been included for your information.

Thank you

Rose Thomas

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Murray Smith - FNH SCAR 16s rifle

From: Murray Smith
To: robert.thomas@atf.gov
Date: 2011-04-20 11:24
Subject: FNH SCAR 16s rifle

Hello Bob,

I hope all is well with you. This message is further to our telephone conversation earlier this week.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 746 to / à 747

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Murray Smith - Fwd: Re: Draft Media Lines for your Review - Zoraki Model R1

From: Murray Smith
To: Etter, William
Date: 2011-04-27 16:57
Subject: Fwd: Re: Draft Media Lines for your Review - Zoraki Model R1
CC: Glass, Kimberley
Attachments: Zoraki Model R1 (April 2011).doc

FYI. We can discuss tomorrow.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 4/27/2011 3:42 PM >>>
Please see version 3 attached - Sharon we'd appreciate your comments on this -

Scott

PS Linda we may need a BN for the Deputy on this tomorrow -

>>> Michelle Rose 4/27/2011 3:21 PM >>>
Good afternoon,

Please find draft media lines on the Zoraki Model R1 attached for your review. Scott has had a chance to revise the lines and made some edits, including the addition of the paragraph most commonly used on classification.

I am away from the office tomorrow and Friday, so any suggested changes should be sent to Lynn Doran.

Thank you,

Michelle

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Murray Smith - Re: Rossi Circuit Judge

From: Murray Smith
To:
Date: 2011-04-28 12:11
Subject: Re: Rossi Circuit Judge
Attachments: Rossi _410 Circuit Judge_FRT_133837_1.PDF; Rossi_4510 Circuit Juge_FRT_131595_1.PDF

Hello Larry,

Good to hear from you.

The Rossi Circuit Judge series of firearms are restricted because they are based on a handgun frame. In particular, the definition of "handgun" in Section 84(1) of the Criminal Code includes firearms modified in the manner of the Rossi Circuit Judge. Since the barrel is longer than 105 mm and the firearm is not 25 or 32 calibre, the resulting classification is restricted.

We are simply applying the law as laid out in the Criminal Code. Two FRT records are attached for more details. Other Rossi Circuit Judge records are in preparation. All variants presently known are restricted.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> @cdnshootingsports.org> 4/26/2011 10:48 PM >>>
Murray,

As discussed today, I have a question from one of our members about why and Rossi Circuit Judge is classified restricted when the barrel is 18.5 inches and has a full stock.

Please let me know.

Thank you.

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Pages 760 to / à 763

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Murray Smith - Re: Dauphin Gun Show

From: Murray Smith
To: CUNNINGHAM, Jim; Francis, Geoffrey; Hurley, John
Date: 2011-04-28 12:39
Subject: Re: Dauphin Gun Show
CC: DREWNIAK, Darryl; Duttchen, Rob; PALICHUK, Shane

John,

We had a quick look at the two STEN guns to assess their general state. We were able to disassemble most of the gun and in doing so, successfully removed the key receiver component, the magazine housing. The STEN has a two part receiver consisting of the magazine housing and the receiver tube. The former (magazine housing) is the key controlled part. All other components, including the receiver tube, are uncontrolled and available on the open market.

The magazine housings from both sample STEN guns are perfectly functional and can be assembled into working fully automatic submachine guns. The classification is therefore prohibited.

Very little work has been performed to deactivate the firearm. It does not conform to any standard I have seen. The bolt face has been disabled but since the end cap can be removed, the bolt is not trapped in the gun and could be easily replaced. The barrel is plugged and welded to the trunion. The selector is (lightly) welded in the semiautomatic position.

Your call as for what to do next. The barrel and trunion can in theory be disassembled from the receiver tube. However, it is very tight and we did not wish to risk damage to the receiver tube. Do you want us to try to take it out? If we are successful in doing so, and in addition remove the small weld on the selector, we would have a complete functioning receiver that could be test fired.

Likewise, if you intention is to permit the individual to keep the STEN guns, we can provide an itemized list of what needs to be done to properly deactivate the firearms.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 4/16/2011 5:50 PM >>>
Thanks for the update John. I have copied Murray on this email, so he is aware that you will be following up on this with him.

I have also cc'd Karen at the CFO office for information purposes.

Geoff

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Murray Smith - Fwd: Re: Dauphin Gun Show

From: Murray Smith
To: Etter, William
Date: 2011-04-28 16:41
Subject: Fwd: Re: Dauphin Gun Show
CC: Glass, Kimberley

Bill,

Here is all the correspondence for filing purposes.

Please ask Mike to prepare a list of steps to deactivate the STEN guns. If you believe it worthwhile, we can create a formal STEN deactivation standard like what was done for the Type 97A rifle.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> John Hurley 4/28/2011 3:07 PM >>>
Hi Murray...very interesting indeed....That was my thought as well - that these Stens were not properly de-activated and could be made operable.

I advised the owner that we would endeavor if possible to supply him with a check list of required procedures to deem the Stens "de-activated". If you can, please do so and forard to me

The Stens can be sent by courier back to me and we will find a suitable gun smith

Thanks very much

J.R. HURLEY
National Weapons Enforcement Support Team
NWEST - Manitoba
(204) 984-5216 phone

(204) 984-8096 fax>>> Murray Smith 2011-04-28 11:39 >>>
John,

We had a quick look at the two STEN guns to assess their general state. We were able to disassemble most of the gun and in doing so, successfully removed the key receiver component, the magazine housing. The STEN has a two part receiver consisting of the magazine housing and the receiver tube. The former (magazine

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housing) is the key controlled part. All other components, including the receiver tube, are uncontrolled and available on the open market.

The magazine housings from both sample STEN guns are perfectly functional and can be assembled into working fully automatic submachine guns. The classification is therefore prohibited.

Very little work has been performed to deactivate the firearm. It does not conform to any standard I have seen. The bolt face has been disabled but since the end cap can be removed, the bolt is not trapped in the gun and could be easily replaced. The barrel is plugged and welded to the trunion. The selector is (lightly) welded in the semiautomatic position.

Your call as for what to do next. The barrel and trunion can in theory be disassembled from the receiver tube. However, it is very tight and we did not wish to risk damage to the receiver tube. Do you want us to try to take it out? If we are successful in doing so, and in addition remove the small weld on the selector, we would have a complete functioning receiver that could be test fired.

Likewise, if you intention is to permit the individual to keep the STEN guns, we can provide an itemized list of what needs to be done to properly deactivate the firearms.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 4/16/2011 5:50 PM >>>
Thanks for the update John. I have copied Murray on this email, so he is aware that you will be following up on this with him.

I have also cc'd Karen at the CFO office for information purposes.

Geoff
-----Original Message-----
From: John Hurley
Cc: Duttchen, Rob <rob.duttchen@rcmp-grc.gc.ca>
Cc: DREWNIAK, Darryl <darryl.drewniak@rcmp-grc.gc.ca>
Cc: PALICHUK, Shane <Shane.PALICHUK@rcmp-grc.gc.ca>
To: CUNNINGHAM, Jim <james.cunningham@rcmp-grc.gc.ca>
Cc: Francis, Geoffrey <geoffrey.francis@rcmp-grc.gc.ca>

Sent: 04/16/2011 17:39:54
Subject: Dauphin Gun Show

2 - STEN MkII 9mm submachine guns. These firearms were being held out and being sold for $500.00 each as "de-activated" firearms. On initial inspection and handling by NWEST members, these 2 Stens had operating

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Murray Smith - Re: Fw: Zoraki R1 flare gun media lines

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-04-28 16:51
Subject: Re: Fw: Zoraki R1 flare gun media lines

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 4/28/2011 3:59 PM >>>
Fyi

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Murray Smith - Fwd: Fw: Zoraki R1 flare gun media lines

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 2011-04-28 16:55
Subject: Fwd: Fw: Zoraki R1 flare gun media lines
Attachments: Re: Zoraki R1 flare gun media lines

Bill & Kimberley,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 4/28/2011 3:59 PM >>>
Fyi

A0074207_770-000770

Page 771

is not relevant

est non pertinente

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Background:
The Zoraki Model R1 double action blank firing revolver flare gun has recently been entered into the RCMP Canadian Firearms Program's (CFP) Firearms Reference Table (FRT) as a restricted firearm,

Approximately 60 Zoraki Model R1's have been sold in the Brantford area. Brantford Police Service is distributing a local news release advising that Zoraki Model R1 owners are being given until May 31, 2011 to register or surrender their firearm(s).

The RCMP Canadian Firearms Program (CFP) has been mentioned a number of times in the Brantford Police Service news release. An advance copy of the draft news release provided by Brantford PS states the RCMP is responsible for classifying the Zoraki Model R1 as a restricted handgun.

Media Lines:

· This is a Brantford Police Service initiative and investigation. The RCMP CFP inspected the Zoraki at the request of Brantford PS but was not involved in a joint investigation with them.

· There are three classes of firearms in Canada: non-restricted, restricted, and prohibited. Subsection 84(1) of the Criminal Code defines what are restricted and prohibited firearms and the supporting regulations lists certain firearms as restricted or prohibited. All other firearms are non-restricted.

· Responsibility for the Criminal Code and corresponding regulations falls under the purview of the Department of Justice.

· The Criminal Code defines what is or is not prohibited or restricted. After inspection, firearms are entered into the RCMP Canadian Firearms Program's Firearms Reference Table (FRT) based on criteria set out in the Criminal Code, the list of firearms set out in Criminal Code regulations and the characteristics of the firearm.

· The FRT is often used for operational purposes, including identification of firearms, by Canadian and American law enforcement agencies, other public agencies, forensic examiners and Interpol.

About the RCMP Canadian Firearms Program (CFP):

· The RCMP CFP is a fully-integrated firearms-focused organization that supports the RCMP's commitment to ensure a safe and secure Canada.

· The RCMP CFP is the primary source of firearms information for front-line police officers, including firearms identification, tracing, and other investigative support.

· Police officers access the RCMP CFP Registry On-Line over 10,000 times per day, giving them valuable information on firearm ownership prior to attending a call. This also contributes to community and officer safety.

· Continuous eligibility screening of all firearms license holders alerts Chief Firearms Officers across the country to public safety risks so appropriate action can be taken. This is done automatically by computer every day.

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- The RCMP CFP provides police and other law enforcement organizations with operational and technical support to fight crimes involving firearms.

- The CFP actively combats the illegal movement and criminal use of firearms in Canada and internationally.

- Visit www.rcmp-grc.gc.ca/cfp for details on what the CFP does to tackle crime and protect Canadian communities.

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Murray Smith - Fwd: Zoraki Model R1

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-04-29 11:33
Subject: Fwd: Zoraki Model R1
Attachments: Draft BN - mas comments.wpd

Geoff,

My comments attached. Note the noon deadline.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 4/29/2011 9:25 AM >>>
Murray,

Could you please take a quick look at this briefing note for the D/Commr Zoraki Model R1 Flare Gun. Our timelines are very tight. Would really appreciate it if you could provide any substantive comments by noon (12 p.m.) Today (29-04-2011). Sorry for the tight deadlines.

Thanks
Joel

Joel Smith
Policy Analyst
RCMP Canadian Firearms Program,
Firearms Mgt. & Strategic Services
73 Leikin Drive, Building M1, 803-61
Phone: (613) 843-6929

A0074207_774-000774

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Unclassified	Total Pages Pages totales 2

BRIEFING NOTE TO D/Commr PSS

NOTE D'INFORMATION au S.-comm SSP

ZORAKI MODEL R1 FLARE GUN

PURPOSE:

To brief the Deputy Commissioner on the Zoraki Model R1 double action blank firing revolver flare gun, recently inspected by the CFP Specialized Firearms Support Services section to assist

ISSUE:

BACKGROUND:

Firearms are determined to be non-restricted, restricted, or prohibited pursuant to the definitions in Subsection 84(1) of the *Criminal Code* and the corresponding *Regulations Prescribing Certain Firearms and Other Weapons*. Responsibility for the *Criminal Code* and the corresponding Regulations falls under the purview of the Department of Justice.

Inspection of firearms to determine classification is a routine service offered to police by the CFP and is consistent with the framework for CFP services developed at the 2010 CACP meeting.

Prepared by - Rédigé par	Date	Recommended by - Recommandée par	Date	Approved by - Approuvé par	Date
Linda Sevigny Manager, Strategic Policy Canadian Firearms Program Policing Support Services	2011-04-29	Scott McDougall, Director Firearms Management & Strategic Services Canadian Firearms Program Policing Support Services	2011-04-29	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program Policing Support Services	2011-04-29

3571 (1998-02) (WPT)

☐ Advice to the Minister-Conseil au Ministre

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MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Unclassified

STRATEGIC CONSIDERATIONS:

This is an issue of public safety. Unlicenced individuals are coming into possession of unregistered restricted firearms.

The CFP has prepared a national Business Bulletin and a national Police Bulletin to inform these groups because these firearms may have been sold elsewhere in Canada. Media lines have also been prepared by the CFP to address potential concerns over actions taken with respect to these firearms.

RECOMMENDATION

It is recommended that the Commissioner and the Minister of Public Safety be briefed, as required, on the status of the Zoraki Model R1 flare gun.

Other things to consider:

Approved By (SIGNATURE)-Approuvé par (SIGNATURE)	Date

3571 (1998-02) (WPT)

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MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Unclassified

BN Identification Number: CFP-2011-12
CCM #: 11-002065

Approved By (SIGNATURE)-Approuvé par (SIGNATURE)	Date

3571 (1998-02) (WPT)

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Murray Smith - Re: Fwd: draft bulletins - Zoraki flare guns

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-04-29 12:29
Subject: Re: Fwd: draft bulletins - Zoraki flare guns
Attachments: Special Bulletin for Police No80 - mas comments.docx; Special Bulletin for Businesses No75 - mas comments.docx

Attached are my comments.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 4/29/2011 10:24 AM >>>
FYI and Discussion.

Geoff

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205
Fax: 905-795-5224

Email: geoffrey.francis@rcmp-grc.gc.ca
>>> Grace Zhang 2011-04-29 10:13 >>>
Hi Geoff and Monique,

Please find attached the draft Police Bulletin and the draft Business Bulletin for the Zoraki flare guns. Also attached is a copy of the FRT record of the firearm.

Please send me your comments ASAP so that I can make necessary changes before sending the drafts to Communications for final editing. The DG's office is waiting for the final version.

Many thanks,

Grace

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Special Bulletin for Police No. 80

Snapshot

The Zoraki Model R1 double action blank firing revolver flare gun has been identified, based on the criteria set out in the *Criminal Code*, as a restricted

Individuals and business who are in possession of these firearms need to either register the firearms immediately if they have proper firearm licences or to surrender the firearms to law enforcement agencies.

Background

(Same changes as for the business bulletin) Zoraki Model R1 double action blank firing revolvers are made by ATAK Arms in Turkey. They are available in various colours (black, chrome and nickel). They bore an extremely close resemblance to a genuine firearm and were sold by businesses in Canada until recently. The revolver-type flare guns were always sold as a flare gun kit that included the flare adapter and flares. They are capable of being used as a blank firing revolver should the owner decide not to attach the flare adapter to the barrel.

The RCMP Canadian Firearms Program (CFP) recently inspected one such revolver. Based on the criteria set out in the *Criminal Code*, the inspection identifies that this type of revolvers are either restricted or prohibited firearms, depending on the firearm's barrel length. A record (number 134161) for this type of firearms has been entered into the Firearms Reference Table (FRT) of the RCMP (a copy of the record is attached). The classification is due to identical parts (frame and receiver) being used in both the flare gun and the manufacturer's genuine 9mm firearm. The flare gun's make and model number are located on the right hand side of the frame.

Implications for Individual Firearm Owners

For individuals who had previously purchased the flare gun in good faith and are currently in possession of this model of flare gun, the following options are available to them:

- If they have a valid firearm licence with the restricted privilege, they need to register the firearm.

- If they do not have a proper firearm licence, they are in unlawful possession of a restricted/~~prohibited~~ firearm, contrary to the *Criminal Code* of Canada.

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- Individuals who need to dispose of these flare guns should contact either the local police or the provincial Chief Firearms Office immediately to make arrangement for the surrender of the firearms.

Implications for Firearm Businesses

- For businesses with licenses for restricted/prohibited firearms:

Any existing stock of Zoraki Model R1 double action blank firing revolvers need to be registered immediately. After registration, these firearms can be legally sold to eligible clients who hold a valid licence with proper privileges.

- For businesses without licenses for restricted/~~prohibited~~ firearms:

Any existing stock of Zoraki Model R1 double action blank firing revolvers need to be disposed of immediately. The business should contact either the local police or the provincial Chief Firearms Officer to arrange for turning over of the firearms.

For more information, please contact the RCMP Canadian Firearms Program.

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Special Bulletin for Businesses No. 75

Snapshot

The Zoraki Model R1 double action blank firing revolver flare gun has been identified, based on the criteria set out in the *Criminal Code*, as a restricted~~/prohibited~~ firearm ~~(depending on barrel length).~~ Any existing stocks of these firearms need to be registered immediately and any future imports of these firearms will require registration as all other restricted~~/prohibited~~ firearms.

Background

Zoraki Model R1 double action blank firing revolvers are made by ATAK Arms in Turkey. They are available in various colours (black, chrome and nickel).

(Is there new information available? So far we know only the situation in the Brantford area and nowhere else)The revolver-type flare guns can have a flare gun kit that included the flare adapter and flares. They are capable of being used as a blank firing revolver should the owner decide not to attach the flare adapter to the barrel. (The grammer needs fixing but I will leave that to you)

The RCMP Canadian Firearms Program (CFP) recently inspected one such blank firing revolver. Based on the criteria set out in the *Criminal Code*, the inspection identifies that this type of revolvers are either restricted
(Note: the genuine revolvers can be restricted or prohibited but the blank firing revolver is always restricted) A record (number 134161) for ~~this type of~~ the genuine firearms has been entered into the Firearms Reference Table (FRT) of the RCMP (a copy of the record is attached). The restricted classification of the blank firing revolver is due to ~~identical parts (frame and receiver)~~ the same frame being used in both the flare gun and the manufacturer's genuine ~~9mm~~ firearm.

Implications

- For businesses with licenses for restricted/prohibited firearms:

Any existing stock of Zoraki Model R1 double action blank firing revolvers need to be registered immediately. After registration, these firearms can be legally sold to clients who hold a valid licence with restricted~~/prohibited~~ privileges.

- For businesses without licenses for restricted firearms:

Any existing stock of Zoraki Model R1 double action blank firing revolvers need to be disposed of immediately. The business should contact either the local police or the provincial Chief Firearms Officer to arrange for turning over of the firearms.

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For more information, please contact the RCMP Canadian Firearms Program.

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Murray Smith - Re: Fw: draft bulletins - Zoraki flare guns

From: Murray Smith
To: Francis, Geoffrey
Date: 2011-04-29 13:32
Subject: Re: Fw: draft bulletins - Zoraki flare guns

The Zoraki R1 blank firing flare guns are always restricted as manufactured. The logic is as follows:

1. The Zoraki R1 revolvers that are genuine firearms and are recorded under FRT record number 134161, can be either restricted or prohibited firearms depending on barrel length.

2. The definition of firearm in Section 2 CC extends to include the frame or receiver of a firearm, in this case the frame of the Zoraki R1 revolver. The Zoraki R1 bare frame thus qualifies as a firearm.

3. If the Zoraki R1 firearm is stripped to a bare frame it becomes a restricted firearm regardless of whether it started out as restricted or prohibited. This is because the prohibited barrel length is no longer present and the firearm frame is agnostic concerning the choice of a restricted or prohibited classification. This is why the parent level classification of the Zoraki R1 is listed as restricted in the FRT.

4. If a restricted frame is used as the basis of a blank firing revolver, the restricted classification is carried with it. The presence of a blank firing cylinder or plugged barrel does not detract from the characterization of the frame as restricted.

5. The blank firing revolver is not exempted by the action of Section 84(3) since the frame is not exclusive to the blank firing design as required by that section. Hence the frame is subject to registration and by extension, so is the Zoraki R1 blank firing revolver, as a restricted firearm.

6. If the blank firing revolver is subsequently modified then the classification will depend on the exact nature of the resulting item.

Synopsis:
1. Zoraki R1 4mm, 6mm, & 9mm Flobert revolvers can be either restricted or prohibited

2. the Zoraki R1 blank firing revolver, with or without the flare discharging attachment, is always a restricted firearm

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 4/29/2011 12:47 PM >>>

A0074207_783-000783

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Murray Smith - Fwd: Legal Proceeding

From: Murray Smith
To: Francis, Geoffrey
Date: 5/2/2011 12:07 PM
Subject: Fwd: Legal Proceeding
Attachments: CFP-2011-09 (1).wpd

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Linda Sevigny 5/2/2011 8:26 AM >>>
FYI and to ensure you are in the loop - Here is the final that was shared with Geoff.

Thanks.

Linda Sevigny
Manager/Gestionnaire
Canadian Firearms Program/Programme canadien des armes à feu
Firearms Management & Strategic Services/Contrôle des armes à feu et services stratégiques
Royal Canadian Mounted Police/Gendarmerie royale du Canada
73 Leikin Drive/73 ch. Leikin
Ottawa, ON, K1A 0R2
613-843-5442
facsimile/télécopieur 613-825-0315

>>> Joel Smith 5/2/2011 8:25 AM >>>

FYI

>>> Joel Smith 4/29/2011 4:10 PM >>>
Ryan,

Please do not share this bulletin with any external partners or quote it directly. This is for your information and if you require any formal opinion/info you may wish to ask Pierre Covo to speak with Sharon Walters.

Thanks,
Joel

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Page 785

is not relevant

est non pertinente

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Protected	Total Pages Pages totales 2

BRIEFING NOTE TO / NOTE D'INFORMATION

D/Commr PSS / au S.-comm SSP

Prepared by - Rédigé par	Date	Recommended by - Recommandée par	Date	Approved by - Approuvé par	Date
Grace Zhang Senior Analyst, Canadian Firearms Program Policing Support Services	2011-03-22	Scott McDougall, Director Firearms Management & Strategic Policy Canadian Firearms Program Policing Support Services	2011-03-22	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program Policing Support Services	2011-03-22

3571 (1998-02) (WPT)

☐ Advice to the Minister-Conseil au Ministre

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MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Protected

BN Identification Number: CFP-2011-09
CCM #: 11-0001443

Approved By (SIGNATURE)-Approuvé par (SIGNATURE)	Date

3571 (1998-02) (WPT)

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Murray Smith - Re: Fwd: Legal Proceeding

From: Murray Smith
To: Sevigny, Linda
Date: 5/2/2011 12:11 PM
Subject: Re: Fwd: Legal Proceeding

Thanks Linda.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Linda Sevigny 5/2/2011 8:28 AM >>>
FYI and to ensure you are in the loop - Here is the final that was shared with Geoff.

Thanks.

Linda Sevigny
Manager/Gestionnaire
Canadian Firearms Program/Programme canadien des armes à feu
Firearms Management & Strategic Services/Contrôle des armes à feu et services stratégiques
Royal Canadian Mounted Police/Gendarmerie royale du Canada
73 Leikin Drive/73 ch. Leikin
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facsimile/télécopieur 613-825-0315

>>> Joel Smith 5/2/2011 8:25 AM >>>

FYI

>>> Joel Smith 4/29/2011 4:10 PM >>>
Ryan,

Please do not share this bulletin with any external partners or quote it directly. This is for your information and if you require any formal opinion/info you may wish to ask Pierre Covo to speak with Sharon Walters.

Thanks,

Page 789

is not relevant

est non pertinente

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BRIEFING NOTE TO / NOTE D'INFORMATION

D/Commr PSS / au S.-comm SSP

Prepared by - Rédigé par	Date	Recommended by - Recommandée par	Date	Approved by - Approuvé par	Date
Grace Zhang Senior Analyst, Canadian Firearms Program Policing Support Services	2011-03-22	Scott McDougall, Director Firearms Management & Strategic Policy Canadian Firearms Program Policing Support Services	2011-03-22	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program Policing Support Services	2011-03-22

3571 (1998-02) (WPT)

☐ Advice to the Minister-Conseil au Ministre

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Approved By (SIGNATURE)-Approuvé par (SIGNATURE)	Date

3571 (1998-02) (WPT)

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Fwd: Legal Proceeding

From: Murray Smith
To: Smith, Joel
Date: 5/2/2011 1:46 PM
Subject: Re: Fwd: Legal Proceeding
CC: Sevigny, Linda

Hi Joel,

I am occupied with other things right now.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 5/2/2011 1:37 PM >>>
Murray,

Can you please advise where there are inconsistencies in the BN referenced below.

Thank you.
Joel

>>> Linda Sevigny 5/2/2011 1:20 PM >>>
Joel, please review the BN to ensure it was the final and address the errors below. We will need to send the amended version to the DC.

Thanks Murray. We will review and may contact you if we have any questions.

Linda Sevigny
Manager/Gestionnaire
Canadian Firearms Program/Programme canadien des armes à feu
Firearms Management & Strategic Services/Contrôle des armes à feu et services stratégiques
Royal Canadian Mounted Police/Gendarmerie royale du Canada
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facsimile/télécopieur 613-825-0315

>>> Murray Smith 5/2/2011 12:11 PM >>>

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Thanks Linda.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Linda Sevigny 5/2/2011 8:28 AM >>>
FYI and to ensure you are in the loop - Here is the final that was shared with Geoff.

Thanks.

Linda Sevigny
Manager/Gestionnaire
Canadian Firearms Program/Programme canadien des armes à feu
Firearms Management & Strategic Services/Contrôle des armes à feu et services stratégiques
Royal Canadian Mounted Police/Gendarmerie royale du Canada
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facsimile/télécopieur 613-825-0315

>>> Joel Smith 5/2/2011 8:25 AM >>>

FYI

>>> Joel Smith 4/29/2011 4:10 PM >>>
Ryan,

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Thanks,
Joel

Joel Smith
Policy Analyst
RCMP Canadian Firearms Program,
Firearms Mgt. & Strategic Services
73 Leikin Drive, Building M1, 803-61
Phone: (613) 843-6929

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Page 794

is withheld pursuant to section

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of the Access to Information Act

de la Loi sur l'accès à l'information

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Murray Smith - Re: Fwd: Legal Proceeding

From: Murray Smith
To: Smith, Joel
Date: 5/2/2011 5:32 PM
Subject: Re: Fwd: Legal Proceeding
CC: Sevigny, Linda
Attachments: Vivares BN mas comments.wpd

Joel,

The details are in red script in the attached document.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Linda Sevigny
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>>> Murray Smith 5/2/2011 12:11 PM >>>

A0074293_12-000795

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Thanks Linda.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

->
FYI and to ensure you are in the loop - Here is the final that was shared with Geoff.

Thanks.

Linda Sevigny
Manager/Gestionnaire
Canadian Firearms Program/Programme canadien des armes à feu
Firearms Management & Strategic Services/Contrôle des armes à feu et services stratégiques
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>>> Joel Smith 5/2/2011 8:25 AM >>>

FYI

>>> Joel Smith 4/29/2011 4:10 PM >>>
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Thanks,
Joel

Joel Smith
Policy Analyst
RCMP Canadian Firearms Program,
Firearms Mgt. & Strategic Services
73 Leikin Drive, Building M1, 803-61
Phone: (613) 843-6929

A0074293_13-000796

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Protected	Total Pages Pages totales 2

BRIEFING NOTE TO D/Commr PSS

NOTE D'INFORMATION au S.-comm SSP

Prepared by - Rédigé par	Date	Recommended by - Recommandée par	Date	Approved by - Approuvé par	Date
Grace Zhang Senior Analyst, Canadian Firearms Program Policing Support Services	2011-03-22	Scott McDougall, Director Firearms Management & Strategic Policy Canadian Firearms Program Policing Support Services	2011-03-22	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program Policing Support Services	2011-03-22

3571 (1998-02) (WPT)

☐ Advice to the Minister-Conseil au Ministre

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MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Protected

Approved By (SIGNATURE)-Approuvé par (SIGNATURE)	Date

3571 (1998-02) (WPT)

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MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Protected

Court.

BN Identification Number: CFP-2011-09
CCM #: 11-0001443

Approved By (SIGNATURE)-Approuvé par (SIGNATURE)	Date

3571 (1998-02) (WPT)

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Murray Smith - Re: Streamer 1014 link

From: Murray Smith
To: GROSSPIETSCH, Frank
Date: 5/3/2011 1:39 PM
Subject: Re: Streamer 1014 link

Thanks Frank. Research is continuing. We are hopeful of a concrete result soon.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 5/3/2011 11:10 AM >>>
*myweaponplace.com/self-defense-weapon-pistol-traumatic-**streamer-1014-streamer-1014**-turkey.html*

Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

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Murray Smith - Fwd: Streamer 1014 link

From: Murray Smith
To: Etter, William
Date: 5/3/2011 1:39 PM
Subject: Fwd: Streamer 1014 link

Bill,

Below is the link on the 1014.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 5/3/2011 11:10 AM >>>
*myweaponplace.com/self-defense-weapon-pistol-traumatic-**streamer-1014-streamer-1014**-turkey.html*

Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

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Murray Smith - Re: FW: [FWD: Special Bulletin 75 - Bulletin Spécial 75]

From: Murray Smith
To: Lee, Hwan
Date: 5/3/2011 3:24 PM
Subject: Re: FW: [FWD: Special Bulletin 75 - Bulletin Spécial 75]
CC: Etter, William; Francis, Geoffrey

Hwan,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 5/3/2011 9:39 AM >>>
Murray,

Hwan

>>> On 5/2/2011 at 8:45 AM, Grace Zhang wrote:

> Hi Hwan,
>
> Please see the following email from l the wholesaler of the Zoraki R1 flare guns.
>
> I sent you the revised copy of the business bulletin after receiving comments from Murray Smith. The

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Page 803

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Page 804

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Murray Smith - Fwd: RE: New child Entry for Noveske Rifle FRT#126463

From: Murray Smith
To: Blenkarn, Peter
Date: 5/4/2011 1:18 PM
Subject: Fwd: RE: New child Entry for Noveske Rifle FRT#126463
CC: Etter, William; Glass, Kimberley

Peter,

The technical standards for deactivation are unchanged. Furthermore we have no plans to change the technical requirements.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Peter Blenkarn 5/4/2011 11:11 AM >>>
Hi Murray,
What is the current status of deactivation?
Cheers,
Peter
>>> " 2011-05-04 8:22 AM >>>
Peter:

Thank you for the FRT Number, did you receive my other e-mail about the deactivation of firearms and what is required i just need some direction or at least a link to the information i have searched the website in vain so if you have any information as to the correct procedure that would be helpful.

Thanks

From: Peter Blenkarn [mailto:Peter.Blenkarn@rcmp-grc.gc.ca]
Sent: May-04-11 7:06 AM
To:
Subject: Re: New child Entry for Noveske Rifle FRT#126463

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Murray Smith - Zoraki Model R1, Atak Arms, 9mm Revolver

From: Murray Smith
To:
Date: 5/5/2011 11:44 AM
Subject:

Hello

I hope all is well with you.

I understand you have a Zoraki 9mm revolver slated for destruction, described as follows:

As I am sure you are aware we recently issued an FRT record for a related firearm, the Zoraki R1 revolver, the frame of which is used in the R1 blank/flare gun. While I stand behind the classification of the R1 revolver, a court challenge is anticipated. To that end, it would be useful to examine and test the 9mm Zoraki revolver you have.

Would it be possible to either borrow or acquire the Zoraki revolver?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Zoraki

From: Murray Smith
To: Rainville, Stephane
Date: 5/5/2011 11:45 AM
Subject: Re: Zoraki

Thanks Stephane,

I have asked for the revolver in question.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Stephane Rainville 5/4/2011 2:23 PM >>>
Murray,

As discussed:

Let me know if you require anything further.

Cheers!

Steph

****

Stéphane Rainville
Manager / Responsable
Firearms Operations and Enforcement Support Unit (FOES) / Unité de soutien en matière d'enquêtes et opérations sur les armes à feu (SEOAF)
Firearms Investigative and Enforcement Services Directorate/ Direction des services de soutien en matière d'enquêtes sur les armes
RCMP/GRC

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Murray Smith - Zoraki BN

From: Murray Smith
To: Francis, Geoffrey
Date: 5/5/2011 11:49 AM
Subject: Zoraki BN

Hi Geoff,

Got your voice mail. No sign as yet of any BN on the Zoraki.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Zoraki

From: Murray Smith
To: Duncan, Glenn
Date: 5/5/2011 2:27 PM
Subject: Re: Zoraki
CC: Glass, Kimberley; Lee, Hwan
Attachments: BN to COMMR - ZORAKI (CFP-2011-12) mas comments.docx

Glenn,

This is the written followup to our conversation to expedite the review.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>>
hi Murray - I apologize for the quick turnaround, but we will need your comments back by 1400hrs. The Directors are looking to discuss the BN as a group this afternoon and would like your comments back ahead of time.

>>> Glenn Duncan 5/5/2011 1:08 PM >>>
Please find attached the draft BN for the Commissioner/Minister on the Zoraki Model R1. Please review and provide your comments back by 1430hrs.

>>> Linda Sevigny 5/5/2011 10:20 AM >>>
Pursuant to our meeting this am, this is to update you on what is taking place on the Zoraki file/BN. I met with Grace, Joel, and Glenn. I advised them that it was determined that Grace and I were to call to find out how many firearms were imported and where they went. She advised me that Chris Wyatt, the CFO of Ontario, has already been in contact with and is in the process of gathering this information. Grace is working with Chris Wyatt and will try to obtain this information this am. We agreed that the since that at this time, I or Glenn will not intervene. We will keep you updated.

Linda Sevigny
Manager/Gestionnaire
Canadian Firearms Program/Programme canadien des armes à feu
Firearms Management & Strategic Services/Contrôle des armes à feu et services stratégiques
Royal Canadian Mounted Police/Gendarmerie royale du Canada
73 Leikin Drive/73 ch. Leikin
Ottawa, ON, K1A 0R2
613-843-5442
facsimile/télécopieur 613-825-0315

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	File No. / N° de dossier	Security Classification/Designation / Classification/désignation sécuritaire	Total Pages / Pages totales
		Unclassified	2

BRIEFING NOTE TO THE COMMISSIONER / NOTE D'INFORMATION AU COMMISSAIRE

ZORAKI MODEL R1 FIREARMS

PURPOSE:

- To brief the Commissioner on the Zoraki Model R1 double action blank firing revolver flare gun (Zoraki Model R1) that was recently inspected by the RCMP Canadian Firearms Program (CFP) and determined to be a restricted firearm.

ISSUE:

- Individuals and businesses may be in the possession of unregistered, restricted firearms.

BACKGROUND:

- Firearms are determined to be non-restricted, restricted, or prohibited pursuant to the definitions in Subsection 84(1) of the *Criminal Code* and the corresponding *Regulations Prescribing Certain Firearms and Other Weapons*. Responsibility for the *Criminal Code* and the corresponding Regulations falls under the purview of the Department of Justice.

- The inspection of firearms is a routine service offered to Canadian police services by the CFP and is consistent with the framework for CFP services developed in support of the 2010 CACP National Firearms Strategy.

- In September 2010, the Brantford Police Service conducted an investigation of A Zoraki Model R1 blank firing flare gun was obtained on loan by the Brantford Police Service and sent to the CFP for inspection, based on its resemblance to a known handgun (Zoraki R1 – FRT# 134161). It was determined to be a restricted firearm, pursuant to subsection 84(1) of the *Criminal Code*, because the manufacturer (ATAK Arms) employs the same frame in the construction of a genuine revolver.

CURRENT STATUS:

- Given the Zoraki Model R1 was only recently determined to be a restricted firearm, the CFP is not aware of the number that have been imported into Canada. It is possible that these firearms are available on a national scale, Note: the blank firing revolver has always been restricted – we have not changed the classification. Efforts are

Submitted by – Rédigé par	Date	Recommended by – Recommandé par	Date
Scott McDougall Director Firearms Management and Strategic Services Canadian Firearms Program		Pierre Perron Assistant Commissioner Director General Canadian Firearms Program	
Approved by – Approuvé par	**Date**	**Reviewed by – Examiné par**	**Date**
Line Carbonneau, D/Commr. Policing Support Services		R.R. (Rod) Knecht, D/Commr. Senior Deputy Commissioner	

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File No. N° de dossier	Security Classification/Designation Classification/désignation sécuritaire

being made to determine the number of firearms that have been imported into Canada, and who may be in possession of them (both individuals and businesses).

- The CFP and Chief Firearms Officer (CFO) of Ontario have been in contact with a known importer,

STRATEGIC CONSIDERATIONS:

- This is a public safety concern as these unregistered, restricted firearms are being sold by Canadian businesses to unlicensed individuals and businesses.

- The CFP has prepared a National Business Bulletin and a National Police Bulletin to inform all ~~known~~ (We should know who our businesses, agencies and partners are) Canadian firearms businesses, public agencies, and CFP partners of the recent determination of the Zoraki Model R1 as a restricted firearm. As well, bulletins have been sent to Public Safety Canada, Canada Border Service Agency (CBSA), Department of Justice, Department of Foreign Affairs and International Trade, and Department of Fisheries and Oceans.

- Media lines have been prepared by the CFP, and distributed to CBSA and Public Safety Communications to address potential concerns over actions taken with respect to these firearms. Information has also been posted to the CFP's external website.

- As a result of these communications efforts, it is expected that other police services will follow Brantford Police Service's action to encourage owners to register or surrender these firearms. Individuals are also being encouraged to contact their local police service or the CFP should they have any questions regarding the Zoraki Model R1.

- The CFP is working with Public Safety Canada and the federal/provincial Coordinating Committee of Senior Officials (CCSO) Firearms Working Group to examine issues concerning replica firearms and the importation of firearms by businesses.

NEXT STEPS:

- The CFP will provide updates, as required, to the Commissioner on any new developments with respect to this issue.

RECOMMENDATION:

-

BN Identification # CFP-2011-12
CCM# 11-002065

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Murray Smith - Re: The CFP is continuing to investigate on the disposition.

From: Murray Smith
To: Francis, Geoffrey; Lee, Hwan
Date: 5/6/2011 11:47 AM
Subject: Re: The CFP is continuing to investigate on the disposition.

Hwan,

The proposed new line is OK, provided it is made clear that we are looking at the risk of converting the blank firing version of the Zoraki R1 into a working handgun.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 5/6/2011 11:11 AM >>>
URGENT:

at the request of the D/Commr's office, the following line is prosed to be added in the current status:

The CFP is investing the risk of possible conversion of Zoraki Model R1 into a handgun.

The following is also being added to the end of the flare guns in BC:

The CFP is continuing to investigate on the disposition.

Let me know RIGHT AWAY if you have any comments.

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Murray Smith - Re: Zoraki Model R1, Atak Arms, 9mm Revolver

From: Murray Smith
To:
Date: 5/6/2011 12:12 PM
Subject: Re: Zoraki Model R1, Atak Arms, 9mm Revolver
CC: Conway, Nicolas; Massie, Stephane

Hello Virginia,

Would we be able to borrow the Zoraki revolver described in the correspondence trail below?

I will be away all next week at a UN meeting in New York, so I have copied Stephane and Nick, who look after shipping of firearms for us.
Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_32-000815

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Subject
Zoraki Model R1, Atak Arms, 9mm
Revolver

Hello

I hope all is well with you.

I understand you have a Zoraki 9mm revolver slated for destruction, described as follows:

As I am sure you are aware we recently issued an FRT record for a related firearm, the Zoraki R1 revolver, the frame of which is used in the R1 blank/flare gun. While I stand behind the classification of the R1 revolver, a court challenge is anticipated. To that end, it would be useful to examine and test the 9mm Zoraki revolver you have.

Would it be possible to either borrow or acquire the Zoraki revolver?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

****
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Murray Smith - Re: Fwd: FW: Special Bulletin 75 - Bulletin Spécial 75

From: Murray Smith
To: Powaschuk, Tony
Date: 5/6/2011 1:19 PM
Subject: Re: Fwd: FW: Special Bulletin 75 - Bulletin Spécial 75

Hi Tony,

Things are busy here as usual, but interesting,
You can refer the DFO to me. The issue with the Zoraki R1 blank firing/flare gun is that it incorporates the same receiver as their regular handgun. Since per Sec 2 CC, having the frame is equivalent to having the complete firearm, this particular blank gun is a restricted handgun.

Most blank firing guns are OK as they fit the exclusion provisions in Sec 84(3) CC. The legitimate marine flare guns that I have seen mostly fit the exempt category. The only problematic situations occur when the boat owner thinks an AK-47 will make a nifty flare launcher.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Tony Powaschuk 5/6/2011 11:49 AM >>>
Hello Murray:
How is it going. I still here in sunny wet Saskatchewan. The armoury is still going strong with guns being done for everybody now.
Any where specific I can direct the DFO
I imagine that they must have flare guns on any thing that floats and can hold people.

How much longer are you hanging in there as I started May 3 1982 and you were just being transferred !

Anthony Powaschuk
2 i/c Regina Armourer Section
phone: (306)780-6729

fax: (306) 780-8574

>>> "Bruinsma, Sid" <Sid.Bruinsma@dfo-mpo.gc.ca> 2011-05-06 08:32 >>>

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Pages 819 to / à 820

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Murray Smith - AK-47 receiver kits

From: Murray Smith
To: Verrecchia, Wendy
Date: 5/6/2011 3:04 PM
Subject: AK-47 receiver kits
CC: Francis, Geoffrey

Hi Wendy,

See the link below. The item described is an "AK-47 flat", which is a flat piece of sheet metal the right size to be shaped into an AK-47 rifle receiver. In the condition as sold it is completely unregulated in both Canada and the USA. Brownells is probably the biggest gunsmithing retail business in North America. In addition to the receiver flat, they sell the remaining parts and instructions.

http://www.brownells.com/.aspx/pid=42788/Product/STANDARD_AK47_FIXED_STOCK_7_62_FLAT

I do not know if you have seen any other traffic on this subject. Let me know if you think we can do any useful monitoring.

If nothing else, we can provide Jon with an interesting article for the newsletter.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Fwd: Re: CRR TOW-002730

From: Murray Smith
To: Francis, Geoffrey; Lee, Hwan
Date: 5/12/2011 5:03 PM
Subject: Fwd: Re: CRR TOW-002730

Hwan,

I think this is a dead issue. The classification of the FSN series of rifles was granted a more favourable classification based on new information. I see no value in resurrecting this.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 5/12/2011 4:09 PM >>>
Gentlemen,

You may recall in 2009, we dealt with Czech manufactured FSN rifles imported by Marstar.

Attached is a response that was prepared last August. There is no pending litigation but I felt it would be beneficial for you to have another look at the response.

Please let me know by next Monday if you have any concern or if you are aware of any updates that I should be aware of.

Thank you,

Hwan

>>> On 5/12/2011 at 4:01 PM, Rose Thomas wrote:

> As requested.
>
> Rose
>
> >>>

> **From:** ES&ML-DLO
> **To:** Thomas, Rose
> **Date:** 5/11/2011 2:08 PM
> **Subject:** Re: CRR TOW-002730

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Murray Smith - AK-47 flats

From: Murray Smith
To:
Date: 5/12/2011 10:26 PM
Subject: AK-47 flats
CC:

Hello Andy,

It was a pleasure meeting you this afternoon.

Further to our conversation, see the link below. The item described is an "AK-47 flat", which is a flat piece of sheet metal the right size to be shaped into an AK-47 rifle receiver. In the condition as sold it is completely unregulated in both Canada and the USA. Brownells is probably the biggest gunsmithing retail business in North America. In addition to the receiver flat, they sell the remaining parts and instructions. There are about 14 pages of AK-47 parts in total.

http://www.brownells.com/.aspx/pid=42788/Product/STANDARD_AK47_FIXED_STOCK_7_62_FLAT

Please forgive the double addressing. I had a hard time determining whether your e-mail address was "gsl" or "gsi" so I sent it to both.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Fwd: Re: CRR TOW-002730

From: Murray Smith
To: Lee, Hwan
Date: 5/13/2011 8:47 AM
Subject: Fwd: Re: CRR TOW-002730
CC: Francis, Geoffrey

Hwan,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 5/13/2011 8:25 AM >>>
Murray,

Thank you. Does the response reflect the current situation or should it need some updating? If updates are required, I will ask Rose to contact you. As stated, PS, for some reason, has not yet responded to the inquiry and it appears they plan to proceed.

Hwan

>>> On 5/12/2011 at 5:03 PM, Murray Smith wrote:

> Hwan,
>
> Murray
>
> Murray A. Smith
> Manager,
> Specialized Firearms Support Services
> Firearms Investigative and Enforcement Support Services Directorate
> Canadian Firearms Program
> Policing Support Services
> Office: (613) 993-0139

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Murray Smith - Fwd: Fw: R1 Blank Gun

From: Murray Smith
To: Glass, Kimberley
Date: 5/16/2011 4:06 PM
Subject: Fwd: Fw: R1 Blank Gun
Attachments: FW: R1 Blank Gun

Hi Kimberley,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 5/16/2011 2:51 PM >>>
FYI

Geoff

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Pages 832 to / à 833

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Murray Smith - Re: Fw: R1 Blank Gun

From: Murray Smith
To: Francis, Geoffrey
Date: 5/16/2011 4:21 PM
Subject: Re: Fw: R1 Blank Gun

Hi Geoff,

I do not know what happened here. I am checking into it. Bill Etter has been away on leave for the past week and is not due back for two more weeks.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 5/16/2011 2:51 PM >>>
FYI

Geoff

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Murray Smith - Fwd: AK 47 kits 1 of 2

From: Murray Smith
To: Brouillette, Michael
Date: 5/16/2011 4:38 PM
Subject: Fwd: AK 47 kits 1 of 2
CC: Etter, William
Attachments: YouTube - How To Build (bend) an AK-47 Receiver!!.pdf; Colorado Gun Sales - AK Receiver Flat, 80% Machined w_Trunion.pdf; Building an AK-47 from flat.pdf; Arms Of America - AK 47_74 Receiver Flat and Rails.pdf

Mike,

FYI, see the third article attached. It is a step by step set of instructions to bend an AK-47 flat into a receiver.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Wendy Verrecchia 5/10/2011 10:45 AM >>>
Hi Murray,
I will ensure we monitor these sites and view comments on several blogs and forums. For your review here is some of the information we were able to view.
wendy

Wendy Verrecchia, Sgt.
RCMP / GRC
Canadian Firearms Centre
Centre canadien des armes à feu
Firearms Internet Investigation Support Unit
tel 613 843 3664

Pages 836 to / à 856

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Murray Smith - Fwd: RE: T007390

From: Murray Smith
To: Thomas, Rose
Date: 5/18/2011 4:17 PM
Subject: Fwd: RE: T007390
CC: Glass, Kimberley

Rose,

Yes, the classification remains under review. We need to inspect an exemplar to confirm changes in the trigger mechanism to prevent easy conversion to fully automatic fire. This issue arose in court during a reference hearing on a different firearm with a similar vulnerability.

The offer to inspect the firearm in question remains open from our perspective.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 5/18/2011 3:44 PM >>>
Good afternoon

You may recall, back in January 2011, the Minister's office received a letter from RCMP Cst McIntyre regarding the classification of his SSD BD38 9mm rifle. The classification was still under review at that time.

Before I prepare the direct reply for the DG, can you please confirm if the classification of the SSD BD38 rifle is still under review?

Thank you

Rose Thomas

>>>

From: ES&ML-DLO
To: Thomas, Rose

A0074293_130-000913

Pages 914 to / à 915

are not relevant

sont non pertinentes

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Zoraki M906

From: Murray Smith
To: D'Amour, Louis
Date: 5/18/2011 4:37 PM
Subject: Zoraki M906
CC: Glass, Kimberley

Hello Louis,

I hope all is well with you.

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_133-000916

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Murray Smith - Zoraki R1 Blank Firing Revolver

From: Murray Smith
To:
Date: 5/19/2011 12:13 PM
Subject: Zoraki R1 Blank Firing Revolver
CC: Beauchamp, Monique; Etter, William; Francis, Geoffrey; Glass, Kimberley; Wyatt, Chris (JUS)

Hello |

My apologies for the lack of response to your recent e-mail messages. Mr. Etter was out of the office last week and will be absent for two more weeks. Likewise, I was out of the country last week.

However, we have not been ignoring you as the recent trail of messages suggests. Mr. Etter has exchanged e-mail messages with you as well as telephone calls, one of which I participated in.

As we have explained previously, the issue is not what versions of the Zoraki R1 revolver are marketed in Canada; rather, it is whether the revolver frame is common to both the blank firing version and the bulleted version of the revolver.

Our information from the manufacturer's web site and printed materials establishes that the frame is indeed common to all versions. Hence the classification as a restricted firearm. This is supplemented by your statement that the revolver is made in both versions.

I would also point out that the Zoraki R1 blank firing revolver was never characterized by us as prohibited. The blank firing revolver is a restricted firearm because it contains the restricted frame of a firearm. The assertion that Zoraki sells only the blank firing version of the R1 revolver in Canada is not relevant as that is a marketing decision subject to change without notice.

Future communication would be assisted if you employ the generic e-mail address for my office as follows:

frt-traf@rcmp-grc.gc.ca

The general e-mail account is regularly monitored. I trust this responds to your questions.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: ZORAKI & STREAMER Handguns

From: Murray Smith
To: Francis, Geoffrey
Date: 5/19/2011 12:30 PM
Subject: Fwd: ZORAKI & STREAMER Handguns
CC: Glass, Kimberley

Geoff,

See the information below obtained by the Niagara Regional Police. It concerns the Zoraki 914 blank firing gun and its relationship to the Streamer 1014 and 2014 revolvers. It appears the information was obtained by direct enquiry to the manufacturer via a civilian e-mail account.

At present, we view the Zoraki as an unregulated product which falls into the exemption accorded to blank firing guns. It was not considered a replica firearm because we were unable to establish any genuine firearm that the model 914 was designed to imitate.

The Streamer series of firearms do indeed qualify as regulated firearms as the velocities and energies exceed the relevant thresholds.

What is new is the connection between the Zoraki and Streamer series as established by the response from the factory (ATAK Arms). It appears that the Zoraki 914 contains the frame of a genuine handgun and therefore should be classified as a restricted firearm. The matter remains the subject of further research and no firm decision has been rendered.

However, if the Zoraki 914 were to be classified as a restricted firearm the impact would be significant. Various Canadian importers have brought thousands into Canada. We have no idea where that are. Additionally, the

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_135-000918

Pages 919 to / à 922

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Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - RE: Zoraki R1 Blank Firing Revolver

From: Murray Smith
To:
Date: 5/19/2011 3:45 PM
Subject: RE: Zoraki R1 Blank Firing Revolver
CC: Beauchamp, Monique; Etter, William; Francis, Geoffrey; Glass, Kimberley; Wyatt', 'Chris (JUS)

I believe you have addressed the core issue, namely what is a "real" revolver. The definition of "firearm" in the Criminal code makes no distinction between projectiles made of metal and those made of other substances.

The Zoraki R1 revolver manufactured to discharge rubber projectiles meets the definition of firearm and has a high enough velocity and energy that it fails to qualify for the administrative exemption. This revolver can be restricted or prohibited depending on barrel length. The bare frame is restricted. Since the blank firing revolver employs the same frame, the restricted classification carries over.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

From: Murray Smith [mailto:Murray.A.Smith@rcmp-grc.gc.ca]

A0074293_140-000923

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Sent: Thursday, May 19, 2011 12:13 PM
To: |
Cc: Chris (JUS) Wyatt; Geoffrey Francis; Kimberley Glass; Monique Beauchamp; William Etter
Subject: Zoraki R1 Blank Firing Revolver

Hello

My apologies for the lack of response to your recent e-mail messages. Mr. Etter was out of the office last week and will be absent for two more weeks. Likewise, I was out of the country last week.

However, we have not been ignoring you as the recent trail of messages suggests. Mr. Etter has exchanged e-mail messages with you as well as telephone calls, one of which I participated in.

As we have explained previously, the issue is not what versions of the Zoraki R1 revolver are marketed in Canada; rather, it is whether the revolver frame is common to both the blank firing version and the bulleted version of the revolver.

Our information from the manufacturer's web site and printed materials establishes that the frame is indeed common to all versions. Hence the classification as a restricted firearm. This is supplemented by your statement that the revolver is made in both versions.

I would also point out that the Zoraki R1 blank firing revolver was never characterized by us as prohibited. The blank firing revolver is a restricted firearm because it contains the restricted frame of a firearm. The assertion that Zoraki sells only the blank firing version of the R1 revolver in Canada is not relevant as that is a marketing decision subject to change without notice.

Future communication would be assisted if you employ the generic e-mail address for my office as follows:

frt-traf@rcmp-grc.gc.ca

The general e-mail account is regularly monitored. I trust this responds to your questions.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_141-000924

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Murray Smith - Re: Fw: Zoraki 925LPS

From: Murray Smith
To: Francis, Geoffrey
Date: 5/20/2011 2:18 PM
Subject: Re: Fw: Zoraki 925LPS

Geoff,

We received the enquiry today and are doing research.

As things stand now, the ATAK Zoraki R1 definitely has a restricted frame, we strongly suspect the 914 has a restricted frame, and now the 925 has been called into doubt. It looks like (preliminary results) the 925 is merely a 914 embedded in a clamshell.

Research is complicated by the practices of Turkish manufacturers such as ATAK Arms who sell many variations of their products into different countries with differing firearms laws, all the while recycling as much design content as possible.

Here is the link to the 925 if you are interested. ATAK talks about only the blank firing version (9 mm PAK) on this web page.
http://www.atakarms.com/en/Urunler.aspx?id=2

The more global problem is that the Canadian laws dealing with blank firing guns is out of date. Blank guns are manufactured worldwide in huge quantities primarily for the self defense market, as a substitute for real firearms, modified or not. The Canadian laws are predicated on the use of blank guns for starting high school races, and that is not what the current crop of blank firing guns is for.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 5/20/2011 12:46 PM >>>
FYI.

Geoff

A0074293_142-000925

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Murray Smith - Re: Fwd: Firearms classification assistance

From: Murray Smith
To:
Date: 5/24/2011 3:51 PM
Subject: Re: Fwd: Firearms classification assistance
CC: Glass, Kimberley; Greenley, Calvin; cfp-pcaf_policesupport-soutiendelapolice@rcmp-grc.gc.ca

Your enquiry has been routed to me. After having completed the Zoraki R1, we are now looking into the Zoraki 914 and 925. The blank guns were manufactured in Turkey and it is very difficult to obtain information. We are looking into how they are manufactured and whether that have any commonality with genuine firearms, which may impact their status as either firearms or replicas.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> CFP-PCAF_PoliceSupport-SoutiendelaPolice 5/24/2011 11:19 AM >>>
Hi Louis,

Could you please help with D/Cst. Bedford's request.

Thanks

Jason Robichaud (Constable)
Royal Canadian Mounted Police
Canadian Firearms Program
Police Support Line

P.O.Box 1200
Miramichi, NB E1N5Z3

1-800-731-4000 (Ext. 2064)
1-888-898-2220 (Fax)
cfp-pcaf_policesupport-soutiendelapolice@rcmp-grc.gc.ca

5/19/2011 7:20 PM >>>

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Murray Smith - Re: Fwd: Firearms classification assistance

From: Murray Smith
To: D'Amour, Louis
Date: 5/24/2011 3:58 PM
Subject: Re: Fwd: Firearms classification assistance

You are quite welcome Louis.

Do keep in touch.
Things look a little better this FY so lets look for opportunities to collaborate.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Louis D'Amour 5/24/2011 3:54 PM >>>
Thanks Mr Smith
Regards
Louis

>>> Murray Smith 5/24/2011 4:51 PM >>>
D/Cst Bedford,

Your enquiry has been routed to me. After having completed the Zoraki R1, we are now looking into the Zoraki 914 and 925. The blank guns were manufactured in Turkey and it is very difficult to obtain information. We are looking into how they are manufactured and whether that have any commonality with genuine firearms, which may impact their status as either firearms or replicas.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> CFP-PCAF_PoliceSupport-SoutiendelaPolice 5/24/2011 11:19 AM >>>
Hi Louis,

A0074293_145-000928

Pages 929 to / à 930

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Pages 931 to / à 933
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Pages 934 to / à 935

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Murray Smith - Re: Fwd: FYI: Schmeisser MP40 by GSG & Sturmgewerh STG44 by GSG

From: Murray Smith
To: Verrecchia, Wendy
Date: 5/25/2011 10:19 AM
Subject: Re: Fwd: FYI: Schmeisser MP40 by GSG & Sturmgewerh STG44 by GSG
CC: Francis, Geoffrey

Wendy,

Give us a week or so to research the new model. There is a possibility that it is a properly executed semiautomatic version.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Wendy Verrecchia 5/25/2011 9:38 AM >>>
Good morning Murray,

Wendy

Wendy Verrecchia, Sgt.
RCMP / GRC
Canadian Firearms Centre
Centre canadien des armes à feu

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Murray Smith - Fwd: ZORAKI & STREAMER Handguns

From: Murray Smith
To: Lussier, Mario
Date: 5/25/2011 10:22 AM
Subject: Fwd: ZORAKI & STREAMER Handguns
Attachments: ZORAKI & STREAMER Handguns

Mario,

Kim may already have sent this to you; if not, this adds to the research information on the Zoraki family.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> # CFR Firearms Technical Division 5/18/2011 8:10 AM >>>

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Pages 939 to / à 951

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Pages 952 to / à 959

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Murray Smith - Response to a question

From: Murray Smith
To: Greenley, Calvin
Date: 5/25/2011 4:08 PM
Subject: Response to a question
CC: Glass, Kimberley

Cal,

Here is a response to a question posed to the FRT-TRAF on April 29. Bill did not have time to respond before he left. Please have a look at it and send if OK.

Good day

Your question concerning the Taurus Circuit Judge firearm and in particular, why it is restricted in classification, was referred to me.

The answer lies in the detail provided in your question, namely that the Taurus Circuit Judge firearm is based on the Taurus Judge pistol. The definition of "restricted firearm" in the Criminal Code of Canada clearly establishes that rifles and shotguns based on handguns retain the restricted classification. This classification is unaffected by the stock attached to the pistol grip and longer barrel.

I trust this responds to your question.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Fwd: Zoraki M906

From: Murray Smith
To: D'Amour, Louis
Date: 5/30/2011 2:33 PM
Subject: Fwd: Zoraki M906
CC: Glass, Kimberley

Hello Louis,

Is there any news on this matter? All we have is pictures of the blank firing gun with no basis to establish it as prohibited. We would appreciate any further information that you have on hand, particularly as it relates to the prohibited classification decision you provided to the Barrie Police. We have since been contacted by PWEU asking about the FRT record.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 5/18/2011 4:37 PM >>>
Hello Louis,

I hope all is well with you.

Thanks,

A0074293_179-000962

Page 963

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Murray Smith - Re: Fwd: CFP Outreach Documents

From: Murray Smith
To: Boucher, Nicole; McDougall, Scott
Date: 5/30/2011 2:47 PM
Subject: Re: Fwd: CFP Outreach Documents
CC: Mackinnon, Robert; Simard, Danielle

Hello Nicole,

Is there any news on this matter?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 5/19/2011 3:55 PM >>>
bonjour Nicole

are the attached documents yours? If so, we'd like to work with you to add the RCMP and CFP look and feel, have them circulated for comments (as proposed by Murray), have them translated, and then held in inventory at St Joseph's as per other CFP publications.

thanks - salut!

Scott

>>> Murray Smith 5/18/2011 4:07 PM >>>
Scott,

A0074293_181-000964

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CFP has been/is releasing the documents. It looks to be the CFR based on the e-mail address in both of the documents.

By coincidence, SFSS FTU-L was asked today for a copy. We have put a hold on release from our office.

We would like to establish the origin of the documents, and if a need for them still exists, to work with the originator to correct and update the content. Would you be in a position to assist us in doing so?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_182-000965

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Zoraki M906

From: Murray Smith
To: CUNNINGHAM, Jim
Date: 5/30/2011 2:49 PM
Subject: Fwd: Zoraki M906

This concerns the opinion issued by Louis D'amour (FSD)

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 5/30/2011 2:33 PM >>>
Hello Louis,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 5/18/2011 4:37 PM >>>
Hello Louis,

I hope all is well with you.

We recently received a copy of correspondence between you and the concerning the classification of the Zoraki M906 blank firing gun.

A0074293_183-000966

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Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_184-000967

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Murray Smith - Fwd: Re: Airsoft & Airgun document with errors

From: Murray Smith
To: Glass, Kimberley
Date: 5/30/2011 3:16 PM
Subject: Fwd: Re: Airsoft & Airgun document with errors
CC: Etter, William
Attachments: AirSoft and Air Guns Classification Chart.pdf

Kim,

Here is the complete document. CFR management was informed on July 16, 2010 of the matter.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 7/20/2010 2:05 PM >>>
Bill, Kimberley & Dan,

See below, FYI. Please ensure no one in the SFSS group is using this document.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Laurent Cyr 7/16/2010 4:19 PM >>>
Hi Murray.
This is the first time I've seen it. I'll ask around here at Leikin and at the CFR to see if anybody knows about it.

L
-----Original Message-----
From: Murray Smith
To: Cyr, Laurent <Laurent.Cyr@rcmp-grc.gc.ca>
Cc: CUNNINGHAM, Jim <james.cunningham@rcmp-grc.gc.ca>

Sent: 07/16/2010 16:04:36

A0074293_185-000968

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Subject: Airsoft & Airgun document with errors

Laurent,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Fwd: Re: Airsoft & Airgun document with errors

From: Murray Smith
To: CUNNINGHAM, Jim
Date: 5/30/2011 3:19 PM
Subject: Fwd: Re: Airsoft & Airgun document with errors
CC: Francis, Geoffrey
Attachments: AirSoft and Air Guns Classification Chart.pdf

Hello Jim,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 7/20/2010 2:05 PM >>>
Bill, Kimberley & Dan,

See below, FYI. Please ensure no one in the SFSS group is using this document.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

-----Original Message-----
From: Murray Smith

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

To: Cyr, Laurent <Laurent.Cyr@rcmp-grc.gc.ca>
Cc: CUNNINGHAM, Jim <james.cunningham@rcmp-grc.gc.ca>

Sent: 07/16/2010 16:04:36
Subject: Airsoft & Airgun document with errors

Laurent,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Fwd: CFP Outreach Documents

From: Murray Smith
To: Boucher, Nicole; McDougall, Scott
Date: 5/30/2011 4:02 PM
Subject: Re: Fwd: CFP Outreach Documents
CC: Beauchamp, Monique; Glass, Kimberley; Mackinnon, Robert; Simard, Danielle

Thanks Scott.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 5/30/2011 2:47 PM >>>
Hello Nicole,

Is there any news on this matter?

A0074293_191-000974

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Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 5/19/2011 3:55 PM >>>
bonjour Nicole

are the attached documents yours? If so, we'd like to work with you to add the RCMP and CFP look and feel, have them circulated for comments (as proposed by Murray), have them translated, and then held in inventory at St Joseph's as per other CFP publications.

If they're not yours, do you have any idea who's distributing them?

thanks - salut!

Scott

>>> Murray Smith 5/18/2011 4:07 PM >>>
Scott,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 977 to / à 980

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Murray Smith - Re: Fwd: CFP Outreach Documents

From: Murray Smith
To: CUNNINGHAM, Jim
Date: 5/31/2011 10:03 AM
Subject: Re: Fwd: CFP Outreach Documents

Hi Jim,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jim CUNNINGHAM 5/31/2011 9:51 AM >>>
Murray,

Insp. J.G. (Jim) Cunningham
OIC NWEST - Western Region
Phone: (604) 777-7901
Sent from Blackberry
-----Original Message-----
From: Murray Smith
To: McDougall, Scott <Scott.McDougall@rcmp-grc.gc.ca>

Sent: 05/31/2011 09:47:24
Subject: Re: Fwd: CFP Outreach Documents

Scott,

Regards,

Murray

Murray A. Smith
Manager,

Pages 982 to / à 983
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of the Access to Information Act
de la Loi sur l'accès à l'information

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Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 5/30/2011 4:17 PM >>>
hi Linda -

we've determined these documents are not being distributed by the Registry or Outreach; would you please get in touch with CBSA to ask them to eliminate them from circulation.

thanks -

Scott

Smith 5/18/2011 4:07 PM >>>
Scott,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - R1 notice

From: Murray Smith
To: GROSSPIETSCH, Frank
Date: 5/31/2011 12:01 PM
Subject: R1 notice

Hi Frank,

A notice was posted on the RCMP website concerning the R1:

http://www.rcmp-grc.gc.ca/cfp-pcaf/notice-avis/flaregun-pistolet-eng.htm

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_204-000987

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Zoraki R1 revolver frame

From: Murray Smith
To: Boucher, Nicole
Date: 5/31/2011 1:35 PM
Subject: Zoraki R1 revolver frame
CC: CUNNINGHAM, Jim; McDougall, Scott

Nicole,

I am receiving feedback from NWEST that the Zoraki R1 revolvers are being rounded up and surrendered to police. However, it appears that public agency exhibit custodians outside Ontario are unaware that the R1 must be recorded in PWS, despite the notice on the CFP website identifying it as a firearm.

The CFR used to publish tips for public agents. I have not seen any for a while, but it may be worthwhile to broadcast the R1 reporting requirements to public agents using that system.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_205-000988

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Murray Smith - RE: Fwd: Firearms classification assistance

From: Murray Smith
To:
Date: 5/31/2011 4:15 PM
Subject: RE: Fwd: Firearms classification assistance
CC: D'Amour, Louis; Glass, Kimberley; Greenley, Calvin

I hope to have a response ready in a few days. The difficulty is collecting sufficient detail so as to make the decision defensible in court. We are almost there.

I do not think we need a sample at present. We will let you know if we do.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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From: Murray Smith [mailto:Murray.A.Smith@rcmp-grc.gc.ca]
Sent: May 24, 2011 3:52 PM
To:
Cc: D'Amour, Louis; Glass, Kimberley; Greenley, Calvin
Subject: Re: Fwd: Firearms classification assistance

Your enquiry has been routed to me. After having completed the Zoraki R1, we are now looking into the Zoraki 914 and 925. The blank guns were manufactured in Turkey and it is very difficult to obtain information. We are looking into how they are manufactured and whether that have any commonality with genuine firearms, which may impact their status as either firearms or replicas.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> CFP-PCAF_PoliceSupport-SoutiendelaPolice 5/24/2011 11:19 AM >>>
Hi Louis,

Could you please help with D/Cst. Bedford's request.

Thanks

Jason Robichaud (Constable)
Royal Canadian Mounted Police
Canadian Firearms Program
Police Support Line

P.O.Box 1200
Miramichi, NB E1N5Z3

1-800-731-4000 (Ext. 2064)
1-888-898-2220 (Fax)
cfp-pcaf_policesupport-soutiendelapolice@rcmp-grc.gc.ca

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Murray Smith - Re: Zoraki 914

From: Murray Smith
To:
Date: 6/6/2011 10:44 AM
Subject: Re: Zoraki 914
CC: White, Kevin W (JUS)

Hello I

I received your voice mail this morning. We are presently researching the Zoraki family of blank firing guns and should have a definitive position soon (as in a few days).

We have already established that the Zoraki 914 is not a replica firearm and thus is not a prohibited device. This is based on the fact that we have been unable to find any genuine firearm that it imitates with near precision despite an extensive market survey.

What we are looking at now is whether the Zoraki 914 has a frame that is common with a genuine firearm, and if so, it would be either a restricted or prohibited firearm, depending on the characteristics of the parallel firearm. This is the aspect currently being researched.

The Zoraki R1 revolver was found to be a restricted firearm since it has a frame in common with a real firearm. This decision was issued a few weeks ago. Please note however, that the Zoraki R1 is a revolver and thus the decision cannot be transferred to the Zoraki 914.

We expect however, that whatever conclusion applies to the Zoraki 914 will also apply to the Zoraki 925, as the model 925 is simply a model 914 in a clamshell.
We are moving on this matter as quickly as possible. However, we want to ensure any opinion will stand up in Court, hence the detailed research underway now.

We are not aware of any opinion letter on the Zoraki 914. Are you in a position to advise where that came from? We would be interested in liaising with them in the event they have new information that will aid our research.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> 6/6/2011 9:06 AM >>>
Hi Murray.
Just left you a voicemail.

I was asked to assist - they are looking for the original memo / direction to add the Zoraki to the FRT.

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Murray Smith - Fwd: Re: Zoraki 914

From: Murray Smith
To: Etter, William; Glass, Kimberley; Greenley, Calvin; Lussier, Mario
Date: 6/6/2011 10:53 AM
Subject: Fwd: Re: Zoraki 914

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 6/6/2011 10:44 AM >>>
Hello

I received your voice mail this morning. We are presently researching the Zoraki family of blank firing guns and should have a definitive position soon (as in a few days).

We have already established that the Zoraki 914 is not a replica firearm and thus is not a prohibited device. This is based on the fact that we have been unable to find any genuine firearm that it imitates with near precision despite an extensive market survey.

What we are looking at now is whether the Zoraki 914 has a frame that is common with a genuine firearm, and if so, it would be either a restricted or prohibited firearm, depending on the characteristics of the parallel firearm. This is the aspect currently being researched.

The Zoraki R1 revolver was found to be a restricted firearm since it has a frame in common with a real firearm. This decision was issued a few weeks ago. Please note however, that the Zoraki R1 is a revolver and thus the decision cannot be transferred to the Zoraki 914.

We expect however, that whatever conclusion applies to the Zoraki 914 will also apply to the Zoraki 925, as the model 925 is simply a model 914 in a clamshell.
We are moving on this matter as quickly as possible. However, we want to ensure any opinion will stand up in Court, hence the detailed research underway now.

We are not aware of any opinion letter on the Zoraki 914. Are you in a position to advise where that came from? We would be interested in liaising with them in the event they have new information that will aid our research.

Regards,

Murray

Murray A. Smith

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Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Fwd: Re: Zoraki 914

From: Murray Smith
To: Francis, Geoffrey
Date: 6/6/2011 11:06 AM
Subject: Fwd: Re: Zoraki 914
CC: CUNNINGHAM, Jim

Geoff,

FYI, I will be looking at the Zoraki 914 research this afternoon to assess whether we have enough information on hand to make a call (either way). If we determine that the Zoraki 914 contains a live firearm frame, there will be a big impact on the police and firearms businesses across the country, as thousands of the Zoraki 914 blank guns have been imported over the past two years.

As an aside, I still do not have a response from FSD on the basis for their opinion on the Zoraki 906 as "prohibited", despite a follow up reminder last week.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 6/6/2011 10:44 AM >>>
Hello

I received your voice mail this morning. We are presently researching the Zoraki family of blank firing guns and should have a definitive position soon (as in a few days).

We have already established that the Zoraki 914 is not a replica firearm and thus is not a prohibited device. This is based on the fact that we have been unable to find any genuine firearm that it imitates with near precision despite an extensive market survey.

What we are looking at now is whether the Zoraki 914 has a frame that is common with a genuine firearm, and if so, it would be either a restricted or prohibited firearm, depending on the characteristics of the parallel firearm. This is the aspect currently being researched.

The Zoraki R1 revolver was found to be a restricted firearm since it has a frame in common with a real firearm. This decision was issued a few weeks ago. Please note however, that the Zoraki R1 is a revolver and thus the decision cannot be transferred to the Zoraki 914.

We expect however, that whatever conclusion applies to the Zoraki 914 will also apply to the Zoraki 925, as the model 925 is simply a model 914 in a clamshell.

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We are moving on this matter as quickly as possible. However, we want to ensure any opinion will stand up in Court, hence the detailed research underway now.

We are not aware of any opinion letter on the Zoraki 914. Are you in a position to advise where that came from? We would be interested in liaising with them in the event they have new information that will aid our research.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Fwd: Re: Zoraki 914

From: Murray Smith
To: CUNNINGHAM, Jim; Francis, Geoffrey
Date: 6/6/2011 11:34 AM
Subject: Re: Fwd: Re: Zoraki 914

Thanks Jim,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jim CUNNINGHAM 6/6/2011 11:23 AM >>>
Morning Murray,

I'm not sure that there was an opinion paper as much as Frank sent out a message to other NWEST personnel for dissemination to contacts just to make them aware of the 914 and the ease of conversion following a number of seizures here in BC. If memory served correct, the FRT # was generated more for the purpose of identification and would become a prohibited firearm if the conversion had taken place.

Jim
Insp. J.G. (Jim) Cunningham
OIC NWEST - Western Region
Phone: (604) 777-7901
Sent from Blackberry
-----Original Message-----
From: Murray Smith
Cc: CUNNINGHAM, Jim <james.cunningham@rcmp-grc.gc.ca>
To: Francis, Geoffrey <geoffrey.francis@rcmp-grc.gc.ca>

Sent: 06/06/2011 11:06:07
Subject: Fwd: Re: Zoraki 914

Geoff,

FYI, I will be looking at the Zoraki 914 research this afternoon to assess whether we have enough information on hand to make a call (either way). If we determine that the Zoraki 914 contains a live firearm frame, there will be a big impact on the police and firearms businesses across the country, as thousands of the Zoraki 914 blank guns have been imported over the past two years.

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Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 6/6/2011 10:44 AM >>>
Hello Eric,

I received your voice mail this morning. We are presently researching the Zoraki family of blank firing guns and should have a definitive position soon (as in a few days).

We have already established that the Zoraki 914 is not a replica firearm and thus is not a prohibited device. This is based on the fact that we have been unable to find any genuine firearm that it imitates with near precision despite an extensive market survey.

What we are looking at now is whether the Zoraki 914 has a frame that is common with a genuine firearm, and if so, it would be either a restricted or prohibited firearm, depending on the characteristics of the parallel firearm. This is the aspect currently being researched.

The Zoraki R1 revolver was found to be a restricted firearm since it has a frame in common with a real firearm. This decision was issued a few weeks ago. Please note however, that the Zoraki R1 is a revolver and thus the decision cannot be transferred to the Zoraki 914.

We expect however, that whatever conclusion applies to the Zoraki 914 will also apply to the Zoraki 925, as the model 925 is simply a model 914 in a clamshell.
We are moving on this matter as quickly as possible. However, we want to ensure any opinion will stand up in Court, hence the detailed research underway now.

We are not aware of any opinion letter on the Zoraki 914. Are you in a position to advise where that came from? We would be interested in liaising with them in the event they have new information that will aid our research.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Fwd: FW: Qiqihar Hawk/Disco Tech/Shotguns to CA

From: Murray Smith
To: CUNNINGHAM, Jim; Francis, Geoffrey; Rainville, Stephane
Date: 6/6/2011 11:41 AM
Subject: Re: Fwd: FW: Qiqihar Hawk/Disco Tech/Shotguns to CA

Thanks Jim. Very interesting.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jim CUNNINGHAM 6/3/2011 5:53 PM >>>
FYI - Will write up a 1726 on this.

J.G. (Jim) Cunningham, Insp.
OIC National Weapons Enforcement Support Team - Western Region
RCMP/Policing Support Services
Canadian Firearms Program
P.O. Box 42529
New Westminster, B.C.
V3M 6L7

Phone: (604) 777-7901
Cell: (604) 341-0199
Fax: (604) 777-7810
email: james.cunningham@rcmp-grc.gc.ca

POLICE INVESTIGATIVE SUPPORT LINE 1-866-920-0553

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Murray Smith - Fwd: RE: Zoraki 914

From: Murray Smith
To: Etter, William; Glass, Kimberley; Greenley, Calvin; Lussier, Mario
Date: 6/6/2011 12:05 PM
Subject: Fwd: RE: Zoraki 914

More info.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

From: Murray Smith [mailto:Murray.A.Smith@rcmp-grc.gc.ca]
Sent: June 6, 2011 10:44 AM
To: I
Cc: White, Kevin W (JUS)
Subject: Re: Zoraki 914

Hello

I received your voice mail this morning. We are presently researching the Zoraki family of blank firing guns and should have a definitive position soon (as in a few days).

We have already established that the Zoraki 914 is not a replica firearm and thus is not a prohibited device. This is based on the fact that we have been unable to find any genuine firearm that it imitates with near precision despite an extensive market survey.

What we are looking at now is whether the Zoraki 914 has a frame that is common with a genuine firearm, and if so, it would be either a restricted or prohibited firearm, depending on the characteristics of the parallel firearm. This is the aspect currently being researched.

The Zoraki R1 revolver was found to be a restricted firearm since it has a frame in common with a real firearm. This decision was issued a few weeks ago. Please note however, that the Zoraki R1 is a revolver and thus the

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decision cannot be transferred to the Zoraki 914.

We expect however, that whatever conclusion applies to the Zoraki 914 will also apply to the Zoraki 925, as the model 925 is simply a model 914 in a clamshell.
We are moving on this matter as quickly as possible. However, we want to ensure any opinion will stand up in Court, hence the detailed research underway now.

We are not aware of any opinion letter on the Zoraki 914. Are you in a position to advise where that came from? We would be interested in liaising with them in the event they have new information that will aid our research.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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de la Loi sur l'accès à l'information

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Murray Smith - Re: Zoraki and Streamer

From: Murray Smith
To: Verrecchia, Wendy
Date: 6/13/2011 12:36 PM
Subject: Re: Zoraki and Streamer
CC: Francis, Geoffrey

Thanks Wendy,

Much of the information you have located is new to us. It definitely adds to the conclusion that the traumatic weapons qualify as firearms.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Wendy Verrecchia 6/13/2011 10:49 AM >>>
Hi Murray,
Here is a PDF document of several interesting pieces of information on the Zoraki and streamer.
The information shows that the Zoraki and Stream are both made by ATAK arms. There are several photos and videos of the damage the Streamer, and what they call a Traumatic Weapon (plastic bullet gun) can cause to humans. In addition Jenn was able to find a document on new legislation the Russian Government is under taking to address these types of weapons and it takes effect July 1 2011.

Let me know if you have any trouble viewing what we sent. This is a PDF portfolio so each is a separate file. It can be accessed by double clicking on the first box and then located in the upper left corner are two small arrows which move you to the next file. The videos can be watch via the PDF but can be downloaded from the PDF to be a separate file.

If you want more information let me know hope this assists.

Wendy

Wendy Verrecchia, Sgt.
RCMP / GRC
Canadian Firearms Centre
Centre canadien des armes à feu
Firearms Internet Investigation Support Unit
tel 613 843 3664

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Murray Smith - Fwd: Zoraki and Streamer

From: Murray Smith
To: Etter, William; Greenley, Calvin; Lussier, Mario
Date: 6/13/2011 12:38 PM
Subject: Fwd: Zoraki and Streamer
CC: Glass, Kimberley
Attachments: Zoraki 914 Streamer 1014 2014.pdf

FYI, information obtained by the FIESD Internet unit.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Wendy Verrecchia 6/13/2011 10:49 AM >>>
Hi Murray,
Here is a PDF document of several interesting pieces of information on the Zoraki and streamer.
The information shows that the Zoraki and Stream are both made by ATAK arms. There are several photos and videos of the damage the Streamer, and what they call a Traumatic Weapon (plastic bullet gun) can cause to humans. In addition Jenn was able to find a document on new legislation the Russian Government is under taking to address these types of weapons and it takes effect July 1 2011.

Let me know if you have any trouble viewing what we sent. This is a PDF portfolio so each is a separate file. It can be accessed by double clicking on the first box and then located in the upper left corner are two small arrows which move you to the next file. The videos can be watch via the PDF but can be downloaded from the PDF to be a separate file.

If you want more information let me know hope this assists.

Wendy

Wendy Verrecchia, Sgt.
RCMP / GRC
Canadian Firearms Centre
Centre canadien des armes à feu
Firearms Internet Investigation Support Unit
tel 613 843 3664

A0074293_228-001011

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Zoraki

From: Murray Smith
To: Etter, William; Greenley, Calvin
Date: 6/15/2011 9:48 AM
Subject: Fwd: Zoraki
CC: Glass, Kimberley

FYI, below is a list of Zoraki products in police custody.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Stephane Rainville 6/14/2011 2:45 PM >>>
Murray,

As per your request last week, I have run some queries in our database. While all queries regarding the Streamer model 1041/2014 have come up negative, please see below results for the Zoraki. There was a total of 16 items found. This data dates back from 2007 to YTD.

Zoraki:

Model 914: 11
Model 925: 3
Model 925 (converted): 1
Model R1: 1

Let me know if you require anything further.

Cheers!
Steph

A0074293_229-001012

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Fwd: Attn: Murray Smith -Techno Arms MAG-7 classification

From: Murray Smith
To: Guay, Daniel
Date: 6/16/2011 11:52 AM
Subject: Re: Fwd: Attn: Murray Smith -Techno Arms MAG-7 classification
CC: Etter, William; Glass, Kimberley

Thanks Dan.

Bill: Have we ever had a sample for inspection?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Daniel Guay 6/16/2011 10:11 AM >>>
Murray,

This message came through our e-mail general Q and was addressed to you. I have spoken to the individual before and explained how the Techno Arms MAG7 series had been classified and why but he still want to talk to you. Please note in the second paragraph of his e-mail that he tells us that the MAG7 series all share a common receiver.....

Let me know if you require additional information.

dan

Daniel Guay
Firearms Technologist/Technicien Spécialiste en arme à feu.
Royal Canadian Mounted Police
Gendarmerie royale du Canada
Specialized Firearms Support Services (SFSS)
Services Spécialisés de soutien en matière d'armes à feu (SSSAF)
Firearms Reference Table
Tableau de référence des armes à feu.
613-843-6892
daniel.guay@rcmp-grc.gc.ca

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Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Draft FRT Records - Zoraki and Target Technologies

From: Murray Smith
To: Francis, Geoffrey
Date: 6/16/2011 3:25 PM
Subject: Fwd: Draft FRT Records - Zoraki and Target Technologies
Attachments: Zoraki 914 - SA.pdf; Zoraki 914 - FA.pdf; Streamer 1014.pdf; Streamer 2014.pdf

Geoff,

Attached are the FRT records concerning the Zoraki 914, in both semiautomatic and fully automatic models. The frame of the Zoraki 914 is common to the Streamer series of firearms. The records are scheduled to go live next Friday (June 24).

Research is continuing on the Zoraki 906 but we have nothing definitive as yet.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Kimberley Glass 6/16/2011 11:53 AM >>>
Murray

Work has been completed on some of the Zoraki/Target Technologies records:

1) we have created the two Streamer records (Models 1014 and 2014).
2) based on our research we have amended the Zoraki 914, **semi-automatic** record, where required, to reflect this model shares a common receiver/frame with the Streamer models. The 380 AUTO child record remains at the Non-Commercial Customization level to account for the sample we know was converted.
3) A new Zoraki 914, **full automatic** record, has been created based on the research. We believe this is the version that is used as the receiver/frame of the Model 925 and the clam shell - is just a shell and nothing else. This should be confirmed by an inspection. Research also seems to indicate a 914 full-automatic version is available for independent sale (IWA 2011 catalogue, You Tube videos).

Through researching this subject we have come across many more models that cross-over between Target Technologies and Zoraki. Research is continuing on these models, in particular the 925 and 906. We will be requesting samples of these Models for inspection.

Pages 1015 to / à 1027

are not relevant

sont non pertinentes

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Murray Smith - Re: Draft FRT Records - Zoraki and Target Technologies

From: Murray Smith
To: Glass, Kimberley
Date: 6/16/2011 3:26 PM
Subject: Re: Draft FRT Records - Zoraki and Target Technologies
CC: Etter, William

Plan for release next Friday (June 24).

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Kimberley Glass 6/16/2011 11:53 AM >>>
Murray

Work has been completed on some of the Zoraki/Target Technologies records:

1) we have created the two Streamer records (Models 1014 and 2014).
2) based on our research we have amended the Zoraki 914, **semi-automatic** record, where required, to reflect this model shares a common receiver/frame with the Streamer models. The 380 AUTO child record remains at the Non-Commercial Customization level to account for the sample we know was converted.
3) A new Zoraki 914, **full automatic** record, has been created based on the research. We believe this is the version that is used as the receiver/frame of the Model 925 and the clam shell - is just a shell and nothing else. This should be confirmed by an inspection. Research also seems to indicate a 914 full-automatic version is available for independent sale (IWA 2011 catalogue, You Tube videos).

Through researching this subject we have come across many more models that cross-over between Target Technologies and Zoraki. Research is continuing on these models, in particular the 925 and 906. We will be requesting samples of these Models for inspection.

Attached are four DRAFT records:
1) Target Technologies - Streamer 1014
2) Target Technologies - Streamer 2014
3) Zoraki 914 - Semi - Automatic
4) Zoraki 914 - Full Automatic

Please advise when we can move the records up to the "Active" level.
Thanks.
Kim

A0074293_245-001028

Pages 1029 to / à 1031

are withheld pursuant to section

sont retenues en vertu de l'article

of the Access to Information Act

de la Loi sur l'accès à l'information

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Murray Smith - Re: Fwd: Attn: Murray Smith -Techno Arms MAG-7 classification

From: Murray Smith
To: Etter, William
Date: 6/20/2011 12:10 PM
Subject: Re: Fwd: Attn: Murray Smith -Techno Arms MAG-7 classification

OK, please make the arrangements for an inspection.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 6/16/2011 12:59 PM >>>
Hi:

No, lets get one in for an inspection.

Bill Etter

>>> Murray Smith 2011-06-16 11:52 AM >>>
Thanks Dan.

Bill: Have we ever had a sample for inspection?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Daniel Guay 6/16/2011 10:11 AM >>>
Murray,

This message came through our e-mail general Q and was addressed to you. I have spoken to the individual before and explained how the Techno Arms MAG7 series had been classified and why but he still want to talk to you. Please note in the second paragraph of his e-mail that he tells us that the MAG7 series all share a common receiver.....

A0074293_249-001032

Page 1033

is not relevant

est non pertinente

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Murray Smith - Re: Fwd: Attn: Murray Smith -Techno Arms MAG-7 classification

From: Murray Smith
To: Guay, Daniel
Date: 6/21/2011 1:27 PM
Subject: Re: Fwd: Attn: Murray Smith -Techno Arms MAG-7 classification
CC: Etter, William; Glass, Kimberley; Renaud, Nadine

Dan,

Please advise the importer that we would review the classification if we receive samples of all three variations, plus any written arguments he might choose to make in addition to what has been provided already. Samples are required (no need to mention this to the importer so as to not bias his arguments) so we can look at centre of balance and other handling characteristics to assess whether single handed operation is feasible.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Daniel Guay 6/20/2011 2:11 PM >>>
Murray,

Will you respond to the client? he asked to talk to you.

I can reply to him if you want.

Please advise

tanks

dan

Daniel Guay
Firearms Technologist/Technicien Spécialiste en arme à feu.
Royal Canadian Mounted Police
Gendarmerie royale du Canada
Specialized Firearms Support Services (SFSS)
Services Spécialisés de soutien en matière d'armes à feu (SSSAF)
Firearms Reference Table
Tableau de référence des armes à feu.
613-843-6892
daniel.guay@rcmp-grc.gc.ca

A0074293_251-001034

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>>> William Etter 6/20/2011 12:47 PM >>>
Hi everyone:

As per Murrays wishes "lets get one of the subject firearms for inspection".

Bill

F.A. William (Bill) ETTER
Royal Canadian Mounted Police
Senior Firearms Technologist
Specialized Firearms Support Services
Firearms Investigative & Enforcement Services Directorate
NPS - Rm 504
P.O. Box 8885,
Ottawa, Ontario, Canada
K1G 3M8
613-993-6684

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>>> Murray Smith 2011-06-20 12:10 PM >>>
OK, please make the arrangements for an inspection.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 6/16/2011 12:59 PM >>>
Hi:

No, lets get one in for an inspection.

Bill Etter

>>> Murray Smith 2011-06-16 11:52 AM >>>
Thanks Dan.

Bill: Have we ever had a sample for inspection?

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Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Daniel Guay 6/16/2011 10:11 AM >>>
Murray,

This message came through our e-mail general Q and was addressed to you. I have spoken to the individual before and explained how the Techno Arms MAG7 series had been classified and why but he still want to talk to you. Please note in the second paragraph of his e-mail that he tells us that the MAG7 series all share a common receiver.....

Let me know if you require additional information.

dan

Daniel Guay
Firearms Technologist/Technicien Spécialiste en arme à feu.
Royal Canadian Mounted Police
Gendarmerie royale du Canada
Specialized Firearms Support Services (SFSS)
Services Spécialisés de soutien en matière d'armes à feu (SSSAF)
Firearms Reference Table
Tableau de référence des armes à feu.
613-843-6892
daniel.guay@rcmp-grc.gc.ca

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Murray Smith - Re: Draft bulletin for the Zoraki 914 and 925

From: Murray Smith
To: McDougall, Scott
Date: 6/21/2011 1:28 PM
Subject: Re: Draft bulletin for the Zoraki 914 and 925

I guess I started from the business bulletin. I will revise the police bulletin as well.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 6/21/2011 1:06 PM >>>
hi Murray - I'm not sure I understand where you started from on the bulletin - this is the Zoraki R1 Police Bulletin on the website, which I understood we'd be using as a starting point.

http://www.rcmp-grc.gc.ca/cfp-pcaf/bulletins/police/20110503-pol80-eng.htm

>>> Murray Smith 6/21/2011 11:16 AM >>>
This is a direct copy of the previous bulletin on the Zoraki R1 revolver, changing only the model names; pistol instead of revolver, and plural where required.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_254-001037

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Draft bulletin for the Zoraki 914 and 925

From: Murray Smith
To: McDougall, Scott
Date: 6/21/2011 2:00 PM
Subject: Re: Draft bulletin for the Zoraki 914 and 925
CC: Francis, Geoffrey
Attachments: Zoraki 914 and 925 blank firing guns -draft police bulletin.docx

Attached is the revised police bulletin.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 6/21/2011 1:41 PM >>>
thanks Murray -

Scott

>>> Murray Smith 6/21/2011 1:28 PM >>>
I guess I started from the business bulletin. I will revise the police bulletin as well.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 6/21/2011 1:06 PM >>>
hi Murray - I'm not sure I understand where you started from on the bulletin - this is the Zoraki R1 Police Bulletin on the website, which I understood we'd be using as a starting point.

http://www.rcmp-grc.gc.ca/cfp-pcaf/bulletins/police/20110503-pol80-eng.htm

>>> Murray Smith 6/21/2011 11:16 AM >>>
This is a direct copy of the previous bulletin on the Zoraki R1 revolver, changing only the model names; pistol instead of revolver, and plural where required.

Murray

Murray A. Smith
Manager,

A0074293_255-001038

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Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_256-001039

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Special Bulletin for Police No. XX

Snapshot

The Zoraki Models 914 and 925 blank firing pistols have been identified, based on criteria set out in the Criminal Code, as prohibited firearms. Businesses in possession of either firearm must either register the firearm, providing they are licensed to do so, or surrender the firearm to law enforcement agencies. Individuals have no option but to surrender the firearm.

Background

Zoraki Model 914 and 925 blank firing pistols are made by ATAK Arms in Turkey. They are available in various finishes (black, chrome and nickel), very closely resemble a genuine firearm and are available for sale in Canada. They are being sold as blank firing pistols but can also fire tear gas and flares (with a muzzle adaptor).

The RCMP Canadian Firearms Program (CFP) recently inspected samples of the pistols. Based on criteria set out in the Criminal Code, the inspection determined that these types of pistols are prohibited firearms because an identical frame is used in both the manufacturer's blank firing gun and genuine firearm. Records (numbers 134699, 136,156 & 135,297) for these types of firearm have been entered into the RCMP Firearms Reference Table (FRT).

Implications for Individual Firearm Owners

For individuals who are currently in possession of either blank firing pistol, the following option:

Individuals must surrender or dispose of these blank firing guns and should contact either the local police or the provincial Chief Firearms Office immediately to make the necessary arrangements.

Implications for Firearm Businesses

For businesses with licences for prohibited firearms:

Any existing stock of Zoraki Models 914 and 925 blank firing pistols must be registered immediately. Following registration, these firearms can legally be sold to clients who are licensed to possess prohibited firearms.

For businesses without licences for prohibited firearms:

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Any existing stock of Zoraki Models 914 and 925 blank firing pistols must be turned in or disposed of immediately. The business should contact either the local police or the provincial Chief Firearms Officer to make the necessary arrangements.

Implications for Police

If your police service is contacted by a Zoraki owner:

If the business is licensed to possess prohibited firearms, direct them to register the firearm by contacting the CFP (1-800-731-4000).

In the case of an individual, or a business that is NOT licensed to possess prohibited firearms, direct them to turn in the firearm in accordance with your local procedures.

A notice has been sent to all Canadian businesses licensed to sell firearms. There may be other businesses in your jurisdiction selling the blank firing gun (eg sporting good stores), unaware of the recent change.

For more information, please contact the RCMP Canadian Firearms Program.

Le présent bulletin est également disponible en français

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Murray Smith - Re: Fwd: Draft FRT Records - Zoraki and Target Technologies

From: Murray Smith
To: Francis, Geoffrey
Date: 6/21/2011 2:09 PM
Subject: Re: Fwd: Draft FRT Records - Zoraki and Target Technologies

Geoff,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 6/21/2011 1:47 PM >>>
FYI. Not exactly as I remember it!

Geoff

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205
Fax: 905-795-5224

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office. Also possibly a BN for the D/C.

I would recommend notifying DFAIT and CBSA ASAP to avoid further importations.

Your thoughts?

Geoff

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205
Fax: 905-795-5224

Email:
geoffrey.francis@rcmp-grc.gc.ca
>>> Murray Smith 2011-06-16 15:25 >>>
Geoff,

Attached are the FRT records concerning the Zoraki 914, in both semiautomatic and fully automatic models. The frame of the Zoraki 914 is common to the Streamer series of firearms. The records are scheduled to go live next Friday (June 24).

The Zoraki 914 frame is prohibited both as an automatic firearm and as a handgun with a barrel shorter than 105 mm. We need to notify CBSA and DFAIT as soon as possible in order to stop the importation of these items. We will also need to develop a plan to round up the Zoraki firearms already imported as they are prohibited with no possibility of grandfathering.

Research is continuing on the Zoraki 906 but we have nothing definitive as yet.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Kimberley Glass 6/16/2011 11:53 AM >>>
Murray

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Murray Smith - Re: Fwd: Draft FRT Records - Zoraki and Target Technologies

From: Murray Smith
To: Francis, Geoffrey
Date: 6/21/2011 3:18 PM
Subject: Re: Fwd: Draft FRT Records - Zoraki and Target Technologies

Geoff,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 6/21/2011 2:48 PM >>>
Hwan,

Geoff

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415

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geoffrey.francis@rcmp-grc.gc.ca
>>> Geoffrey Francis 2011-06-17 11:12 >>>
Pierre,

Your thoughts?

Geoff

RCMP·GRC

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205
Fax: 905-795-5224

Email:
geoffrey.francis@rcmp-grc.gc.ca
>>> Murray Smith 2011-06-16 15:25 >>>
Geoff,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate

A0074293_265-001048

Page 1049

is not relevant

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Murray Smith - Re: Draft bulletin for the Zoraki 914 and 925 for review and approval

From: Murray Smith
To: Sevigny, Linda
Date: 6/21/2011 3:44 PM
Subject: Re: Draft bulletin for the Zoraki 914 and 925 for review and approval

Linda,

Looks OK to me, except that this is the police bulletin, not the business bulletin.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Linda Sevigny 6/21/2011 3:24 PM >>>
Here are my minor comments.

Linda Sevigny
Manager/Gestionnaire
Canadian Firearms Program/Programme canadien des armes à feu
Firearms Management & Strategic Services/Contrôle des armes à feu et services stratégiques
Royal Canadian Mounted Police/Gendarmerie royale du Canada
73 Leikin Drive/73 ch. Leikin
Ottawa, ON, K1A 0R2
613-843-5442
facsimile/télécopieur 613-825-0315

>>> Scott McDougall 6/21/2011 3:11 PM >>>
thanks Michelle - it could be sent to the Directors, and to translation simultaneously. It would be great to have it ready for posting/circulation by COB tomorrow, as that's when the FRT update is supposed to be entered.

salut -

Scott

>>> Michelle Rose 6/21/2011 2:56 PM >>>
Scott,

Here is the draft for review with your initial edit included.

If you would like this sent to other directors beside yourself, please let me know, otherwise I will incorporate any edits you may have and then forward on to the DG's office as per usual process.

Thank you,

Michelle

A0074293_267-001050

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Murray Smith - Re: Fw: Bulletin to business for your review

From: Murray Smith
To: Francis, Geoffrey
Date: 6/21/2011 3:53 PM
Subject: Re: Fw: Bulletin to business for your review

Hi Geoff,

Yes, I have seen it. Looks OK except that they labeled the police bulletin as a business bulletin. I have pointed this out to Linda already.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 6/21/2011 3:50 PM >>>
Not sure if you were copied on this.

Geoff

A0074293_268-001051

Pages 1052 to / à 1055

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of the Access to Information Act

de la Loi sur l'accès à l'information

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Briefing Note on the Zoraki R914 and R925 firearms

From: Murray Smith
To: Francis, Geoffrey
Date: 6/21/2011 4:34 PM
Subject: Fwd: Briefing Note on the Zoraki R914 and R925 firearms
Attachments: CFP-2011-17 BN to COMMR-Zoraki Model s 914 and 925.doc

Geoff,

Attached is the skeleton BN with the CCM number assigned.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 6/21/2011 4:24 PM >>>
Good Afternoon Murray,

Hwan just advised me that your section will be preparing the Briefing Note to the Commissioner on the above prohibited firearms.

Attached is the Briefing Note that I started.

It has the correct Briefing Note number and CCM # on it.

We can review it once you have prepared it.

Have a great day.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 6/21/2011 3:40 PM >>>

A0074293_273-001056

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these items.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 6/21/2011 3:25 PM >>>
Murray,

Thanks for the information. I will check with Scott.

Are we going to try to stop future importations for individuals?

Do we know how many are already here in Canada?

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 6/21/2011 3:15 PM >>>
Constance,

I prepared both business and police bulletins. Scott make some edits so you may as well get the final versions from him (I do not have the finals).

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program

A0074293_274-001057

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Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 6/21/2011 2:37 PM >>>
Murray,

There is not yet information on the Zoraki 925. Is it also a prohibited firearm? Will an FRT record be created?

Were we asked to example these firearms?

Thanks.

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 6/21/2011 2:14 PM >>>
The Zoraki information will become public Wednesday or Thursday. Scott has the details for the executive briefing.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 6/20/2011 1:26 PM >>>
Murray,

Thanks for letting me know. I will pull out the previous briefing notes. Let me know of the result of the meeting so I can update the Briefing Note.

Take care,

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2

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Tel.: 613-823-7782
Fax : 613-825-0315
Email: Constance.Carlotti@rcmp-grc.gc.ca

>>> Murray Smith 6/20/2011 12:11 PM >>>
Hi Constance,

We have a meeting with the DG this afternoon on the Zoraki models 914 and 925. This may trigger a briefing requirement.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 6/16/2011 10:11 AM >>>
Good Morning,

As you are aware, we have been tasked to provide the Deputy's office with pertinent information for each Monday and Wednesday meeting.

Please provide your feedback for next week's meeting to me by **noon, Friday, June 17, 2011.**

Thank you.

A0074293_276-001059

Page 1060

is not relevant

est non pertinente

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	File No. / N° de dossier	Security Classification/Designation / Classification/désignation sécuritaire	Total Pages / Pages totales
		Unclassified	2

BRIEFING NOTE TO THE COMMISSIONER / **NOTE D'INFORMATION AU COMMISSAIRE**

ZORAKI MODELS R914 AND R925 FIREARMS

PURPOSE:

- To brief the Commissioner on the Zoraki Model R914 and R925 that were recently inspected by the RCMP Canadian Firearms Program (CFP)

ISSUE:

- Individuals and businesses are in possession of these prohibited firearms and it is anticipated additional firearms may be imported.

BACKGROUND:

- Firearms are determined to be non-restricted, restricted, or prohibited pursuant to the definition in Subsection 84(1) of the *Criminal Code* and the corresponding *Regulations Prescribing Certain Firearms and Other Weapons*. Responsibility for the *Criminal Code* and the corresponding Regulations falls under the purview of the Department of Justice.

- The inspection of firearms is a routine service offered to Canadian police services by the CFP and is consistent with the framework for the CFP services developed in support of the 2010 Canadian Association of Chiefs of Police (CACP) National Firearms Strategy.

- On June 16, 2011 the CFP prepared a Firearms Reference Table record (FRT) for the Zoraki R914, in both semi-automatic and fully automatic models. An FRT record already exists for the 925, but is in the process of being updated. The Zoraki model R925 is exactly like the R914, except that it is in a plastic clamshell. Both models are prohibited firearms except to exempt or licenced businesses that have prohibited privileges on their business licence.

- The FRT records will become publicly available on Friday, June 24th.

CURRENT STATUS:

-

Submitted by – Rédigé par	Date	Recommended by – Recommandé par	Date
Scott McDougall Director Firearms Management and Strategic Services Canadian Firearms Program	2011-06-24	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program	2011-06-24
Approved by – Approuvé par	**Date**	**Reviewed by – Examiné par**	**Date**
Line Carbonneau, D/Commr. Policing Support Services			

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

File No. N° de dossier	Security Classification/Designation Classification/désignation sécuritaire Unclassified

STRATEGIC CONSIDERATIONS:

BN Identification # CFP-2011-17
CCM# 11-002787

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Fwd: Ministerial Correspondence T011322

From: Murray Smith
To: Thomas, Rose
Date: 6/21/2011 4:42 PM
Subject: Re: Fwd: Ministerial Correspondence T011322

Rose,

We will look into the status of the firearm. What exactly are we being asked to do? There must be more to the correspondence than this?
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 6/21/2011 3:31 PM >>>
Good afternoon

I received the attached Ministerial Correspondence.

I verified FRT and the Magnum Research BFR is a restricted firearm.

The client's incoming message states that he submitted an email enquiry but has not received a response. I did a search on the CFP Public Enquiries account and nothing came up. It seems that his e-mail was never received via the CFP Public Enquiries account, so I am not sure where his initial inquiry was sent.

The graphics and description of the revolving rifle in question provided in the client's incoming letter (attached) are very faded, however, I was able to find the link on-line as follows: www.fairfaxfirearmsrepair.com.

If I understand correctly, the client would like to import a modified version of the firearm and is therefore asking if this would/could change it from restricted to non-restricted?

Any assistance would be greatly appreciated.

Thanks for your help.

Rose

>>>

From: ES&ML-DLO
To: Thomas, Rose
Date: 6/20/2011 3:50 PM

A0074293_280-001063

Page 1064

is not relevant

est non pertinente

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Murray Smith - Fwd: Ministerial Correspondence T011322

From: Murray Smith
To: Etter, William
Date: 6/21/2011 4:44 PM
Subject: Fwd: Ministerial Correspondence T011322
CC: Glass, Kimberley
Attachments: T011322.pdf

Bill,

Would you look into the status of the firearm. We can discuss tomorrow. The nature of the tasking from the Minister's office is not clear so lets not invest much effort before that is established.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 6/21/2011 3:31 PM >>>
Good afternoon

I received the attached Ministerial Correspondence.

I verified FRT and the Magnum Research BFR is a restricted firearm.

The client's incoming message states that he submitted an email enquiry but has not received a response. I did a search on the CFP Public Enquiries account and nothing came up. It seems that his e-mail was never received via the CFP Public Enquiries account, so I am not sure where his initial inquiry was sent.

The graphics and description of the revolving rifle in question provided in the client's incoming letter (attached) are very faded, however, I was able to find the link on-line as follows: www.fairfaxfirearmsrepair.com.

If I understand correctly, the client would like to import a modified version of the firearm and is therefore asking if this would/could change it from restricted to non-restricted?

Any assistance would be greatly appreciated.

Thanks for your help.

Rose

>>>

A0074293_282-001065

Pages 1066 to / à 1069

are not relevant

sont non pertinentes

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Murray Smith - Re: BN for review

From: Murray Smith
To: Francis, Geoffrey
Date: 6/22/2011 3:22 PM
Subject: Re: BN for review
Attachments: CFP-2011-17 BN to COMMR-Zoraki Model s 914 and 925 - comments.docx

Minor changes (attached).

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 6/22/2011 3:00 PM >>>

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205
Fax: 905-795-5224

Email: geoffrey.francis@rcmpgrc.gc.ca

A0074293_287-001070

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	File No. / N° de dossier	Security Classification/Designation / Classification/désignation sécuritaire	Total Pages / Pages totales
		Unclassified	2

BRIEFING NOTE TO THE COMMISSIONER — **NOTE D'INFORMATION AU COMMISSAIRE**

ZORAKI MODELS 914 AND 925 FIREARMS

PURPOSE:

- To brief the Commissioner on the Zoraki Model 914 and 925 blank firing guns that were recently inspected by the RCMP Canadian Firearms Program (CFP)

ISSUE:

- Individuals and businesses are in possession of these prohibited firearms and it is anticipated additional firearms may be imported.

BACKGROUND:

- Firearms are determined to be non-restricted, restricted, or prohibited pursuant to the definition in Subsection 84(1) of the *Criminal Code* and the corresponding *Regulations Prescribing Certain Firearms and Other Weapons*. Responsibility for the *Criminal Code* and the corresponding Regulations falls under the purview of the Department of Justice.

- The inspection & classification of firearms is a routine service offered to Canadian police services by the CFP.

- On June 16, 2011 the CFP prepared a Firearms Reference Table record (FRT) for the Zoraki 914, in both semi-automatic and fully automatic models. An FRT record already exists for the 925, but is in the process of being updated. The Zoraki model 925 is exactly like the 914, except that it is in a plastic clamshell. Both models are prohibited firearms and can be possessed only by exempt Public Agencies or firearms businesses with the appropriate license privileges.

- The FRT records will become publicly available on Friday, June 24th.

CURRENT STATUS:

-

Submitted by – Rédigé par	Date	Recommended by – Recommandé par	Date
Geoffrey Francis, C\Supt Director Firearms Investigative & Enforcement Services Canadian Firearms Program	2011-06-24	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program	2011-06-24
Approved by – Approuvé par	**Date**	**Reviewed by – Examiné par**	**Date**
Line Carbonneau, D/Commr. Policing Support Services			

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

File No. N° de dossier	Security Classification/Designation Classification/désignation sécuritaire Unclassified

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STRATEGIC CONSIDERATIONS:

RECOMMENDATION:

BN Identification # CFP-2011-17
CCM# 11-002787

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - BN re Zoraki 914 & 925

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 6/22/2011 4:15 PM
Subject: BN re Zoraki 914 & 925
Attachments: CFP-2011-17 BN to COMMR-Zoraki Model s 914 and 925 - comments.docx

Bill & Kimberley,

Attached is the final edit of the BN to be sent to the DG. Note that the deadline for the FRT records has been extended to Friday.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_290-001073

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Royal Canadian Mounted Police / Gendarmerie royale du Canada	File No. / N° de dossier	Security Classification/Designation / Classification/désignation sécuritaire	Total Pages / Pages totales
		Unclassified	2

BRIEFING NOTE TO THE COMMISSIONER — **NOTE D'INFORMATION AU COMMISSAIRE**

ZORAKI MODELS 914 AND 925 FIREARMS

PURPOSE:

- To brief the Commissioner on the Zoraki Models 914 and 925 blank firing guns that were recently inspected by the RCMP Canadian Firearms Program (CFP)

ISSUE:

- Individuals and businesses are in possession of these prohibited firearms and it is anticipated additional firearms may be imported.

BACKGROUND:

- Firearms are determined to be non-restricted, restricted, or prohibited pursuant to the definition in Subsection 84(1) of the *Criminal Code* and the corresponding *Regulations Prescribing Certain Firearms and Other Weapons*. Responsibility for the *Criminal Code* and the corresponding Regulations falls under the purview of the Department of Justice.

- The inspection & classification of firearms is a routine service offered to Canadian police services by the CFP.

- On June 16, 2011 the CFP prepared a Firearms Reference Table record (FRT) for the Zoraki 914, in both semi-automatic and fully automatic models. An FRT record already exists for the 925, but is in the process of being updated. The Zoraki model 925 is exactly like the 914, except that it is in a plastic clamshell. Both models are prohibited firearms and can be possessed only by exempt Public Agencies or firearms businesses with the appropriate license privileges.

- The FRT records will become publicly available on Friday, June 24th.

CURRENT STATUS:

-

Submitted by – Rédigé par	Date	Recommended by – Recommandé par	Date
Geoffrey Francis, C\Supt Director Firearms Investigative & Enforcement Services Canadian Firearms Program	2011-06-24	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program	2011-06-24
Approved by – Approuvé par	**Date**	**Reviewed by – Examiné par**	**Date**
Line Carbonneau, D/Commr. Policing Support Services			

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

File No. N° de dossier	Security Classification/Designation Classification/désignation sécuritaire Unclassified

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STRATEGIC CONSIDERATIONS:

RECOMMENDATION:

BN Identification # CFP-2011-17
CCM# 11-002787

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Special Bulletin for Police No.81 - Bulletin spécial à l'intention des policiers - No. 81

From: Murray Smith
To: Etter, William; Glass, Kimberley; Guay, Daniel
Date: 6/23/2011 2:59 PM
Subject: Fwd: Special Bulletin for Police No.81 - Bulletin spécial à l'intention des policiers - No. 81
Attachments: Zoraki 914 and 925 blank firing guns -No. 81 FRENCH.doc; Zoraki 914 and 925 blank firing guns No. 81.doc

FYI

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> # CFP PWS SWASP 6/23/2011 2:51 PM >>>
Special Bulletin for Police No.81 - Bulletin spécial à l'intention des policiers - No. 81

A0074293_293-001076

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

GRC
GENDARMERIE ROYALE DU CANADA

Armes à blanc Zoraki, modèles 914 et 925

Bulletin spécial à l'intention des policiers – n° 81

le 22 juin 2011

En bref

Les pistolets à blanc Zoraki, modèles 914 et 925, ont été classés, selon les critères énoncés dans le *Code criminel*, comme des armes à feu prohibées. Les entreprises en possession d'une de ces armes doivent l'enregistrer, pour autant qu'elles sont titulaires du permis qui leur donne la possibilité de le faire, ou remettre l'arme à feu à un organisme d'application de la loi. Les particuliers n'ont pas d'autre choix que de se départir de l'arme à feu.

Contexte

Les pistolets à blanc Zoraki, modèles 914 et 925, sont fabriqués en Turquie par ATAK Arms. Ils sont disponibles en plusieurs finitions (noir, chrome et nickel), ressemblent beaucoup à une vrai arme à feu et sont en vente au Canada. Ils sont vendus comme des armes à blanc, mais ils peuvent aussi servir à lancer des bombonnes de gaz lacrymogène et à tirer des fusées éclairantes (au moyen d'un adaptateur).

Des employés du Programme canadien des armes à feu (PCAF) de la GRC ont examiné récemment des exemplaires de ces pistolets. L'inspection a été faite en fonction des critères énoncés dans le *Code criminel* et a permis de conclure que ces types de pistolets sont des armes à feu prohibées, car le fabricant utilise la même carcasse pour l'arme à blanc et pour une arme à feu. Des dossiers (numéros 134699, 136156 et 135297) relatifs à ces types d'armes à feu ont été créés dans le Tableau de référence des armes à feu (TRAF) de la GRC.

Incidence pour les particuliers propriétaires d'une ou l'autre de ces armes à feu

Les particuliers qui sont actuellement en possession d'une de ces armes à blanc doivent les remettre à un organisme de l'application de la loi ou s'en débarrasser, et communiquer immédiatement avec le service de police locale ou avec le contrôleur des armes à feu de la province afin de prendre les mesures nécessaires.

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Incidence pour les entreprises d'armes à feu

Pour les entreprises titulaires d'un permis d'armes à feu prohibées :

Tous les pistolets à blanc Zoraki, modèles 914 et 925, doivent être enregistrés immédiatement. Une fois enregistrées, ces armes peuvent légalement être vendues aux agences publiques ou aux entreprises titulaires d'un permis d'armes à feu prohibées.

Pour les entreprises qui ne sont pas titulaires d'un permis d'armes à feu prohibées :

Elles doivent remettre tous les pistolets à blanc Zoraki, modèles 914 et 925, à un organisme d'application de la loi ou s'en débarrasser dans les plus brefs délais. Les entreprises doivent communiquer immédiatement avec le service de police locale ou avec le contrôleur des armes à feu de la province afin de prendre les mesures nécessaires.

Incidence pour la police

Si un propriétaire de pistolet Zokari communique avec votre service de police :

Si l'entreprise détient un permis lui permettant de posséder des armes à feu prohibées, veuillez lui demander de communiquer avec le PCAF (1-800-731-4000) pour enregistrer l'arme à feu.

Si un particulier ou une entreprise n'est PAS titulaire d'un permis d'armes à feu prohibées, veuillez lui demander de remettre l'arme à feu à un organisme d'application de la loi en suivant les procédures locales.

Un avis a été envoyé à toutes les entreprises canadiennes qui ont un permis leur permettant de vendre des armes à feu. Il pourrait aussi y avoir d'autres entreprises de votre administration qui vendent ces armes à blanc (p. ex., les magasins d'articles de sport) et qui ne sont pas au courant du changement apporté.

Pour en savoir davantage, veuillez communiquer avec le Programme canadien des armes à feu de la GRC.

This bulletin is also available in English

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

RCMP
ROYAL CANADIAN MOUNTED POLICE

Zoraki 914 and 925 Blank Firing Guns

Special Bulletin for Police No. 81

June 23, 2011

Snapshot

The Zoraki Models 914 and 925 blank firing pistols have been identified, based on criteria set out in the *Criminal Code*, as prohibited firearms. Businesses in possession of either firearm must register the firearm, providing they are licensed to do so, or surrender the firearm to law enforcement agencies. Individuals have no option but to surrender the firearm.

Background

Zoraki Model 914 and 925 blank firing pistols are made by ATAK Arms in Turkey. They are available in various finishes (black, chrome and nickel), closely resemble a genuine firearm and are available for sale in Canada. They are being sold as blank firing pistols but can also fire tear gas and flares (with a muzzle adaptor).

The RCMP Canadian Firearms Program (CFP) recently inspected samples of the pistols. Based on criteria set out in the *Criminal Code*, the inspection determined that these types of pistols are prohibited firearms because an identical frame is used in both the manufacturer's blank firing gun and genuine firearm. Records (numbers 134699, 136,156 & 135,297) for these types of firearm have been entered into the RCMP Firearms Reference Table (FRT).

Implications for Individual Firearm Owners

Individuals who are currently in possession of either blank firing pistol must surrender or dispose of these blank firing guns by contacting either the local police or the provincial Chief Firearms Officer immediately to make the necessary arrangements.

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Implications for Firearm Businesses

For businesses with licences for prohibited firearms:

Any existing stock of Zoraki Models 914 and 925 blank firing pistols must be registered immediately. Following registration, these firearms can legally be sold to public agencies or other businesses who are licensed to possess prohibited firearms.

For businesses without licences for prohibited firearms:

Any existing stock of Zoraki Models 914 and 925 blank firing pistols must be turned in or disposed of immediately. Businesses should contact either the local police or the provincial Chief Firearms Officer to make the necessary arrangements.

Implications for Police

If your police service is contacted by a Zoraki owner:

If the business is licensed to possess prohibited firearms, direct them to register the firearm by contacting the CFP (1-800-731-4000).

In the case of an individual, or a business that is NOT licensed to possess prohibited firearms, direct them to turn in the firearm in accordance with your local procedures. A notice has been sent to all Canadian businesses licensed to sell firearms. There may be other businesses in your jurisdiction selling the blank firing gun (eg sporting good stores), unaware of the recent change.

For more information, please contact the RCMP Canadian Firearms Program.

Le présent bulletin est également disponible en français

Page 1081

is not relevant

est non pertinente

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Bulletins

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 6/23/2011 3:41 PM
Subject: Fwd: Bulletins
Attachments: Zoraki 914 and 925 blank firing guns -No. 81 FRENCH.doc; Zoraki 914 and 925 blank firing guns No. 81.doc; Zoraki Business Bulletin No 76.doc; Zoraki Business Bulletin No 76. FRENCH.doc

FYI

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Danielle Simard 6/23/2011 3:28 PM >>>
Murray, here are the bulletins that were sent today. Sorry Michelle not being here today makes my life quite miserable!!!!!

A0074293_299-001082

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

GRC
GENDARMERIE ROYALE DU CANADA

Armes à blanc Zoraki, modèles 914 et 925

Bulletin spécial à l'intention des policiers – n° 81

le 23 juin 2011

En bref
Les pistolets à blanc Zoraki, modèles 914 et 925, ont été classés, selon les critères énoncés dans le *Code criminel*, comme des armes à feu prohibées. Les entreprises en possession d'une de ces armes doivent l'enregistrer, pour autant qu'elles sont titulaires du permis qui leur donne la possibilité de le faire, ou remettre l'arme à feu à un organisme d'application de la loi. Les particuliers n'ont pas d'autre choix que de se départir de l'arme à feu.

Contexte
Les pistolets à blanc Zoraki, modèles 914 et 925, sont fabriqués en Turquie par ATAK Arms. Ils sont disponibles en plusieurs finitions (noir, chrome et nickel), ressemblent beaucoup à une vrai arme à feu et sont en vente au Canada. Ils sont vendus comme des armes à blanc, mais ils peuvent aussi servir à lancer des bombonnes de gaz lacrymogène et à tirer des fusées éclairantes (au moyen d'un adaptateur).

Des employés du Programme canadien des armes à feu (PCAF) de la GRC ont examiné récemment des exemplaires de ces pistolets. L'inspection a été faite en fonction des critères énoncés dans le *Code criminel* et a permis de conclure que ces types de pistolets sont des armes à feu prohibées, car le fabricant utilise la même carcasse pour l'arme à blanc et pour une arme à feu. Des dossiers (numéros 134699, 136156 et 135297) relatifs à ces types d'armes à feu ont été créés dans le Tableau de référence des armes à feu (TRAF) de la GRC.

Incidence pour les particuliers propriétaires d'une ou l'autre de ces armes à feu
Les particuliers qui sont actuellement en possession d'une de ces armes à blanc doivent les remettre à un organisme de l'application de la loi ou s'en débarrasser, et communiquer immédiatement avec le service de police locale ou avec le contrôleur des armes à feu de la province afin de prendre les mesures nécessaires.

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Incidence pour les entreprises d'armes à feu

Pour les entreprises titulaires d'un permis d'armes à feu prohibées :

Tous les pistolets à blanc Zoraki, modèles 914 et 925, doivent être enregistrés immédiatement. Une fois enregistrées, ces armes peuvent légalement être vendues aux agences publiques ou aux entreprises titulaires d'un permis d'armes à feu prohibées.

Pour les entreprises qui ne sont pas titulaires d'un permis d'armes à feu prohibées :

Elles doivent remettre tous les pistolets à blanc Zoraki, modèles 914 et 925, à un organisme d'application de la loi ou s'en débarrasser dans les plus brefs délais. Les entreprises doivent communiquer immédiatement avec le service de police locale ou avec le contrôleur des armes à feu de la province afin de prendre les mesures nécessaires.

Incidence pour la police

Si un propriétaire de pistolet Zokari communique avec votre service de police :

Si l'entreprise détient un permis lui permettant de posséder des armes à feu prohibées, veuillez lui demander de communiquer avec le PCAF (1-800-731-4000) pour enregistrer l'arme à feu.

Si un particulier ou une entreprise n'est PAS titulaire d'un permis d'armes à feu prohibées, veuillez lui demander de remettre l'arme à feu à un organisme d'application de la loi en suivant les procédures locales.

Un avis a été envoyé à toutes les entreprises canadiennes qui ont un permis leur permettant de vendre des armes à feu. Il pourrait aussi y avoir d'autres entreprises de votre administration qui vendent ces armes à blanc (p. ex., les magasins d'articles de sport) et qui ne sont pas au courant du changement apporté.

Pour en savoir davantage, veuillez communiquer avec le Programme canadien des armes à feu de la GRC.

This bulletin is also available in English

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

RCMP
ROYAL CANADIAN MOUNTED POLICE

Zoraki 914 and 925 Blank Firing Guns

Special Bulletin for Police No. 81

June 23, 2011

Snapshot

The Zoraki Models 914 and 925 blank firing pistols have been identified, based on criteria set out in the *Criminal Code*, as prohibited firearms. Businesses in possession of either firearm must register the firearm, providing they are licensed to do so, or surrender the firearm to law enforcement agencies. Individuals have no option but to surrender the firearm.

Background

Zoraki Model 914 and 925 blank firing pistols are made by ATAK Arms in Turkey. They are available in various finishes (black, chrome and nickel), closely resemble a genuine firearm and are available for sale in Canada. They are being sold as blank firing pistols but can also fire tear gas and flares (with a muzzle adaptor).

The RCMP Canadian Firearms Program (CFP) recently inspected samples of the pistols. Based on criteria set out in the *Criminal Code*, the inspection determined that these types of pistols are prohibited firearms because an identical frame is used in both the manufacturer's blank firing gun and genuine firearm. Records (numbers 134699, 136156 & 135297) for these types of firearm have been entered into the RCMP Firearms Reference Table (FRT).

Implications for Individual Firearm Owners

Individuals who are currently in possession of either blank firing pistol must surrender or dispose of these blank firing guns by contacting either the local police or the provincial Chief Firearms Officer immediately to make the necessary arrangements.

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Implications for Firearm Businesses

For businesses with licences for prohibited firearms:

Any existing stock of Zoraki Models 914 and 925 blank firing pistols must be registered immediately. Following registration, these firearms can legally be sold to public agencies or other businesses who are licensed to possess prohibited firearms.

For businesses without licences for prohibited firearms:

Any existing stock of Zoraki Models 914 and 925 blank firing pistols must be turned in or disposed of immediately. Businesses should contact either the local police or the provincial Chief Firearms Officer to make the necessary arrangements.

Implications for Police

If your police service is contacted by a Zoraki owner:

If the business is licensed to possess prohibited firearms, direct them to register the firearm by contacting the CFP (1-800-731-4000).

In the case of an individual, or a business that is NOT licensed to possess prohibited firearms, direct them to turn in the firearm in accordance with your local procedures. A notice has been sent to all Canadian businesses licensed to sell firearms. There may be other businesses in your jurisdiction selling the blank firing gun (eg sporting good stores), unaware of the recent change.

For more information, please contact the RCMP Canadian Firearms Program.

Le présent bulletin est également disponible en français

Royal Canadian Mounted Police / Gendarmerie royale du Canada

Canada

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To facilitate future communication between the Canadian Firearms Program and your business, please forward your business' e-mail address to: cfp-pcaf@rcmp-grc.gc.ca. Thank you!

RCMP
ROYAL CANADIAN MOUNTED POLICE

Zoraki 914 and 925 Blank Firing Guns

Special Business Bulletin No. 76

June 23, 2011

Snapshot

The RCMP has recently become aware that certain blank firing pistols, available in Canada, are in fact prohibited firearms.

Background

The Zoraki Model 914 and Model 925 blank firing pistols were inspected and, based on criteria set out in the Criminal Code, the inspection determined that these types of pistols are prohibited firearms because an identical frame is used in both the manufacturer's blank firing pistol and genuine firearm.

Implications

This is a public safety concern because these firearms are sold by businesses in Canada, and unlicensed individuals and businesses may be in possession of unregistered prohibited firearms.

Businesses in possession of these firearms must either register the firearm, provided they are licensed to do so, or surrender the firearm to a law enforcement agency. Individuals must surrender them.

For further information on how to lawfully and safely surrender these firearms, please contact your local police or the Canadian Firearms Program of the RCMP at 1-800-731-4000.

Ce bulletin est aussi disponible en français.

Royal Canadian Mounted Police | Gendarmerie royale du Canada

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RCMP
ROYAL CANADIAN MOUNTED POLICE

Armes à blanc Zoraki, modèles 914 et 925

Bulletin spécial à l'intention des entreprises No. 76

Le 23 juin, 2011

En bref

La GRC a récemment été informée que certains pistolets à blanc, disponibles au Canada, sont en fait des armes à feu prohibées.

Contexte

Les pistolets à blanc Zoraki modèle 914 et modèle 925 ont été examinés, selon les critères énoncés dans le *Code criminel*, et l'inspection a permis de conclure que ces types de pistolets sont des armes à feu prohibées car le fabricant utilise la même carcasse pour le pistolet à blanc et pour une arme à feu.

Implications

Ceci représente une préoccupation pour la sécurité du public, car ces armes à feu sont vendues par les entreprises au Canada, et des individus ainsi que des entreprises qui ne sont PAS titulaires d'un permis d'armes à feu prohibées peuvent être en possession de ces armes à feu non-enregistrées.

Les entreprises qui sont en possession de ces armes à feu doivent enregistrer ces armes, si elles sont titulaires d'un permis d'armes à feu prohibées, ou elles doivent les remettre à un organisme d'application de la loi ou à leur service de police locale. Les individus doivent se débarrasser de leurs armes à feu.

Pour en savoir davantage sur la façon de se départir de ces armes à feu de façon légale et sécuritaire, veuillez communiquer avec votre service de police locale ou avec le Programme canadien des armes à feu de la GRC au 1-800-731-4000.

This bulletin is also available in English.

Royal Canadian Mounted Police / Gendarmerie royale du Canada

Canada

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Murray Smith - AP 80 (Henderson) appeal

From: Murray Smith
To: Francis, Geoffrey
Date: 6/23/2011 3:46 PM
Subject: AP 80 (Henderson) appeal
Attachments: Armi Jager AP80 Reason for Judgement - Henderson appeal.pdf

Geoff,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_306-001089

Pages 1090 to / à 1114

are not relevant

sont non pertinentes

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Murray Smith - Fwd: Zoraki and Target Technologies

From: Murray Smith
To: Francis, Geoffrey
Date: 6/23/2011 3:52 PM
Subject: Fwd: Zoraki and Target Technologies
Attachments: Zoraki and Target Technologies

FYI, message sent to the DFAIT and CBSA firearms policy centres.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_332-001115

Pages 1116 to / à 1132

are not relevant

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Pages 1133 to / à 1135

are not relevant

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Pages 1136 to / à 1137

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Murray Smith - Zoraki blank guns

From: Murray Smith
To:
Date: 6/23/2011 4:37 PM
Subject: Zoraki blank guns
Attachments: Zoraki 925.PDF; Target Technologies - Streamer 1014-SA.PDF; Target Technologies - Streamer 2014-FA.PDF; Target Technologies-Streamer 2014-SA.PDF; Zoraki 914-FA.PDF; Zoraki 914-SA.PDF; Zoraki 914 and 925 blank firing guns -No. 81 FRENCH_1.doc; Zoraki 914 and 925 blank firing guns No. 81.doc; Zoraki Business Bulletin No 76_1.doc; Zoraki Business Bulletin No 76. FRENCH.doc

Through the surfacing of recent information, SFSS has determined the Zoraki model 914 Gas/Alarm Pistol shares a common receiver/frame with the Target Technologies models Streamer 1014 and Streamer 2014 Traumatic Rubber Ball Pistol manufactured by Atak. As a result, the Zoraki 914 and 925 models have been added to the FRT as Prohibited firearms.

Bulletins have been prepared to advise businesses and police (also attached), but I wanted to provide you directly with the information from the FRT. The FRT records will be active on the FRT-Web tomorrow (June 24th).

Call me if you have any questions.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Zoraki blank guns

From: Murray Smith
To:
Date: 6/23/2011 4:37 PM
Subject: Zoraki blank guns
Attachments: Zoraki 925.PDF; Target Technologies - Streamer 1014-SA.PDF; Target Technologies - Streamer 2014-FA.PDF; Target Technologies-Streamer 2014-SA.PDF; Zoraki 914-FA.PDF; Zoraki 914-SA.PDF; Zoraki 914 and 925 blank firing guns -No. 81 FRENCH_1.doc; Zoraki 914 and 925 blank firing guns No. 81.doc; Zoraki Business Bulletin No 76_1.doc; Zoraki Business Bulletin No 76. FRENCH.doc

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Bulletins have been prepared to advise businesses and police (also attached), but I wanted to provide you directly with the information from the FRT. The FRT records will be active on the FRT-Web tomorrow (June 24th).

Call me if you have any questions.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 1140 to / à 1158

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Murray Smith - Fwd: Zoraki blank guns

From: Murray Smith
To: Francis, Geoffrey
Date: 6/23/2011 4:40 PM
Subject: Fwd: Zoraki blank guns
Attachments: Zoraki 925.PDF; Target Technologies - Streamer 1014-SA.PDF; Target Technologies - Streamer 2014-FA.PDF; Target Technologies-Streamer 2014-SA.PDF; Zoraki 914-FA.PDF; Zoraki 914-SA.PDF; Zoraki 914 and 925 blank firing guns -No. 81 FRENCH_1.doc; Zoraki 914 and 925 blank firing guns No. 81.doc; Zoraki Business Bulletin No 76_1.doc; Zoraki Business Bulletin No 76. FRENCH.doc

Geoff,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 6/23/2011 4:37 PM >>>

Through the surfacing of recent information, SFSS has determined the Zoraki model 914 Gas/Alarm Pistol shares a common receiver/frame with the Target Technologies models Streamer 1014 and Streamer 2014 Traumatic Rubber Ball Pistol manufactured by Atak. As a result, the Zoraki 914 and 925 models have been added to the FRT as Prohibited firearms.

Bulletins have been prepared to advise businesses and police (also attached), but I wanted to provide you directly with the information from the FRT. The FRT records will be active on the FRT-Web tomorrow (June 24th).

Call me if you have any questions.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Pages 1160 to / à 1174

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Pages 1175 to / à 1179

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Murray Smith - Henderson appeal - Armi Jaeger AP80 letter

From: Murray Smith
To: Francis, Geoffrey
Date: 6/24/2011 2:58 PM
Subject: Henderson appeal - Armi Jaeger AP80 letter

Geoff,

I do not have an e-mail to forward. The letter was sent over to the CFR in hard copy as an original signature was required and it was before we had our scanner.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Fw: CFP-2011-17 BN to D-Commr - Zoraki Model 914 & 925_1.doc

From: Murray Smith
To: Francis, Geoffrey
Date: 6/24/2011 3:14 PM
Subject: Re: Fw: CFP-2011-17 BN to D-Commr - Zoraki Model 914 & 925_1.doc

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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>>> Grace Zhang 6/17/2011 3:02 PM >>>
Hi Murray,

As discussed, we will need your input in the upcoming hearing on an AP80 refusal decision in Prince George, BC on October 12, 2011. Could you keep that date open on your calendar as our counsel may call on you to be an expert witness for the matter?

You may also be required to provide an affidavit for the hearing as well. I will get in touch with you again sometime in late August on the matter.

Thanks,

Grace

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Pages 1205 to / à 1214

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Murray Smith - Fwd: CFP-2011-17 BN to D-Commr - Zoraki Model 914 & 925-1.doc

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 6/28/2011 11:20 AM
Subject: Fwd: CFP-2011-17 BN to D-Commr - Zoraki Model 914 & 925-1.doc
Attachments: CFP-2011-17 BN to D-Commr - Zoraki Model 914 & 925-1.doc

FYI, the final BN.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 6/28/2011 10:45 AM >>>
Geoff,

please find attached a final BN approved by the A/DG.

Hwan

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	File No. / N° de dossier	Security Classification/Designation / Classification/désignation sécuritaire	Total Pages / Pages totales
		Unclassified	2

BRIEFING NOTE TO THE DEPUTY COMMISSIONER / **NOTE D'INFORMATION AU SOUS-COMMISSAIRE**

ZORAKI MODELS 914 AND 925 FIREARMS

PURPOSE:

- To brief the Deputy Commissioner on the Zoraki Models 914 and 925 blank firing guns that were recently inspected by the RCMP Canadian Firearms Program (CFP)

ISSUE:

- Individuals and businesses are in possession of these prohibited firearms and it is anticipated additional firearms may be imported.

BACKGROUND:

- Firearms are determined to be non-restricted, restricted, or prohibited pursuant to the definition in Subsection 84(1) of the *Criminal Code* and the corresponding *Regulations Prescribing Certain Firearms and Other Weapons*. Responsibility for the *Criminal Code* and the corresponding Regulations falls under the purview of the Department of Justice.

- The inspection of firearms is a routine service provided to Canadian police services by the CFP.

Prepared by – Redigé par	Date	Recommended by – Recommandée par	Date	Approved by - Approuvé par	Date
Murray Smith, Manager Specialized Firearms Support Services, Firearms Investigative & Enforcement Services	2011-06-22	Geoffrey Francis, C\Supt Director Firearms Investigative & Enforcement Services Canadian Firearms Program	2011-06-22	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program Policing Support Services	2011-06-24

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☐ Advice to the Minister-Conseil au Ministre

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Murray Smith - Publication of 6mm airsoft paper

From: Murray Smith
To: Quevillon, Yves
Date: 7/7/2011 3:03 PM
Subject: Publication of 6mm airsoft paper

Yves,

We note that the paper on 6mm pellet penetration has been published. We have seen the abstract but not the paper itself. Would you be able to send us a copy?

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Page 1237

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Murray Smith - 6mm airsoft paper

From: Murray Smith
To: Francis, Geoffrey
Date: 7/7/2011 3:17 PM
Subject: 6mm airsoft paper
CC: Glass, Kimberley
Attachments: Projectile Velocity_1.pdf

Geoff,

Further to our discussion earlier today. We just received notice of publication today. I have asked FS&IS for a copy of the paper itself. The abstract is attached.

A more detailed BN is in preparation.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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American Journal of Forensic Medicine & Pathology:
June 2011 - Volume 32 - Issue 2 - pp 100-103
doi: 10.1097/PAF.0b013e31820c2be2
Original Articles

Minimum Velocity Necessary for Nonconventional Projectiles to Penetrate the Eye: An Experimental Study Using Pig Eyes

Marshall, John W. BSc (Hons); Dahlstrom, Dean B. BSc; Powley, Kramer D. BSc

Abstract

To satisfy the Criminal Code of Canada's definition of a firearm, a barreled weapon must be capable of causing serious bodily injury or death to a person. Canadian courts have accepted the forensically established criteria of "penetration or rupture of an eye" as serious bodily injury. The minimal velocity of nonconventional ammunition required to penetrate the eye including airsoft projectiles has yet to be established. To establish minimal threshold requirements for eye penetration, empirical tests were conducted using a variety of airsoft projectiles. Using the data obtained from these tests, and previous research using "air gun" projectiles, an "energy density" parameter was calculated for the minimum penetration threshold of an eye. Airsoft guns capable of achieving velocities in excess of 99 m/s (325 ft/s) using conventional 6-mm airsoft ammunition will satisfy the forensically established criteria of "serious bodily injury." The energy density parameter for typical 6-mm plastic airsoft projectiles is 4.3 to 4.8 J/cm^2. This calculation also encompasses 4.5-mm steel BBs.

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Murray Smith - Type 97A rifle - CITT decision

From: Murray Smith
To: Boucher, Nicole
Date: 7/8/2011 12:03 PM
Subject: Type 97A rifle - CITT decision
CC: Guay, Daniel
Attachments: Decision and reasons (E)_4.pdf

Nicole,

See the attached decision. The Tribunal found the Type 97A rifles imported by Disco-Tech to be prohibited. Likewise for the associated magazines.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 1281 to / à 1286

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Pages 1287 to / à 1296

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Murray Smith - Fwd: Re: Publication of 6mm airsoft paper

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 7/8/2011 12:04 PM
Subject: Fwd: Re: Publication of 6mm airsoft paper
Attachments: velocity_1.pdf

FYI

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 7/8/2011 10:47 AM >>>
Hi Murray,

Attached. The print size is a little small, this is scanned copy of the only copy I have, which I got from the CPC.

Yves

>>> Murray Smith 7/7/11 3:03 PM >>>
Yves,

We note that the paper on 6mm pellet penetration has been published. We have seen the abstract but not the paper itself. Would you be able to send us a copy?

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Pages 1298 to / à 1301

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Pages 1302 to / à 1330

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Murray Smith - Re: CITT decision for Type 97A rifle

From: Murray Smith
To: Quevillon, Yves
Date: 7/8/2011 12:55 PM
Subject: Re: CITT decision for Type 97A rifle
Attachments: Decision and reasons (E)_5.pdf

---

oops!

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 7/8/2011 12:48 PM >>>
There was no attachment

>>> Murray Smith 7/8/11 12:18 PM >>>
Yves,

Attached is the CITT decision, issued yesterday, received today. The CITT found both the Type 97A rifle and the associated magazines to be prohibited.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Pages 1332 to / à 1347

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Murray Smith - Re: Fwd: (Percussion FA)

From: Murray Smith
To: Smith, Joel
Date: 7/8/2011 2:34 PM
Subject: Re: Fwd: (Percussion FA)
CC: Duncan, Glenn; Glass, Kimberley

Hi Joel,

Generally the document looks OK. I have copied Kimberley Glass who will be replacing me the next two weeks, in the event we have further comments.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 7/6/2011 12:38 PM >>>
Hello Murray,

Not to bog you down with more documents, but Public Safety sent this over for our review/comments and I thought you might want to take a look at it also.

Ryan did not provide me with a time frame for comments, but given your expertise I thought you should take a look at this as I am sure you will be able to provide more of a technical view point given your expertise.

Let me know if you will have time to review the attached document on Percussion Firearms.

Best,
Joel

>>> "Doyle, Ryan" <Ryan.Doyle@ps-sp.gc.ca> 7/5/2011 2:28 PM >>>

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A0074293_569-001352

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Murray Smith - Fwd: (Percussion FA)

From: Murray Smith
To: Glass, Kimberley
Date: 7/8/2011 2:35 PM
Subject: Fwd: (Percussion FA)
Attachments: PS-SP-#444354-v1-Memo__Precussion_Firearms_for_Re-enactments.DOC

Kimberley,

I answered the question, you need do only follow-up, if any is required.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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UNCLASSIFIED

DATE:

File No.: 380989
RDIMS No.: *443862*

MEMORANDUM FOR THE MINISTER

IMPORTATION OF PRECUSSION RIFLES

(Decision Sought)

ISSUE

In light of the upcoming 150th anniversary of the Fenian raids in 2016, officials have been asked to examine what, if any, challenges exist for non-residents temporarily importing percussion rifles for historical war re-enactments in Canada.

BACKGROUND

The Fenian raids on army forts, customs posts and other targets in Canada were fought between 1866 and 1871 by Irish-American dissidents in an effort to bring pressure on Britain to withdraw from Ireland. There were five prominent Fenian raids in Canada, including Campobello Island; Battles of Ridgeway and Fort Erie; Pigeon Hill; Mississquoi County; and, Pembina.

In commemoration of the largest battle at Ridgeway and Fort Erie, Ontario, the Niagara Parks Commission (NPC) organizes and funds an annual weekend re-enactment of the "Fenian Raids of Old Fort Erie". The event draws professional re-enactors from across Canada and the United States. Over the next five years, the NPC will be hosting major commemorative re-enactment events, including the Bicentennial of the War of 1812 and the U.S. Civil War, in addition to the 150th anniversary of the Fenian raids. While attendance by American re-enactors exceeded 100 participants per year prior to 2009, following the implementation of the Western Hemisphere Travel Initiative, the NPC estimates that only 10 re-enactors over the past two years were American participants.

As part of the re-enactment event, each re-enactor brings, among other props, firearms for use during battles (either flintlock or percussion rifles). Parks Canada officials have established a cross-sector Historical Firearms Advisory Committee that works with federal and provincial historical sites and parks across Canada to ensure that re-enactments using antique or reproduction firearms operate safely under a consistent policy regime. In this regard, the Committee has worked with event

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organizers and partner organizations to assist in preparing these events and ensuring that all participants comply with applicable legislation with due care to avoid any unnecessary administrative burdens. **[Contact Andrew Gouse at PC]**

Firearms manufactured before 1898 that were not designed to discharge rim-fire or centre-fire ammunition and that have not been redesigned to discharge such ammunition, or firearms that have been prescribed as being antique, are considered antique firearms and do not fall within the licencing and registration ambit of the *Firearms Act*. Regulations implemented under the *Criminal Code* in 1998 also designated reproduction flintlock, wheel-lock or matchlock rifles manufactured after 1897 to be antique firearms.

Conversely, a percussion rifle manufactured after 1897 is deemed to be a firearm, and as a result, Canadian residents in possession of such a firearm are required to be licenced under the *Firearms Act*, and each firearm in their possession must be registered. Section 35(1) of the *Firearms Act* permits non-residents to enter Canada with percussion rifles (and all other non-restricted firearms) providing that they complete a *Non-Resident Firearm Declaration* (NRFD) and pay the prescribed fee of $25. The NRFD acts as a temporary licence for the non-resident and as a registration certificate for the firearms they are importing. The $25 fee is charged per person regardless of the number of firearms they are importing. The NRFD is valid for up to sixty days, and can be renewed by the Chief Firearms Officer prior to it expiring.

Percussion rifles continue to be sold today given their continued use in modern day black powder hunting. Modern percussion rifles are as lethal and accurate as any regular cartridge rifle, both Canadian and non-resident hunters regularly participate in the extended black powder hunting season, which does not apply to cartridge rifles.

CURRENT STATUS

Your office has requested that policy options be developed to facilitate the temporary importation of firearms for historic re-enactments to reduce administrative and financial burdens that keep re-enactors from crossing the border to participate at commemorative events, including the possibility of amending the *Regulations Prescribing Antique Firearms* to include percussion rifles manufactured after 1897.

CONSIDERATIONS

The *Regulations Prescribing Antique Firearms* are *Criminal Code* regulations maintained by the Minister of Justice. As a result, any decision with respect to amending the regulations to include or remove specific classes of firearms would need to be undertaken by the Minister of Justice.

Percussion rifles are non-restricted firearms. For reasons of public safety, and unlike their predecessors the flintlock rifle, percussion rifles manufactured after 1897 have not been prescribed as antique firearms given their continued wide-spread use in

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black powder hunting seasons across Canada. Designating percussion rifles as antiques would remove the requirement for individuals possessing these firearms to hold a valid licence, be subject to eligibility screening, or successfully complete the Canadian Firearms Safety Course as a pre-requisite to owning this type of hunting rifle.

The *Firearms Act* and *Criminal Code* already facilitate the temporary importation of non-restricted and restricted firearms into Canada. Non-residents must be at least 18 years of age, have a valid purpose for importing firearms and declare their firearms (non-restricted or restricted) in writing by completing a NRFD and paying the prescribed fee of $25. An Authorization to Transport is also required when transporting a restricted firearm.

Section 97(1) of the *Firearms Act* allows the Governor in Council to exempt any class of non-residents from the application of provisions of the Act and its regulations, including payment of prescribed fees, and certain provisions of the *Criminal Code,* for a specified period of time (known as an Exemption Order). To reduce the administrative cost and burden associated with preparing a cabinet submission for each request, it is the policy of the RCMP and Public Safety Canada not to issue an Exemption Order where provisions under existing legislation permit individuals. However, this policy has been relaxed on occasions of national importance (e.g., Vancouver 2010 Olympics). Exemption Orders that produce foregone revenue resulting from the waiving of fees under the *Firearms Act* require a source of funds approved by the Treasury Board before seeking the consideration of the Governor in Council.

OPTIONS

In moving forward, possible options include:

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3. Explore possible regulatory amendments, in consultation with the Public Safety portfolio, the Department of Justice and Foreign Affairs and International Trade, to streamline the temporary importation of percussion rifles for the purposes of participating in historical or commemorative events in Canada.

RECOMMENDATION

Should you require additional information, please do not hesitate to contact me or Mr. Richard Wex, Assistant Deputy Minister, Law Enforcement and Policing Branch, at 613-990-2703.

William V. Baker

I agree:

_____

Vic Toews, P.C., Q.C., M.P.

Prepared by: Ryan Doyle

Page 1358
is withheld pursuant to sections
est retenue en vertu des articles

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Pages 1359 to / à 1360
are withheld pursuant to section
sont retenues en vertu de l'article

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Murray Smith - Parks Canada Directive 3.5.7 regarding Historical Weapons

From: Murray Smith
To: Glass, Kimberley
Date: 7/8/2011 2:45 PM
Subject: Parks Canada Directive 3.5.7 regarding Historical Weapons
Attachments: PS-SP-#445663-v1-Parks_Canada__Directive_3_5_7___Historical_F_1.DOC

FYI, background to the percussion rifle issue.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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PARKS CANADA

MANAGEMENT DIRECTIVE # 3.5.7

HISTORIC WEAPONS

MARCH 2002

CONTACT: HERITAGE PRESENTATION AND PUBLIC EDUCATION BRANCH

PURPOSE

To provide direction and guidance on the safe and appropriate use of historic weapons, associated ammunition and projectiles required for demonstrative purposes.

CANCELLATION

This directive and its associated technical manual cancel the previous *Parks Canada Management Directive 3.5.7 on Black Powder and Historic Weapons* adopted in November 1983, its *Technical Manual* adopted in July 1986, and the *Management Bulletin amending Management Directive 3.5.7* adopted in January 1997.

SCOPE AND APPLICATION

This directive and the associated technical manual apply to all Parks Canada Agency staff and volunteers, and to any other group or individual operating under any form of agreement or contract with the Agency for the purpose of historic weapons activities, or participating in

PARCS CANADA

DIRECTIVE DE GESTION # 3.5.7

ARMES HISTORIQUES

MARS 2002

CONTACT: DIRECTION DE LA LÉGISLATION ET DE LA POLITIQUE, DIRECTION GÉNÉRALE DES PARCS NATIONAUX

BUT

Fournir une direction et des conseils sur l'utilisation sécuritaire et appropriée des armes historiques, de leurs munitions et de projectiles à des fins de démonstration.

ANNULATION

La présente directive et le guide technique qui l'accompagne annulent la *Directive de gestion de Parcs Canada 3.5.7 sur la poudre noire et les armes historiques* adoptée en novembre 1983, son *Guide technique* adopté en juillet 1986, ainsi que le *bulletin de gestion amendant la directive 3.5.7* adopté en janvier 1997.

PORTÉE ET APPLICATION

La présente directive et son guide technique s'appliquent à tous les employés et bénévoles de l'Agence Parcs Canada et à tout autre groupe ou individu agissant en vertu d'une entente ou d'un contrat avec l'Agence pour la tenue d'activités d'armes historiques ou pour la participation à

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historic weapons activities approved or sponsored by the Agency.

des activités d'armes historiques approuvées ou commanditées par l'Agence

This directive and the associated technical manual apply to all historic weapons activities sponsored or approved by the Agency whether or not the activity takes place on property administered by Parks Canada. They also apply to the users of historic weapons loaned by or rented from Parks Canada as well as to any historic weapons activity taking place on lands administered by Parks Canada that have been leased, rented or loaned to another party.

La présente directive et son guide technique s'appliquent à toutes les activités d'armes historiques commanditées ou approuvées par l'Agence, peu importe que l'activité ait lieu ou non sur un terrain administré par Parcs Canada. Ils s'appliquent aussi aux utilisateurs d'armes historiques prêtées ou louées par Parcs Canada ainsi qu'aux activités d'armes historiques ayant lieu sur des terrains administrés par Parcs Canada qui ont été loués ou prêtés à une autre partie.

This directive and the associated technical manual are to be regarded as the minimum standard applicable to historic weapons activities and to the use, handling and storage of ammunition required for those activities.

La présente directive et son guide technique constituent la norme minimale à suivre lors d'activités d'armes historiques ainsi que pour l'utilisation, la manutention et l'entreposage des munitions requises lors de ces activités.

Where the provisions of this directive overlap other directives or legislation, the most restrictive requirement will apply. Individual field units have the authority to impose stricter safety regulations to meet their specific requirements.

Lorsque les dispositions de la présente directive recoupent d'autres directives ou d'autres lois et règlements, l'exigence la plus stricte s'applique. Les unités de gestion peuvent édicter des règles de sécurité plus sévères qui répondent à leurs besoins spécifiques.

EXCLUSION

EXCLUSION

This directive does not apply to:

La présente directive ne s'applique pas :

- law enforcement or wildlife management activities and other similar activities;
- collection management activities for historic objects and reproductions collections, and archaeological objects collections;
- fireworks displays; and

- aux activités de maintien de la loi ou de gestion de la faune et aux autres activités similaires;
- aux activités de gestion des collections d'objets historiques et de reproductions, et des collections d'objets archéologiques;
- aux feux d'artifices; et

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- any agreement or contract that does not involve historic weapons activities.

- aux ententes ou aux contrats qui ne concernent pas des activités d'armes historiques.

REFERENCES AND RELATED AUTHORITIES

- Canada Explosives Act
- Criminal Code of Canada
- Firearms Act
- Canada Labour Code, Part II
- Parks Canada Agency Act
- Transportation of Dangerous Goods Act, 1992
- Pyrotechnic Special Effects Manual

From Parks Canada:
- Occupational Health and Safety Policy
- MD 2.1.21 Collection Management System
- MD 2.3.3 Explosives: Archaeological Research Discovery
- MD 2.6.2 Reporting of Serious Incidents
- MD 2.7.1 Volunteers Program
- MD 2.7.3 Cooperating Associations
- MD 3.1.3 Public Safety Measures for Sites
- Interim Bulletin 4.4.3 Public Safety Management
- Visitor Risk Management Handbook

RÉFÉRENCES ET AUTORISATIONS CONNEXES

- Loi sur les explosifs
- Code criminel du Canada
- Loi sur les armes à feu
- Code canadien du travail, Partie II
- Loi sur l'Agence Parcs Canada
- Loi de 1992 sur le transport des marchandises dangereuses
- Guide sur les effets pyrotechniques spéciaux

De Parcs Canada :
- Politique sur la santé et sécurité au travail
- DG 2.1.21 Système de gestion des collections
- DG 2.3.3 Explosifs d'origine archéologique
- DG 2.6.2 Rapport d'incidents sérieux
- DG 2.7.1 Programme de bénévolat
- DG 2.7.3 Associations coopérantes
- DG 3.1.3 Mesures de sécurité publique des lieux historiques
- Bulletin provisoire 4.4.3 Gestion de la sécurité publique
- Manuel de gestion du risque pour les visiteurs

DEFINITIONS

Protected heritage area : a national park, a national historic site, a historic canal or a national marine conservation area administered by the Parks Canada Agency. For the purpose of the present directive, this includes lands administered by Parks Canada that have been leased, rented or loaned to another party by Parks Canada.

DÉFINITIONS

Aire patrimoniale protégée : un parc national, un lieu historique national, un canal historique ou une aire marine nationale de conservation administré par l'Agence Parcs Canada. Les terrains administrés par Parcs Canada qui ont été loués ou prêtés à une autre partie sont aussi inclus pour les fins de la présente directive.

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Ammunition : an explosive adapted or prepared so as to form a cartridge or charge for a firearm, or so as to form a fuse or tube or other ignition device for firing an explosive.

Munitions : explosifs sous forme de cartouche ou de charge pour une arme à feu ou d'amorce, d'étoupille ou d'autre détonateur pour provoquer l'explosion d'une charge d'explosifs.

Black Powder : the explosive classed as "Class 1.1. - Black Powder".

Poudre noire : l'explosif formant la « classe 1.1 - Poudre noire ».

Smokeless Powder : the explosive classed as "Class 3.1 & 3.2 - Smokeless Powder" for single and double based powders respectively.

Poudre sans fumée : l'explosif formant la « classe 3.1 et 3.2 - Poudre sans fumée » pour les poudres à base simple et double respectivement.

Firearm : any barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm.

Arme à feu : toute arme susceptible, grâce à un canon qui permet de tirer du plomb, des balles ou tout autre projectile, d'infliger des lésions corporelles graves ou la mort à une personne, y compris une carcasse ou une boîte de culasse d'une telle arme ainsi que toute chose pouvant être modifiée pour être utilisée comme telle.

Artillery : firearms not designed to be discharged from a hand held position. (See Technical Manual for guidelines.)

Artillerie : arme à feu qui n'est pas conçue pour être tirée à main levée. (Voir le guide technique pour de plus amples indications.)

Small Arms : firearms intended to be discharged from a hand held position. (See Technical Manual for guidelines).

Petites armes à feu : armes à feu conçues pour être tirées à main levée. (Voir le guide technique pour de plus amples indications.)

Historic Weapons : any weapon, original or reproduction, associated with a specific time or era. For the purpose of this directive, historic weapons are divided into classes as follows:

Armes historiques : toute arme associée à une époque historique déterminée. Aux fins de la présente directive, les armes historiques sont réparties dans les classes suivantes :

Class 1 - Smooth bore, muzzle loading artillery

Classe 1 - artillerie à âme lisse à chargement par la gueule

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Class 2 - Rifled bore, muzzle loading artillery	Classe 2 - artillerie à âme rayée à chargement par la gueule
Class 3 - Breech loading black powder artillery	Classe 3 - artillerie à poudre noire à chargement par la culasse
Class 4 - Smokeless powder artillery	Classe 4 - artillerie à poudre sans fumée
Class 5 - Muzzle loading, black powder small arms (matchlock, wheelock, flintlock and percussion)	Classe 5 - petites armes à feu à poudre noire à chargement par la gueule (à mèche, à rouet, à pierre et à percussion)
Class 6 - Breech loading, black powder small arms	Classe 6 -petites armes à feu à poudre noire à chargement par la culasse
Class 7 - Smokeless powder small arms	Classe 7 - petites armes à feu à poudre sans fumée
Class 8 - Restricted and Prohibited weapons.	Classe 8 - armes à autorisation restreinte et armes prohibées
Class 9 - Miscellaneous weapons (e.g. edged weapons, pole arms, bows and arrows, etc.)	Classe 9 - armes diverses (armes blanches, armes d'hast, arcs et flèches, etc.)
Historic Weapons Activity : any activity which requires the use of any historic weapon and associated ammunition.	**Activité d'armes historiques :** toute activité qui requiert l'utilisation d'une arme historique et de munitions.
Projectile : any object discharged from a weapon or thrown by hand which may cause personal injury or property damage.	**Projectile :** tout objet projeté par une arme ou lancé à la main qui peut causer des blessures à une personne ou des dommages à une propriété.
Loading Procedure : a specified sequence of commands and/or actions required or used to load and fire a firearm.	**Méthode de chargement :** une suite spécifique d'ordres et/ou d'actions requis ou utilisés pour charger et tirer une arme à feu.

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Outside Groups and Individuals: anyone other than Parks Canada staff who is involved in historic weapons activities.

Groupes et personnes de l'extérieur : toute personne autre qu'un employé de Parcs Canada qui prend part à une activité d'armes historiques.

Accident : an event which results in a fatality, work injury, property damage or material loss.

Accident : un événement qui donne lieu à un décès, un accident de travail, un dommage ou une perte matérielle.

Historic Weapons Accident: any accident involving or resulting from the use, handling or presence of historic weapons or related ammunition.

Accident impliquant des armes historiques : tout accident impliquant ou résultant de l'utilisation, de la manipulation ou de la présence d'armes historiques ou de leurs munitions.

Accident Investigation: the determination of the facts of an accident by inquiry, observation and examination and an analysis of these facts to establish the causes of the accident and the measures that must be adopted to prevent its recurrence.

Enquête sur un accident : établissement des faits entourant un accident par la recherche, l'observation et l'examen, et leur analyse, afin de trouver les causes de l'accident et les mesures à prendre pour en éviter la répétition.

GENERAL DIRECTIVES FOR HISTORIC WEAPONS ACTIVITIES

DIRECTIVES GÉNÉRALES POUR LES ACTIVITÉS D'ARMES HISTORIQUES

1. Field Unit Superintendents are accountable for the application of the present directive and its technical manual.

1. Les directeurs d'unité de gestion sont imputables de l'application de la présente directive et de son guide technique.

2. Historic weapons activities will only be carried out when the circumstances, procedures and equipment involved can be and are controlled to an extent which will ensure the safety of everyone involved in the activity or viewing the activity.

2. Les activités d'armes historiques auront lieu seulement lorsque les circonstances, les procédures et l'équipement nécessaires peuvent être et sont effectivement contrôlées de manière à assurer la sécurité des personnes participant à l'activité ou qui en sont les spectateurs.

3. As a general rule, historic weapons activities will only be carried out for

3. En règle générale, les activités d'armes historiques ne doivent avoir

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interpretive purposes where they are clearly related to a protected heritage area's national significance or other important values, and are necessary for the effective presentation of the national significance or other important values.

lieu que pour des fins d'interprétation clairement reliées à l'importance nationale ou à une autre valeur importante d'une aire patrimoniale protégée, et que si elles sont nécessaires pour la mise en valeur efficace de l'importance nationale ou d'une autre valeur importante.

4. In exceptional circumstances, historic weapons activities can be carried out as part of a special event or of a media production. This exception must be approved in writing by the Field Unit Superintendent and the historic weapons supervisor

4. Exceptionnellement, une activité d'armes historiques peut faire partie d'un événement spécial ou d'une production médiatique. Une telle exception doit être approuvée par écrit par le directeur de l'unité de gestion et le superviseur d'armes historiques.

HISTORIC WEAPONS PROGRAM PLAN

PROGRAMME D'ARMES HISTORIQUES

5. Each protected heritage area that intends to carry out historic weapons activities must have a *Historic Weapons Program Plan* written by the historic weapons supervisor and approved by the Field Unit Superintendent accountable for that particular protected heritage area.

5. Toute aire patrimoniale protégée qui prévoit tenir des activités d'armes historiques doit avoir un *Plan du programme d'armes historiques* rédigé par le superviseur d'armes historiques et approuvé par le directeur de l'unité de gestion responsable pour cette aire patrimoniale protégée.

6. The *Historic Weapons Program Plan* describes a protected heritage area's annual historic weapons demonstration program and known historic weapons activities. It ensures that certain basic criteria are met before any historic weapons are used or ammunition is obtained. (A recommended outline is contained in the technical manual.) The plan will complement and be consistent with the approved Public Safety Plan.

6. Le *Plan du programme d'armes historiques* présente le programme annuel de démonstrations d'armes historiques de l'aire patrimoniale protégée ainsi que toutes les activités d'armes historiques connues. Il permet de s'assurer que certains critères de base soient rencontrés avant qu'une arme historique soit utilisée ou que des munitions soient obtenues. (Un modèle recommandé se trouve dans le guide technique.) Le plan complétera et se conformera au plan de sécurité publique approuvé.

7. The *Historic Weapons Program Plan* must be reviewed once a year by the historic weapons supervisor. When

7. Le *Plan du programme d'armes historiques* doit être révisé une fois par année par le superviseur d'armes

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significant changes are made, the plan must be submitted again for approval. Guidelines about when to resubmit a *Historic Weapons Program Plan* for approval are provided in the technical manual.

historiques. Si des changements significatifs sont apportés, le plan doit être approuvé de nouveau. Des lignes directrices à ce sujet sont incluses dans le guide technique.

8. A copy of the approved *Historic Weapons Program Plan* will be forwarded to the *Historic Weapons Advisory Committee* to be kept on file

8. Une copie du *Plan du programme d'armes historiques* approuvé sera envoyée au Comité consultatif sur les armes historiques pour ses dossiers.

HISTORIC WEAPONS ADVISORY COMMITTEE

COMITÉ CONSULTATIF SUR LES ARMES HISTORIQUES

9. An *Historic Weapons Advisory Committee* will be established and maintained.

9. Un *Comité consultatif sur les armes historiques* sera créé et maintenu.

10. This committee will be made up of at least five Parks Canada employees who have demonstrated knowledge and expertise in the planning, supervision and evaluation of historic weapons activities. Outside experts may be invited to be members of this committee. Members of the committee will be appointed by the Director General, National Historic Sites, to whom they will report.

10. Ce comité comprendra au moins cinq employés de Parcs Canada qui ont démontré leurs connaissances et leur expertise dans la planification, la supervision et l'évaluation d'activités d'armes historiques. Des experts de l'extérieur peuvent être invités à être membre de ce comité. Les membres du comité seront nommés par le Directeur général des lieux historiques nationaux, auquel ils se rapporteront.

11. The Committee's role will be :

11. Le rôle du Comité sera :

- to provide information and advice to historic weapons supervisors, Field Unit Superintendents and the Executive Board on issues concerning historic weapons;

- de fournir de l'information et des conseils aux superviseurs d'armes historiques, aux directeurs d'unité de gestion et au Comité exécutif sur des sujets concernant les armes historiques;

- to recommend changes to the management directive;

- de recommander des modifications à la directive de gestion;

- to approve changes and additions to

- d'approuver les modifications et les

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the technical manual, the training and accreditation standards and the content of the Historic Weapons Supervisors Course; and

- to designate instructors for the Historic Weapons Supervisors Course.

additions au guide technique, aux normes de formation et d'accréditation, et au contenu du cours de superviseur d'armes historiques; et

- de nommer les instructeurs pour le cours de superviseur d'armes historiques.

HISTORIC WEAPONS SUPERVISOR

12. Each protected heritage area that carries out historic weapons activities must have a historic weapons supervisor officially designated by the Field Unit Superintendent accountable for that protected heritage area. (A procedure for designation is contained in the technical manual.)

13. The historic weapons supervisor, acting on behalf of the Field Unit Superintendent, will be responsible for enforcement of the *Management Directive on Historic Weapons* and all related safety policies and procedures. The authority of the historic weapons supervisor will include the prevention of any activity taking place, which by virtue of their training and experience, they determine to be unsafe.

14. The historic weapons supervisor must be trained and experienced in the safe handling of the appropriate class of historic weapons, associated ammunition and type of activities to be carried out in their particular circumstances. This individual must have been formally trained and accredited according to standards set out by the *Historic Weapons Advisory Committee*.

SUPERVISEUR D'ARMES HISTORIQUES

12. Toute aire patrimoniale protégée qui présente des activités d'armes historiques doit avoir un superviseur d'armes historiques nommé officiellement par le directeur de l'unité de gestion responsable de cette aire patrimoniale protégée. (Le processus de désignation est contenu dans le guide technique.)

13. Le superviseur d'armes historiques, agissant au nom du directeur de l'unité de gestion, sera responsable de l'application de la *Directive de gestion sur les armes historiques* ainsi que des procédures et des politiques de sécurité qui y sont reliées. Le superviseur d'armes historiques a l'autorité nécessaire pour interdire la tenue d'une activité qu'il juge dangereuse d'après sa formation et son expérience.

14. Le superviseur d'armes historique doit avoir la formation et l'expérience dans la manipulation sécuritaire de la classe d'armes historiques appropriée, des munitions qui y sont associées et du type d'activités qui doivent avoir lieu. Cet individu doit avoir été formellement entraîné et accrédité selon les normes définies par le *Comité consultatif sur les armes historiques*.

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15. The Director General of National Historic Sites Directorate is responsible for the development and delivery of the formal training of historic weapons supervisors under the guidance of the *Historic Weapons Advisory Committee*.

15. Le Directeur général des lieux historiques nationaux est responsable du développement et de la livraison de la formation officielle de superviseur d'armes historiques selon les orientations du *Comité consultatif sur les armes historiques*.

16. Historic weapons supervisors must complete the accreditation process for the classes of weapons to be used in their area of responsibility every two years. (The accreditation process is described in the technical manual.)

16. Les superviseurs d'armes historiques doivent compléter le processus d'accréditation tous les deux ans pour les classes d'armes historiques utilisées dans leur champ de responsabilité. (Le processus d'accréditation est décrit dans le guide technique.)

17. To ensure continuity, protected heritage areas are encouraged to have more than one individual available who has completed the Historic Weapons Supervisor Course, although only one is officially designated as the historic weapons supervisor.

17. Afin d'assurer une continuité, les aires patrimoniales protégées sont encouragés à avoir plus d'une personne ayant complété le cours de superviseur d'armes historiques, même si une seule personne est désignée officiellement superviseur d'armes historiques.

RECORDS

DOSSIERS

18. The historic weapons supervisor must keep appropriate records in relation to all historic weapons activities, including training, weapons maintenance, magazine operations, ammunition, loading procedures, etc. (Refer to the technical manual for standard templates and requirements for these documents.)

18. Le superviseur d'armes historiques doit tenir des dossiers appropriés sur toutes les activités d'armes historiques, y compris la formation, l'entretien des armes, l'opération de la poudrière, les munitions, les méthodes de chargement, etc. (Des formulaires et des normes pour ces dossiers sont inclus dans le guide technique.)

19. The following information must be available at the protected heritage area in a convenient and accessible format:

19. L'information suivante doit être disponible dans un format pratique et accessible dans l'aire patrimoniale protégée :

a) a copy of the *Management Directive on Historic Weapons* and the technical manual;

a) une copie de la *Directive de gestion sur les armes historiques* et de son guide technique;

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b) a copy of the approved *Historic Weapons Program Plan*;

c) a copy of the magazine license, if required; and

d) ammunition storage and consumption records.

b) une copie du *Plan du programme d'armes historiques* approuvé;

c) lorsque requis, une copie du permis pour la poudrière; et

d) les dossiers sur l'entreposage et la consommation des munitions.

TRAINING

20. Only appropriately trained and knowledgeable people are permitted to handle historic weapons or ammunition, or to participate in historic weapons activities. It is the responsibility of the historic weapons supervisor to determine the level of training required based on standards described in the technical manual.

21. The training plan and standards for those persons involved in historic weapons activities must be detailed in the approved *Historic Weapons Program Plan* and reflect the need for the development and maintenance of appropriate skills.

22. The minimum age to carry and use a historic weapon in a historic weapons activity is 16 years of age.

FORMATION

20. Seules les personnes ayant les connaissances et la formation appropriées sont autorisées à manipuler des armes historiques ou des munitions, ou à participer à des activités d'armes historiques. Le superviseur d'armes historiques a la responsabilité de déterminer le niveau de formation requis en se basant sur les normes décrites dans le guide technique.

21. Le plan et les normes de formation pour les personnes impliquées dans les activités d'armes historiques doivent être décrites dans le *Plan du programme d'armes historiques* approuvé. Ils doivent refléter le besoin de développer et de conserver les habiletés appropriées.

22. L'âge minimal pour porter et utiliser une arme historique lors d'une activité d'armes historiques est 16 ans.

TRANSPORTATION AND STORAGE OF AMMUNITION

23. All ammunition and bulk explosives must be transported in accordance with the Transportation of Dangerous Goods Act and any

TRANSPORT ET ENTREPOSAGE DE MUNITIONS

23. Le transport des munitions et des explosifs en vrac doit se conformer à la Loi sur le transport des matières dangereuses et aux règlements et

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associated regulations and recommendations made by Transport Canada.

recommandations émis par Transport Canada.

24. All ammunition and bulk explosives must be stored in accordance with the Explosives Act and with regulations and recommendations made by the Explosives Regulatory Division of Natural Resources Canada.

24. L'entreposage des munitions et des explosifs en vrac doit se conformer à la Loi sur les explosifs et aux règlements et recommandations émis par la Division de la réglementation des explosifs de Ressources naturelles Canada.

HISTORIC WEAPONS ACTIVITIES

ACTIVITÉS D'ARMES HISTORIQUES

25. Historic weapons activities may only be carried out with the knowledge and express permission of the historic weapons supervisor. It is necessary for historic weapons activities to be under the direct supervision of a competent individual trained on the class of historic weapon being used.

25. Une activité d'armes historiques ne peut avoir lieu que lorsque le superviseur d'armes historiques en a été informé et qu'il a donné sa permission expresse. Il est nécessaire que les activités d'armes historiques soient sous la supervision directe d'une personne compétente formée pour la classe d'armes historiques utilisée.

26. Any historic weapons activity not described in the approved *Historic Weapons Program Plan* must be approved in writing by the historic weapons supervisor.

26. Une activité d'armes historiques qui n'est pas décrite dans le *Plan du programme d'armes historiques* approuvé doit être approuvée par écrit par le superviseur d'armes historiques.

27. Only weapons for which the historic weapons supervisor has been accredited can be used in historic weapons activities at a particular protected heritage area.

27. Seules les armes pour lesquelles le superviseur d'armes historiques a été accrédité peuvent être utilisées lors d'activités d'armes historiques dans une aire patrimoniale protégée en particulier.

28. The historic weapons supervisor is responsible for ensuring all historic weapons are in an acceptable condition for the activity being undertaken. (The technical manual contains standards and inspection sheet templates for historic weapons.)

28. Le superviseur d'armes historiques a la responsabilité de s'assurer que toutes les armes historiques sont dans un état acceptable pour l'activité. (Le guide technique contient les normes et les formulaires d'inspection à utiliser pour les armes historiques.)

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29. Only ammunition prepared in accordance with the approved *Historic Weapons Program Plan* may be used for historic weapons activities.

29. Seules les munitions préparées en conformité avec le *Plan du programme d'armes historiques* approuvé peuvent être utilisées lors d'une activité d'armes historiques.

30. Only loading procedures contained in the approved *Historic Weapons Program Plan* may be used for historic weapons activities. Any deviation must be approved by the historic weapons supervisor.

30. Seules les méthodes de chargement contenues dans le *Plan du programme d'armes historiques* approuvé peuvent être utilisées lors d'une activité d'armes historiques. Toute modification doit être approuvée par le superviseur d'armes historiques.

31. Projectiles (including some class 9 weapons such as bows and arrows, tomahawks and crossbows) of any type may only be used on an appropriate range meeting all municipal, provincial/territorial and federal regulations, and having been specifically detailed in the approved *Historic Weapons Program Plan*. In the absence of specific regulations for certain types of historic weapons it is the responsibility of the historic weapons supervisor to ensure the activity can be carried out with the utmost safety. A copy of any *Historic Weapons Program Plan* containing projectile use must be submitted to the *Historic Weapons Advisory Committee* for review and recommendations prior to the activity taking place.

31. Des projectiles (y compris certaines armes de la classe 9 tel que les arcs et flèches et les arbalètes) de quelque nature que ce soit ne peuvent être utilisés que sur un champ de tir satisfaisant à toutes les normes municipales, provinciales/territoriales et fédérales qui a été décrit en détail dans le *Plan du programme d'armes historiques* approuvé. En l'absence de règlements spécifiques pour un type d'armes historiques donné, le superviseur d'armes historiques doit s'assurer que l'activité rencontre les normes de sécurité les plus strictes. Une copie de tout *Plan du programme d'armes historiques* décrivant l'utilisation de projectiles doit être soumise pour examen et recommandations au *Comité consultatif sur les armes historiques* avant que l'activité puisse avoir lieu.

32. Artillery pieces should not be fired more than once during any activity since most artillery accidents occur on the second or subsequent discharge. Only artillery pieces that meet the criteria specified in the technical manual can be fired more than once per activity.

32. Une pièce d'artillerie ne devrait faire feu qu'une seule fois au cours d'une activité puisque les accidents se produisent généralement lors des tirs subséquents. Seules les pièces d'artillerie qui rencontrent toutes les exigences énoncées dans le guide technique peuvent tirer plus d'une fois par activité.

33. Under no conditions will an

33. Une pièce d'artillerie ne doit jamais

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artillery piece be used by less than two persons. (See technical manual for recommended minimum crew size.)

34. All historic weapons activities will be evaluated on an on-going basis by the historic weapons supervisor, and the results recorded in a suitable format and retained for future reference. (For standard forms and templates, refer to the technical manual.)

35. Areas to be used as ranges for historic weapons activities must be described in the approved *Historic Weapons Program Plan*. (Standards for clear areas considered suitable for ranges are described in the technical manual.)

36. It is the responsibility of the historic weapons supervisor to ensure that appropriate, protective clothing and equipment are designated, provided and used by those participating in historic weapons activities. (Safety equipment standards to be applied are detailed in the technical manual.)

OUTSIDE GROUPS AND INDIVIDUALS

37. It is the responsibility of the historic weapons supervisor to ensure that any historic weapons activities carried out by an outside group or individual conforms to the standards of safety set by this directive and the technical manual. All such activities must be under the direct and immediate supervision of a competent individual, trained on the class of historic weapon being used, appointed

être utilisée par moins de deux personnes. (Voir le guide technique pour des recommandations sur la taille minimale des équipes d'artilleurs.)

34. Toutes les activités d'armes historiques doivent être évaluées sur une base continue par le superviseur d'armes historiques et les résultats doivent être consignés dans un format acceptable et conservés pour référence. (Voir le guide technique pour les formulaires et le format normalisés.)

35. Les aires qui seront utilisés comme champ de tir pour des activités d'armes historiques doivent être décrites dans le *Plan du programme d'armes historiques* approuvé. (Les normes à respecter pour les champs de tir sont présentées dans le guide technique.)

36. Le superviseur d'armes historiques a la responsabilité de s'assurer que les vêtements et l'équipement de protection appropriés soient identifiés, fournis et utilisés par les personnes participant à des activités d'armes historiques. (Les normes pour l'équipement de protection sont détaillées dans le guide technique.)

GROUPES ET PERSONNES DE L'EXTÉRIEUR

37. Le superviseur d'armes historiques a la responsabilité de s'assurer que les activités d'armes historiques faites par des groupes ou des personnes de l'extérieur se conforment aux normes de sécurité énoncées dans la présente directive et le guide technique. Toutes ces activités doivent se dérouler sous la supervision d'une personne compétente, formée pour la classe d'armes historiques utilisée, nommée

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by the historic weapons supervisor.

par le superviseur des armes historiques.

38. All historic weapons activities by outside groups and individuals must be covered by a written contract or agreement with the protected heritage area. In the case of on-going or recurring activities by outside groups or individuals at sites not directly operated by Parks Canada, the Field Unit Superintendent's approval of the site's *Historic Weapons Program Plan* will also meet the needs of a written contract or agreement.

38. Toutes les activités d'armes historiques faites par des groupes et des personnes de l'extérieur doivent faire l'objet d'une entente écrite avec l'aire patrimoniale protégée. Dans le cas d'activités déjà en place ou récurrentes par des groupes ou des individus de l'extérieur dans des endroits qui ne sont pas directement opérés par Parcs Canada, l'approbation par le directeur d'unité de gestion du *Plan du programme d'armes historiques* de ce site rencontre l'exigence d'une entente écrite.

39. This contract or agreement must clearly state that the outside group or individual accepts to follow all Parks Canada regulations for historic weapons activities. In the case of non-government agencies or any group which is not self-insured, proof of third party liability insurance must be included in the agreement.

39. Ce contrat ou cette entente doit indiquer clairement que le groupe ou l'individu de l'extérieur accepte de suivre tous les règlements de Parcs Canada pour les armes historiques. Dans le cas d'organismes non-gouvernementaux ou de tout organisme qui ne s'auto-assure pas, une preuve d'une assurance aux tiers doit être incluse dans l'entente.

40. Where it is known that an outside group or individual will be participating in historic weapons activities on a regular basis (e.g. an annual event), this information must be incorporated in the *Historic Weapons Program Plan*.

40. Lorsqu'on sait qu'un groupe ou un individu de l'extérieur participera régulièrement à des activités d'armes historiques (par exemple, un événement annuel), cette information doit être incluse dans le *Plan du programme d'armes historiques*.

VIOLATIONS AND SANCTIONS

INFRACTIONS ET SANCTIONS

41. It is the responsibility of the Field Unit Superintendent, upon recommendation from the historic weapons supervisor, to take proper corrective or disciplinary actions or sanctions against any individual who does not respect all the regulations contained in the present management

41. Le directeur d'unité de gestion est responsable, suite aux recommandations du superviseur d'armes historiques, de prendre des mesures correctives ou disciplinaires appropriées ou des sanctions contre tout individu qui ne respecte pas tous les règlements de la présente directive

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directive and its associated technical manual, or any other regulations set by the protected heritage area. The *Historic Weapons Advisory Committee* will provide advice on these matters upon request.

et du guide technique, ou les autres règlements édictés par l'aire patrimoniale protégée. Sur demande, le *Comité consultatif sur les armes historiques* fournira des conseils à ce sujet.

42. Sanctions and penalties such as those described in the Canada Labour Code, part II, may be warranted depending on the particular circumstances of the safety violation.

42. Des sanctions et des pénalités telles que celles décrites dans le Code canadien du travail, partie II, peuvent être appropriées selon les circonstances de l'infraction en question.

43. The historic weapons supervisor will report safety violations to the *Historic Weapons Advisory Committee* for its records.

43. Le superviseur d'armes historiques fera rapport des infractions à la sécurité au *Comité consultatif sur les armes historiques* pour ses dossiers.

44. Any failure to precisely adhere to timing standards set in the technical manual for artillery firings will be considered a major safety violation and will be subject to sanctions.

44. Tout manquement à respecter précisément la règle concernant le temps d'attente entre deux tirs d'artillerie sera considérée comme une négligence grave et sera sujet à des sanctions.

45. Failure to comply with this directive, its technical manual, any guideline or other document governing the use of historic weapons, or any other safety violation, may result in the expulsion of the outside group or individual from the protected heritage area.

45. Le fait de ne pas se conformer à la présente, directive, au guide technique, à une ligne directrice ou à un autre document gouvernant l'usage d'armes historiques, ou toute infraction à la sécurité peut résulter en l'expulsion du groupe ou de la personne de l'extérieur de l'aire patrimoniale protégée.

46. If after review, the *Historic Weapons Advisory Committee* deems it warranted, they may recommend to the Director General of National Historic Sites that the offending outside group or individual be barred from any future historic weapons activities in any protected heritage area.

46. Le *Comité consultatif sur les armes historiques* peut, s'il le juge nécessaire après examen, recommander au Directeur général des lieux historique nationaux que le groupe ou l'individu fautif ne puisse participer à toute autre activité d'armes historiques dans toute autre aire patrimoniale protégée.

HISTORIC WEAPONS ACCIDENT

RAPPORT ET ENQUKTE

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REPORTING AND INVESTIGATIONS

47. All historic weapons accidents must be reported and investigated in accordance with Parks Canada's established procedures. (Additional reporting and investigation guidelines are suggested in the technical manual).

48. If deemed necessary due to the nature of the hazard associated with an accident, the Agency's Chief Executive Officer may order the suspension of any or all related historic weapons activities nationally until the hazardous condition can be corrected.

Chief Executive Officer
Parks Canada Agency

D'ACCIDENTS IMPLIQUANT DES ARMES HISTORIQUES

47. Tout accident impliquant des armes historiques doit faire l'objet d'un rapport et d'une enquête selon la procédure établie à Parcs Canada. (D'autres lignes directrices pour le rapport et l'enquête sont suggérées dans le guide technique.)

48. Le Directeur général de l'Agence, s'il le juge nécessaire étant donné la nature du danger associé à un accident, peut ordonner la suspension d'une ou de toutes les activités d'armes historiques à l'échelle du pays jusqu'à ce que les mesures correctives appropriées aient été prises.

Directeur général
Agence Parcs Canada

(Original signed by/Signataire)

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Murray Smith - CITT Type 97A rifle decision.

From: Murray Smith
To: David.Pimm@international.gc.ca
Date: 7/8/2011 4:13 PM
Subject: CITT Type 97A rifle decision.
Attachments: Decision and reasons (E)_5.pdf

Hi David,

The Tribunal ruled both the rifle and its magazine to be prohibited. The decision is attached.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Norinco 97A

From: Murray Smith
To: Quevillon, Yves
Date: 7/27/2011 4:21 PM
Subject: Re: Norinco 97A

Hi Yves,

I am not at the office today so I cannot check but I doubt there would be much detail. Curiously, I am in Vancouver on a Type 97A Firearms Act reference hearing this week.

Let me know if you need more detail.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 7/27/2011 11:15 AM >>>
Hi Murray,

Are the details of the re-conversion method to FA included in the Network version of the FRT?

Thanks,
Yves

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The FRT records document the firearms with the common frames.

For the pistol versions, ATAK used the same frame as in their Streamer traumatic pistols. Essentially, they replaced the barrel with one designed for firing blanks. The firearm is otherwise the same. The blank firing version was marketed under the Zoraki name. As all known versions of the firearm are prohibited, the frame is prohibited.

For the revolver version, both the traumatic and blank firing versions are sold under the same name. They differ in the barrel and cylinder. Both restricted and prohibited versions of the firearm are produced, hence the frame is restricted.
We have inspected samples but do not have anything in the collection as yet.

It is an interesting situation. To have accepted the contrary, would imply that any standard handgun with a blank firing barrel installed ceases to be a firearm. Clearly not logical.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 7/7/2011 11:56 AM >>>
Murray,

I was hoping to get the answer from the Network version of the FRT but I have been waiting for my connection to be restored. Can you provide this info and do you have standards (I don't see any in FSi).

Thanks,
Yves

>>> Joe Prendergast 7/4/11 12:33 PM >>>
As we will likely be required to classify these items in an unaltered state at some point, can you have the CFC provide the technical info behind the decision (frame in common with a firearm). Additionally, do they have the actual standards?

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Murray Smith - Re: Ministerial Correspondence - T011723 - Bushmaster SCAR 16S

From: Murray Smith
To: Simard, Danielle; Thomas, Rose
Date: 8/3/2011 1:41 PM
Subject: Re: Ministerial Correspondence - T011723 - Bushmaster SCAR 16S
CC: Etter, William; Glass, Kimberley

Hi Rose & Danielle,

I am just back to the office from court last week and am tying up loose ends. Was the reply prepared by Bill sent to the MO?

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 7/26/2011 2:01 PM >>>
Hi William,

Here is the proposed response for Murray's perusal.

Thanks!

danielle

>>> William Etter 7/26/2011 8:18 AM >>>
Good morning everyone:

The e-mail thread below is the explanation of "slow progress / problems" associated to a legal classification examination of a semi automatic version of a full automatic firearm by CFP, FIESD, Specialized Firearms Support Services Section. The reply I have drafted for the use of others to compose a response to the (subject) Ministerial Correspondence, is self explanatory. This is the second time this gentleman has written the Minister of Public Safety on the same subject. This gentleman has also spoken to me on the telephone and creatively interpreted some of the information I communicated to him.

I trust this response will be satisfactory for the communications personnel to extract a Ministerial reply.

William Etter
Senior Firearms Technologist

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Page 1458

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Pages 1459 to / à 1460

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Murray Smith - RE: FW: Firearms correspondence

From: Murray Smith
To: McDougall, Scott
Date: 8/5/2011 11:56 AM
Subject: RE: FW: Firearms correspondence
CC: Francis, Geoffrey

Scott,

I am not aware of any memo to businesses asking them to hold off on the importation of firearms. Our mode of operation is to first to collect information at trade shows and via manufacturer's literature to establish the classification of as many firearms as possible prior to any importation, and secondly to deal with the remainder at the time of import. The only "new" policy stems from 2009 which requires a physical inspection of semiautomatic variants of fully automatic military firearms. Perhaps the author is referring (somewhat inaccurately) to the recent series of CFP bulletins.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> "Potter, Mark" <Mark.Potter@ps-sp.gc.ca> 8/5/2011 10:50 AM >>>

Thanks for the clarification Scott. In the cases under review, did a memo go from the RCMP to certain businesses? Thanks

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Pages 1465 to / à 1466

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Pages 1467 to / à 1469

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Murray Smith - GSG AK47 manual

From: Murray Smith
To: Etter, William
Date: 8/12/2011 12:47 PM
Subject: GSG AK47 manual
Attachments: GSG AK47 instruction_manual_english.pdf

Re: reference to the Mikhail Kalashnikov endorsement in the GSG FRT record: add remark plus photo of page 5.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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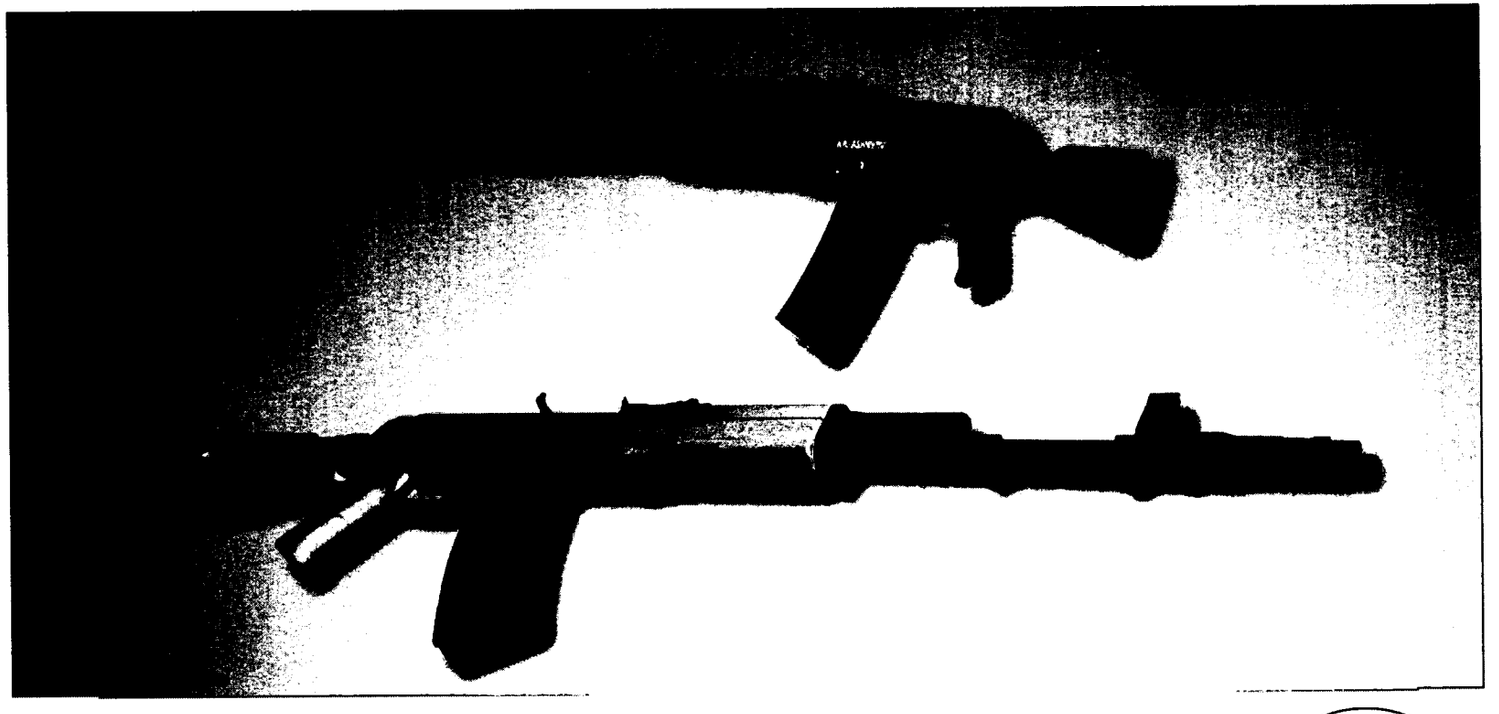
GERMAN SPORT GUNS GmbH

GSG-AK47



Handling and Safety Instructions

GB

Bedienungsanleitung- und Sicherheitsvorschriften

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Personal Datas:

1. Owner

First Name: _____
Name: _____
Street _____
P.O. Box: _____ Town:_____
Birthday: _____
Place of birth:_____
Passport/number.: _____
Date of gun owner ship: _____

Personal Datas:

2. Owner

First Name: _____
Name: _____
Street _____
P.O. Box: _____ Town:_____
Birthday: _____
Place of birth:_____
Passport/number.: _____
Date of gun owner ship: _____

Informationen of buying the GSG-AK47

Date of purchase: _____
Buying by:

Name: _____
Adress: _____
P.O. Box /Town: _____
Phone: _____
E-Mail: _____

Serial/number of the Weapon: _____
Type/number of the Weapon: _____
Kind of Weapon: _____

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Safekeeping and storage of the gun	D-28	31
Shipping the gun	D-29	31
Accessories	D-30	32
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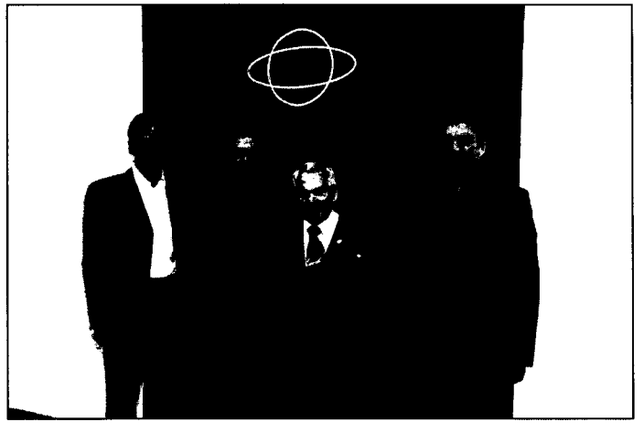
D-01: Michail Timofejewitsch Kalashnikov

"Kalashnikov Assault Rifle AK 47" this description stands for the most produced Carbine worldwide with around 100 Million produced pieces. Michail Timofejewitsch Kalashnikov was injured during World War II in 1941. Then he became the leading head of engineering of the UDSSR and he presented the Assault Rifle AK in 1947.

GSG is proud to be the only licensee worldwide of Mr. Kalashnikov for Real Firearms.
During the winter 2007, Michail Timofejewitsch Kalashnikov visited GSG in Germany in order to find out that his licensed product will be used only for civilian purpose. GSG developed the Kalashnikov in Caliber .22 for sporting purpose for civilian use only. Gun enthusiasts can shoot on targets, use just for fun for plinking, use for small game hunting or for practical shooting like IPSC-Shooting.



Höinger bauen bald Kalaschnikows

Konstrukteur des weltberühmten Gewehrs genehmigt neue Sport- und Freizeitwaffe

Leistungsstarkes Unternehmen G.S.G. darf seinen Namen für ein Produkt verwenden

Obrasza 47

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D-02: Product Description

Dear valued customer,

this gun has been designed for ammunition caliber ".22 Long Rifle HV". Due to wide range of caliber .22 ammunition we decided to match the GSG-AK47 with high class standard as well as HV-ammunition.

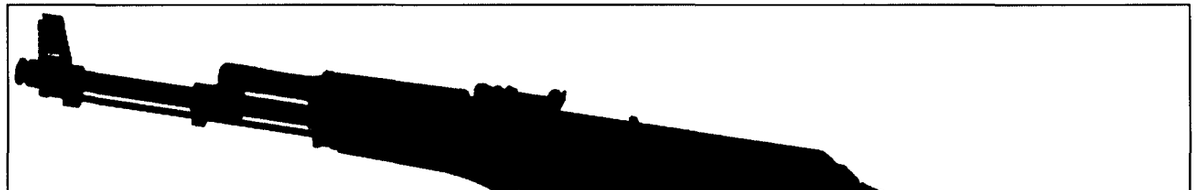
Your retailer will be able to offer a large range of accessories with attachment parts as well as modification parts to meet the individual requirements.

When unpacking a GSG-AK47 for the first time, the stock must be mounted with the attached screw. (see figure on page 7)

We wish you much pleasure with our product.

info@germansportguns.de

www.gsg-ak47.com



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Fastening the stock with Multi Tool after unpacking

D-03: General Instruction / Safety regulation

Never use the gun under the influence of drugs or alcohol, while ill or suffering other such difficulties.
These conditions can impair your powers of judgment and reflexes.

-Always think the gun as being loaded and with the safety off until you have established
the opposite through the unloading procedure.
-Always keep the muzzle of the gun in a safe direction when handling. A safe direction is towards an area where
there are no people, other life forms or property that is not a recognized target.
-Never point the gun at doors, panes of glass, walls, concrete, stone or flat surfaces (water included).
A bullet can penetrate such surfaces or be ricocheted in an unsafe direction.
-Never aim at yourself or other life forms.
-Never rely on safety mechanism alone. Safety mechanism are not a substitute for careful, correct and
secure handling of the gun
-Always treat your gun as if the safety mechanism is not functioning. The best safety precaution is a correct,
well-trained and safe handling of the gun.

-Never shoot with a gun which has been penetrated by water, sand, dirt or other foreign bodies.
-Never decock the hammer by holding on to the hammer and pulling the trigger at the same time.
-Never let a loaded gun out of your hand
-Always unload the gun immediately after firing, before putting the gun away, putting into a holster or handing
to another authorized person.
-Never give the gun to a person who has not thoroughly familiarized himself or herself with the safety instructions and
handling of gun, by reading the corresponding instructions.
-Never leave the gun lying unattended and protect the gun from unauthorized access. Unauthorized person could do damage,
or threaten or kill others and you will be vicariously liable for.

-Never store the gun loaded, but rather remove the magazine and ensure that no cartridge is left in the chamber
of the barrel.
-Always keep the gun and the ammunition separate from another, and ensure that neither is obtained by unauthorized
persons or children.
-Always wear eye and ear protection when shooting.

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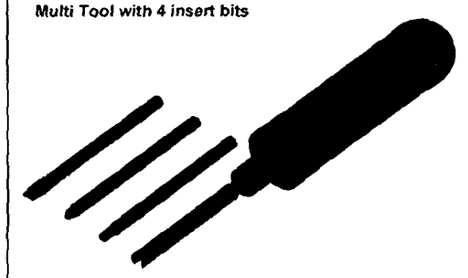
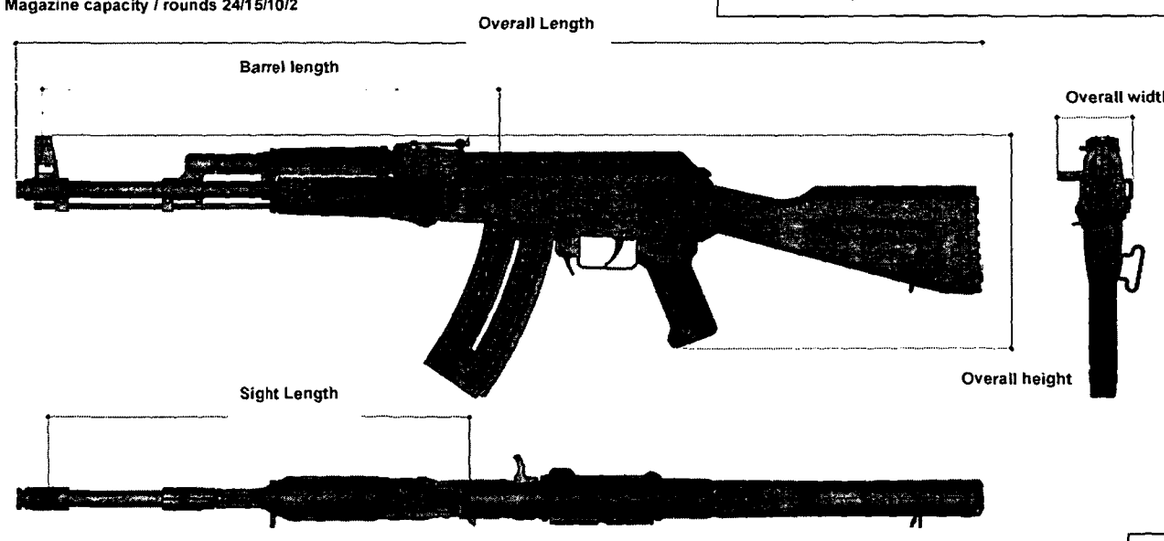
D-04: Technical Data:

GSG-AK47
Caliber .22 Long Rifle HV
Overall length 927 mm
Overall height 206,7 mm
Overall width 70,6 mm
Barrel length 450 mm
Rifling length 406 mm
Number of grooves 6
Sight length 407,5 mm
Weight without magazine 2940 g
Weight without magazine 3155 g (wood)
Magazine weight empty 185 g
Trigger pull, approx. SA 2,5 kg 25 N
Magazine capacity / rounds 24/15/10/2

Included in the delivery are:
1 Rifle
1 Magazine
1 *Handbook*
1 Cleaning Rod
1 Multi Tool
1 Muzzle key
1 Stock
1 *Hexagon Tool*
2 Stock-Fixing-Screw

Multi Tool with 4 insert bits





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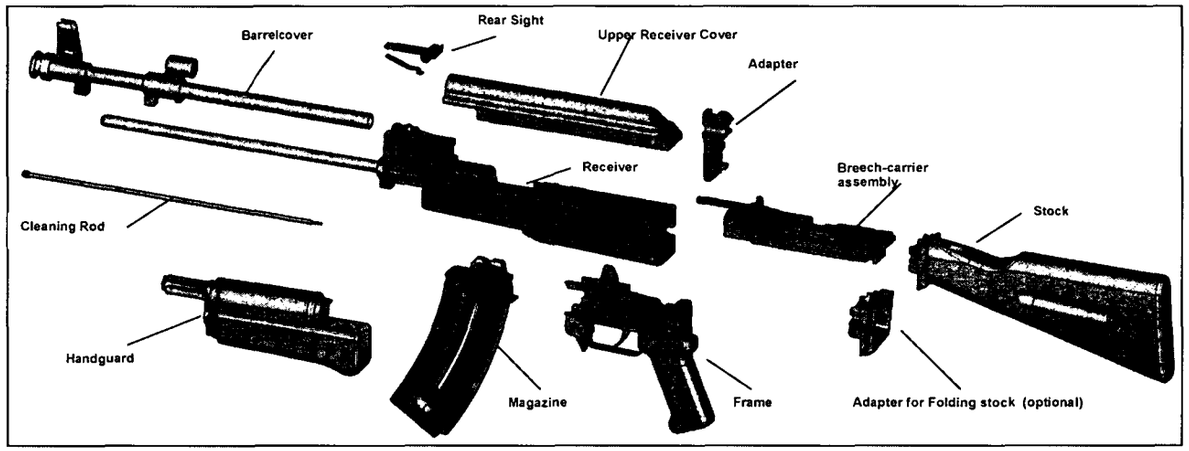
D-05: Main parts / Assembly groups of GSG-AK47:



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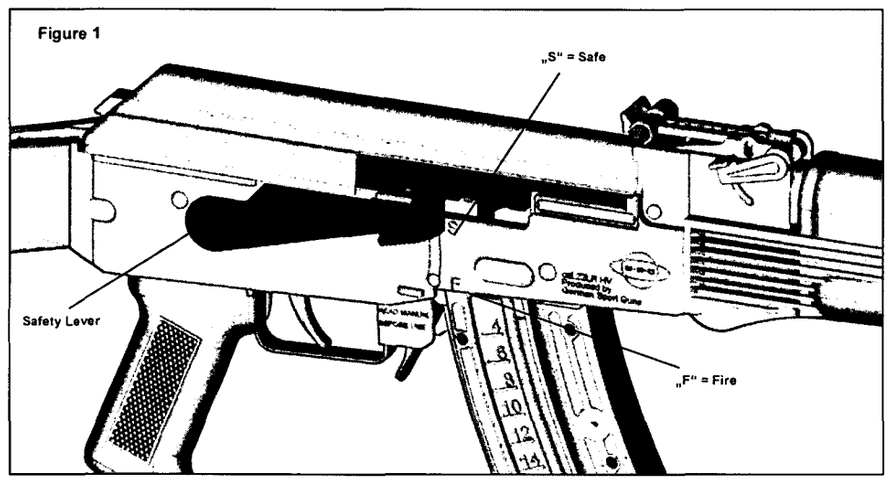
D-06: Safety mechanism:

Push the safety lever in the top position to block the trigger.
The red point on the safety lever must point at the letter „S". (Figure 1 page 11)
„S" = SAFE / „F" = FIRE

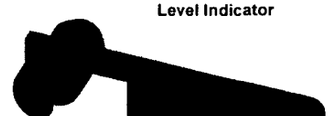
Figure 1



D-07: Transporting the Rifle:

- **For your own safety and the safety of others, always transport the gun with the "loading Indicator", unloaded, decocked and locked.**
- **Never carry a gun with you that has already been cocked and which has a**
- **round in the chamber.**
- **While carrying a gun always make sure that direction of muzzle will be under your control in case of downfall or any other slip.**
- **Transport the gun separately from the ammunition.**
- **Ensure that all applicable laws governing the transport of firearms are complied with.**

Level Indicator



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D-08: Handling the gun:

D-09: General:
The gun is generally delivered with a thin, protective grease and oil coating.

D-10: Ammunition:
- For your gun, use only commercial grad ammunition in its original packaging, that corresponds with the caliber of the gun.
- The correct caliber is imprinted on the gun.
- Never use reloaded, refurbished, hand-loaded or non standard ammunition of a different caliber.
- Never use dirty, wet, corroded, bent, damaged or oiled ammunition.
- Never leave the ammunition lying unattended.

Information:
The .22 ammunition spectrum ranges from very light loads for single loader guns to sport load, utility load and on through to high speed rounds. Unfortunately, however, it is not possible to adjust a semi-automatic gun to all loads. We have therefore decided to make an adjustment to the load that have priority for use with the GSG-AK47 which are high quality utility and high-speed rounds.

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D-11: Load the Magazine:

Procedure:

1. Put the cartridge on the feeder, near the magazine fed lips. (Figure 1 page 13)
2. Pull down the spring of the magazine.
3. Push the bullet to the backside of the magazine (Figure 2 page 13)
4. Load only the quantity of bullets into the magazine, you want to fire. (max. 24/10/2 bullets)

Figure 1

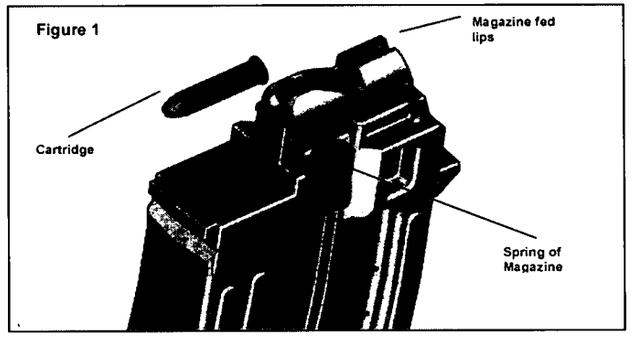
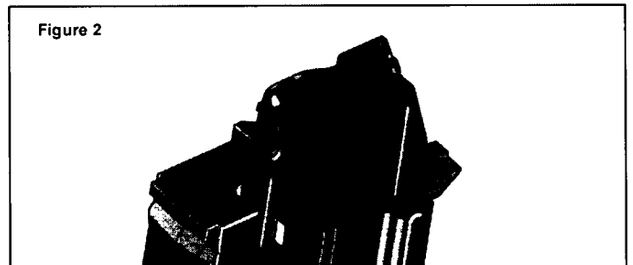


Figure 2



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D-12: Loading the gun (ready for firing):

Notice:
-Never load or reload the gun in a vehicle, a room or another small area
(Except a shooting range).
-Before loading always wipe off an excess grease and oil and check to see if there
are any foreign objects/material in the barrel.
-Always keep the muzzle of the gun pointed in a safe direction.
-Don't put your finger on the trigger. Keep your finger outside the trigger guard.
-Load the gun by pushing in the magazine only directly before firing.
-Pull the cocking lever to load the first bullet.
-Never rely on the safety mechanism alone. Safety mechanisms are not a substitute for careful and correct handling of the gun.
-Never let a loaded gun out of your hand.

Procedure:
After the last shot the breech will be caught and the ejection port is open.
1. Point the gun in a safe direction.
2. Put the Safety Lever to the „S" position. Now the safety lever moves in front of the cocking lever and the ejection port
will be kept open. (Figure 1 page 14)
3. Remove empty magazine.
4. Insert loaded magazine.
5. Put the safety lever to the „F" position.(Figure 2 page 14)
6. The breech will come forward and inserts first cartridge of the new loaded magazine. The ejection port is closed.(Figure 2 page 14).
The gun is now cocked and ready for firing.

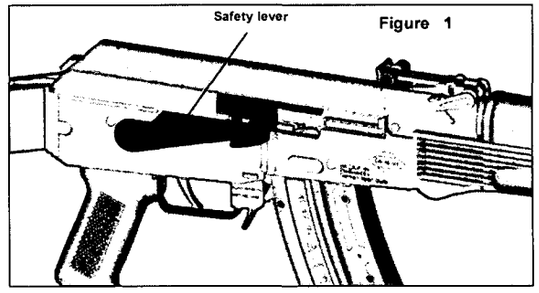

Figure 1

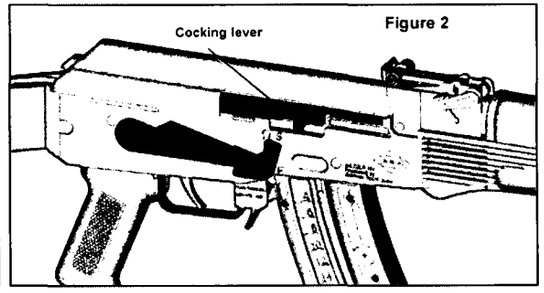

Figure 2

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D-13: Firing:

- Ensure that the target and surrounding allow shots to be fired without danger.
- Be certain when firing that your fingers, hands or other parts of the body are not in front of, above or beside the barrel or the ejection port.
- Never allow any person to stand next to you where they could be hit by ejected cartridge cases.
- When shooting, always wear ear protection and protective eye glasses. Inform other people close to you about the need to wear ear and eye protection.
- Interrupt shooting immediately and unload the gun if you suspect that a round is not inserted correctly, a case is jammed, a round may have blocked the barrel or a shot sounds or gives the sensation that it may be "weak" or unusual. Pull the cocking lever backwards and hold it in this position. At the same time put the safety lever on the „S" position with the other hand. Now the ejection port will be kept open by the cocking lever.
- Never try to dislodge a blockage by firing another round.

Important: During firing hold the gun with the handguard and not with the magazine!
Holding the gun with the magazine can cause malfunctions!

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D-14: Reloading during firing:

The breech is held in the open position after the last round.

Notice:
- Never let the gun out of your hand.
- Keep the gun in a safe direction.
- Remove the finger from the trigger.

Procedure:
1. Remove the empty magazine.
2. The ejection port must be open after the last round.
   If not, please pull the cocking lever backwards again and hold it in this position. At the same time put the safety lever on „S" position with the other hand and breech will be kept in back position.
3. Now insert full magazine.
4. Put the safety lever on „F"position. The breech will come forward and insert new cartridge.
   The gun is cocked, safety released and loaded again.

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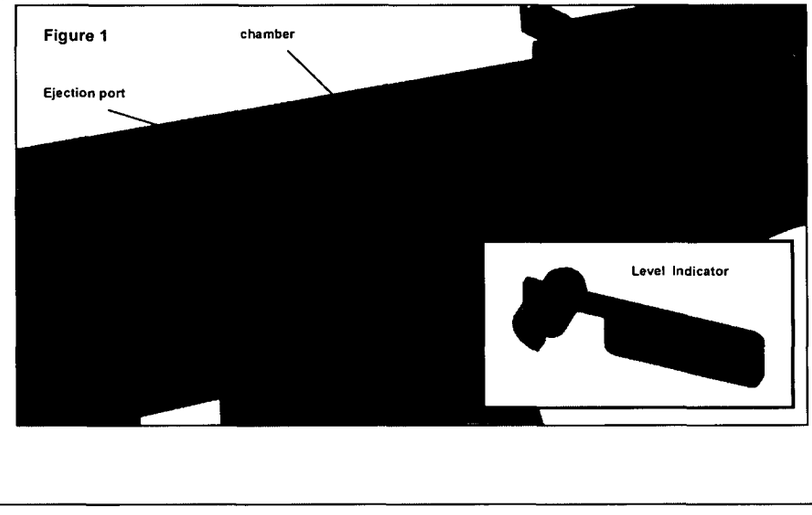
D-15: Unloading the gun
(Magazine not empty)

Notice:
- Never let the gun out of your hand before it is unloaded.
- When the gun is loaded; a round is in the chamber.
- Never place your hand over the ejection port.

Procedure:
1. Press the magazine release button, remove and safeguard the magazine.
2. Keep the muzzle of the gun in a safety direction.
3. Pull the cocking lever back as far as it will go although the cartridge will be ejected.
4. Hold the cocking lever in back position. At the same time put the safety lever on „S" position with the other hand and breech will be open.
5. Ensure (visual and with the level indicator) if cartridge has been ejected and no round is in the chamber. (Figure 1 page 17)
6. Discharge the magazine.
7. Pick up the ejected round and clean the gun.

Important: The gun is unloaded but not decocked!!!

Figure 1



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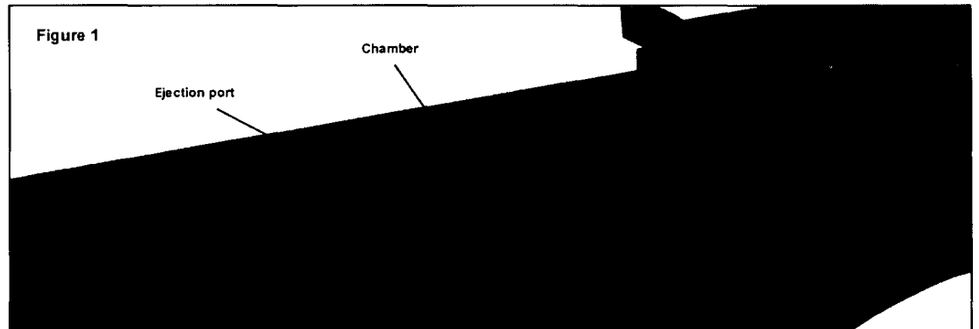
D-16: Unloading the gun
(magazine is empty)

Notice:
- You must not let the gun out of your hand until the magazine has been removed and the gun is unloaded.

Procedure:
1. Keep the gun muzzle pointed in a safe direction.
2. Press the magazine release button and remove the magazine
3. The ejection port must be open after the last round.
4. Ensure (visual and with the level indicator) that no round is in the chamber. (Figure 1 page 18)

Important: The gun is unloaded but not decocked!!!

Figure 1



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D-17: Decocking the rifle:

Notice:
- You can pull the trigger only when the empty magazine is engaged in the rifle. Check if the chamber is unloaded!

Procedure:
1. Ensure that there is no cartridge in the chamber or in the barrel.
   Remove the empty magazine and put the level indicator in the chamber.
2. The safety lever must point at „F"position.
3. Pull the cocking lever back until stop and allow to fly forward. The ejecting port is closed.
4. Insert an empty magazine.
5. Pull the trigger once. The hammer goes into its decocked position.

Turn the safety lever in position „S" and remove the empty magazine.

Important: When you push back the cocking lever after this procedure,
the hammer goes back and the gun is ready for firing!!!

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D-18: Setting the Rear Sight:

Procedure:

1. Push the button at the sight and hold it. (Figure 1 page 20)
2. Now the sight can be moved forward or backward by hand to the required position. (Figure 2 page 20)

Adjustment of sight is down, with result of low impact (Figure 1)
Adjustment of sight is high, with result of high impact (Figure 2)

Figure 1

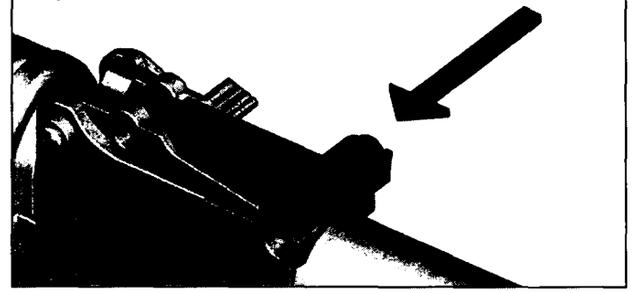
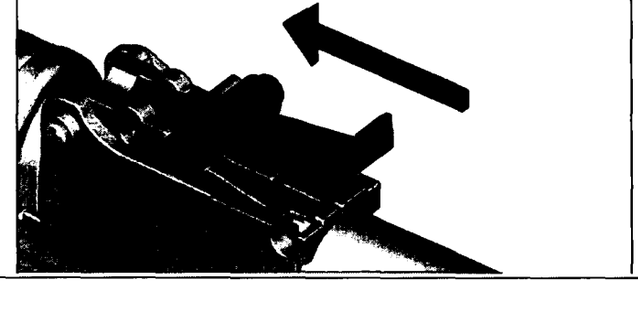


Figure 2



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D-19: Maintenance:

D-20: Disassemble:

Notice:
- Before disassembling, remove the magazine.
- Check, if the rifle is decocked and unloaded and that there is no round in the chamber, before you begin cleaning it.

Procedure:
1. Unload and decock the gun.
2. Remove the screws of the stock with the Multi Tool. (Figure 1 and 2 page 21)
3. Push the button of the cover and remove it. (Figure 3 and 4 page 22).
4. Unscrew the inside hexagonal screw at backward adapter. Remove the adapter and button together with the spring. (Figure 5 and 6 page 22)
5. Remove the inside hexagonal screw with Multi Tool and take out the part. (Figure 7 and 8 page 22).
6. The adapter can be pulled out vertical up by hand. (Figure 9 page 23)
7. Lay down the gun upside down and ensure that the safety lever is pointing at „F"position. (Figure 10 page 23).
8. Now the Body can be pulled to the back and removed vertical up. (Figure 11 and 12 page 23).
9. After removing the body the breech housing can be pulled out backwards out of the groove. (Figure 13 page 23).

Important: For this procedure, the gun must be uncocked (see chapter D-17)

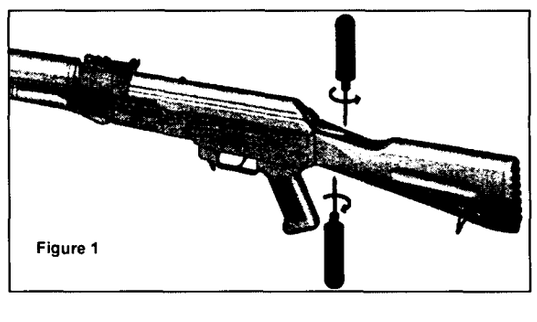

Figure 1

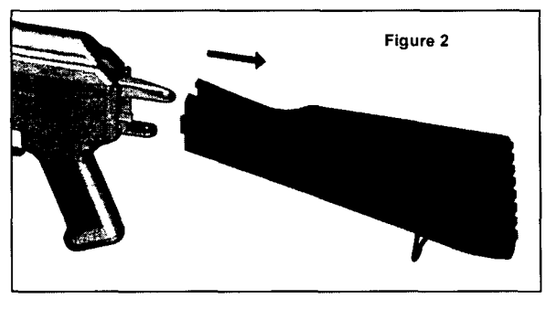

Figure 2

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Figure 10

Figure 12

Figure 9

Figure 11

Figure 13

D-21: Cleaning:

Notice:
- The previously shown disassembling is sufficient for a overall cleaning.
- A further disassembling of the rifle should only be made by qualified personnel.
- Do not use a steel brush or any other hard material to clean the barrel.
  This could damage the flat surface of the barrel.
  Use only a suitable cleaning rod and brushes of the right caliber.
- Do not use thinner to clean the gun.

Procedure:
1. Use the cleaning brush to carefully remove all powder residues and dirt in the barrel and chamber. (Figure 2 page 24)
2. Wipe powder residues and oil from the barrel bore and chamber with cleaning patches. (Figure 2 page 24)
3. Remove dirt from guides of breech and from breech-block.
   (Figure 1 page 24).
4. Lightly oil bore of chamber.
5. Insert the cleaning rod into the barrel to remove dirt.
   (Figure 3 page 24).

Figure 1

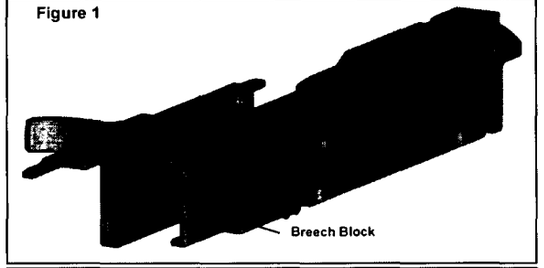

Figure 2

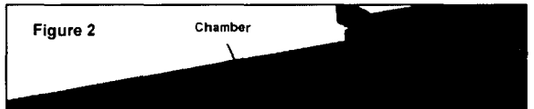

Figure 3

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D-22: Setting the Front Sight:

Procedure:

1. The front sight can be adjusted in height by using the special insert of Multi Tool. (Figure 1 page 25)
2. In clockwise direction: Height of front sight decreases. (with result of high impact) (Figure 2 page 25).
3. In counterclockwise direction: Height of front sight increases. (with result of low impact) (Figure 3 page 25).

Figure 1

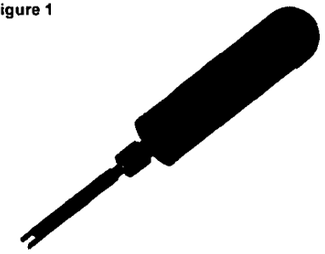


Figure 2

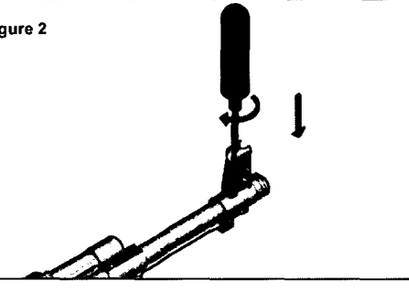
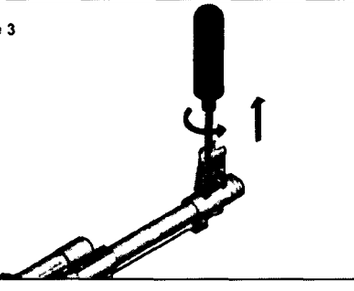


Figure 3



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D-23: Unscrewing the nozzle:

1. Unscrew the nozzle by using attached Special tool in counterclockwise direction. (Figure 1 page 26).
2. Now the nozzle can be removed and being replaced by a muzzle break for example. (Figure 2 page 26).

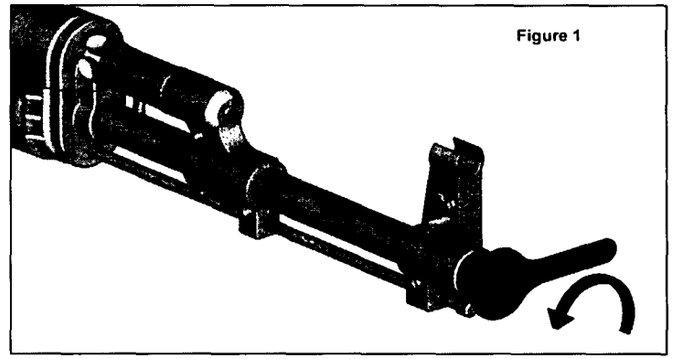

Figure 1

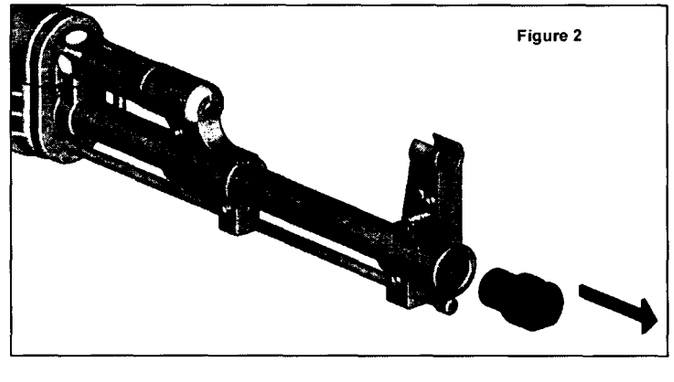

Figure 2

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D-24: Disassembling of the Handguard:

Procedure:

- Push the lever up as shown on (Figure 1 page 27).
- Unscrew the slotted screw about 0,4 inch by using the multi tool. (Figure 2 page 27)
- Remove the handguard as shown on (Figure 3 page 27).
- Use hexagon key to unscrew stud screw at the belt holder. (Figure 4 page 27)
- Push forward the belt holder and remove the handguard. (Figure 5 and 6 page 28)

Figure 1

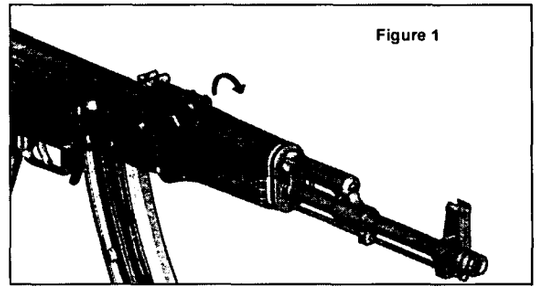

Figure 2

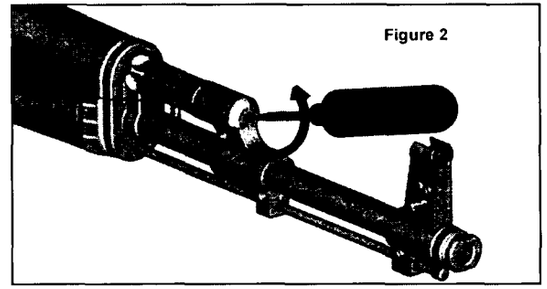

Figure 3

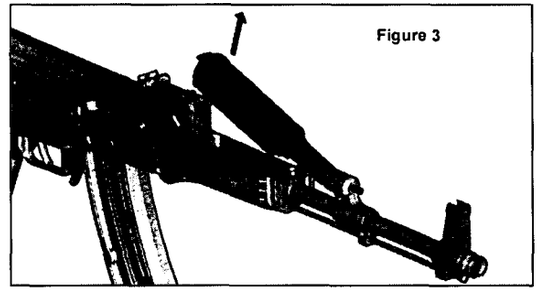

Figure 4

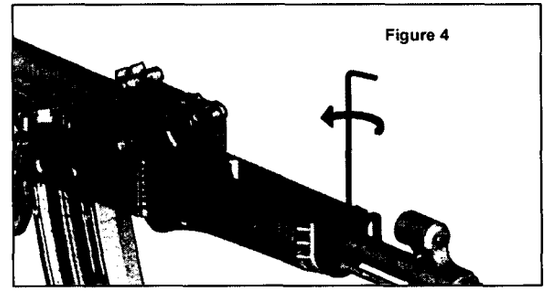

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Figure 6

Figure 5

D-25: Care of the gun:

Notice:
- Always keep your gun in immaculate condition and in good working order.
- Always clean and oil your gun after use.
- Never modify or repair parts of your gun yourself.
- Have your gun checked once every 12 month by a qualified gunsmith or armourer because defects, wear, corrosion, etc. are not always visible from the outside.
- If you order spare parts without returning the gun, you are responsible for ordering the correct part and its correct fitting by a qualified gunmaker or armourer.

D-26: Trouble shooting, fault removal:

Gun maintenance (cleaning and inspection) according to the instructions can prevent malfunctions. Should, nevertheless, a malfunction occur during shooting, proceed as follows:

Notice:
Hold the gun pointed in the firing direction (safe direction) and keep your finger off the trigger while you carry out the operations described in the following.

Procedure:
1. Pull the cocking lever until it stops, turn the cocking lever into the notch to keep the breech open.
2. Remove and safeguard the magazine.
3. Verify visually through the ejection port that there is no bullet, round, case or foreign body in the barrel bore or chamber.
4. If a projectile is locked in the bore, strip the rifle and have the blockage removed with a suitable tool by qualified gunsmith.
5. Remove all rounds, cases or foreign bodies.
6. Clean, lubricate and assemble the rifle.
7. Have the gun inspected by a gunsmith or armourer.

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D-27: Servicing:

Part / Fault	Possible cause of fault / defect	Possible fault / defect removal
Ammunition feed: No round chambered	Magazine not properly inserted or dirty.	Insert Magazine properly or replace it.
Breech: Breech does not close properly.	Gun or round dirty or too heavily greased **When Rifle still defective**	Strip, clean and lubricate rifle. Clean or replace ammunition. **Repair by manufacturer / gunmaker.**
Case ejection: Spent case stucks in chamber or jams in ejection port.	Recoil insufficient because of fouling. Underloaded ammunition **When Rifle still defective**	Strip, clean and lubricate rifle. Replace ammunition **Repair by manufacturer / gunmaker.**
Misfire: Hammer strikes, but no discharge	Firing pin sticking in its guide Defective ammunition **When Rifle still defective**	Strip, clean and lubricate rifle. Have gun checked by armourer. Manually cycle slide to chamber new round. **Repair by manufacturer / gunmaker.**

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D-28: Safekeeping and storage of the gun:

Warning:
- Always store your gun unloaded and in cleaned condition.
- Store your gun separately from its ammunition and under lock and key in a gun safe corresponding to individual laws of your country.
-The gun and ammunition must not be accessible to children and other inexperienced or unauthorized persons.

D-29: Shipping the gun:

Warning:
Familiarize yourself fully with local legislation governing the shipping and transportation of firearms.

Procedure:
1. Check the gun to ensure that it is unloaded and decocked.
2. Pack the gun well (if possible in its original packaging) to prevent damage in transit.
3. To prevent the gun being recognized as such during shipping, rap the original packaging in a second outer layer
4. Do not include accessories.

Enclose a letter stating the following:
- your full name
- your full address (mention street, not P.O. Box)
- your daytime telephone number
- detailed description of the problem encountered or the service work to be performed.

5. Send the gun properly insured and carriage-paid (Packages without correct postage will not be accepted) to:
6. the sales outlet from which you purchased the gun.
- the GSG agent (importer) for your country.

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D-30: Accessories:

01. Magazine 24 Rounds	(Art.Nr.: 407.00.03)
02. Magazine 15 Rounds	(Art.Nr.: 407.00.04)
03. Magazine 10 Rounds	(Art.Nr.: 407.00.05)
04. Folding Stock	(Art.Nr.: 202716)
05. Retractable Stock	(Art.Nr.: 202717)
06. Tactical RIS Handguard Set	(Art.Nr.: 202713)
07. Tactical RAS Handguard	(Art.Nr.: 202714)
08. Metal Scope Mount Basis	(Art.Nr.: 202710)
09. Tactical Mount AK	(Art.Nr.: 202711)
10. Folding ForeGrip for Weaver Rail	(Art.Nr.: 202715)
11. Laser Adapter GSG-AK47	(Art.Nr.: 202265)
12. Flashlight Adapter GSG-AK47	(Art.Nr.: 202266)
13. Flashhider	(Art.Nr.: 407.00.07)
14. Magazinecoupler	(Art.Nr.: 407.00.08)
15. Upgrade Kit Wood	(Art.Nr.: 202712)
16. LED Weaponlight with integrated Laser	(Art.Nr.: 202782)

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D-31: Disposal:

- Strictly observe any current national legislation governing the disposal of handguns.
- When shipping the gun due to above mentioned national legislation is allowed, we suggest to send gun for disposal to address mentioned under "Shipping the gun".
- Follow instructions of chapter „shipping the gun".

D-32: Spare Part List (find under www.gsg-ak47.com)

Necessary information for ordering spare parts:
- Type of gun (caliber, Model)
- Weapon number
- Description

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Murray Smith - Re: Fwd: (Tasking) Information for Ministerial BN | Due COB TODAY

From: Murray Smith
To: Francis, Geoffrey
Date: 8/12/2011 1:36 PM
Subject: Re: Fwd: (Tasking) Information for Ministerial BN | Due COB TODAY
CC: Glass, Kimberley

Geoff,

This is what I sent Scott. I do not know what was actually sent to the Minister's office.
The only factors which could have been added are:

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 8/10/2011 4:17 PM >>>
The CFP does not reclassify firearms. A change to the legal classification of a firearm can be effected only by Parliament or the Governor in Council. The CFP applies the criteria in the Criminal Code and related regulations to determine the applicable category for any given firearm.

There have been a number of occasions however, where the CFP has corrected an erroneous classification assigned by a business verifier. Recent examples include:

Dlask SMD 12 (2008): the business verifier incorrectly assigned a classification of non-restricted to the shotgun. Subsequent inspection established that the firearm was restricted. The review was triggered by the requirement to register the firearm after transfer. There was a related impact on the Remington 870 shotgun because some individuals transferred components from the SMD12 to the Remington shotgun.

Type 97A rifle (2009): the business verifier incorrectly assigned a classification of restricted to the rifle. Subsequent inspection established that the firearm was prohibited. The review was triggered by the requirement to register the firearm after importation.

Rossi S12 (2010): the business verifier incorrectly assigned a classification of non-restricted to the shotgun. Subsequent inspection established that the firearm was restricted. The review was triggered by the requirement to register the firearm after transfer.

Zoraki 914, 925 and R1 (2011): the business verifier incorrectly assigned a classification of non-firearm (exempted by Section 84(3) CC)). Subsequent inspection established that all three were firearms. The R1 is

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restricted, the 914 and 925 are prohibited or restricted depending on features. The review was triggered by enquiries from the police after the items were used in crime.

There was one instance where the CFP corrected a previously assigned classification as a result of new information that came to light:

VZ58 Petr Novohradski (2010): based on new information supplied to the CFP, the classification was revised from prohibited to restricted.

There are hundreds of classification updates for specific firearms made as a result of manufacturer or user driven changes to the firearm (examples: barrel length change, calibre change) which would take months to compile, if needed.

The only matter still under review is the Zoraki 906 blank gun which may be a firearm. The outcome is undetermined.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 8/10/2011 1:39 PM >>>
Murray - wld you please scratch something together on this - feel free to cut and paste from what we sent the Citizen reporter on Monday. We should say in the first line that we don't reclassify firearms, addressing the role played by the Minister of Justice/CCC Part III etc.

tks -

Scott

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

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

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

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

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

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

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

Thanks,
Ry

Ryan Doyle

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Murray Smith - Re: Fwd: Sig 226 F/X Pistol

From: Murray Smith
To: Ervin, Sandy
Date: 8/15/2011 9:05 PM
Subject: Re: Fwd: Sig 226 F/X Pistol
CC: Etter, William

Hi Sandy,

I am in lovely Thunder Bay for Court right now. Hence I will ask Bill to look into the FX and CQB products mentioned.
Additionally there is the question of commonality of receiver which has also proven to be an issue in the past.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Sandy Ervin 8/15/2011 4:27 PM >>>
Hi Murray,

Hope things are going well with you.

thks for the quick reply via Bill on the LAR 15, I did find the bulletin after I talked to you but Bill's explanation was helpful.

Have you had anything to do with these? If so do you have a classification on them? Her is the link to their web site:
http://www.sigsauer.de/index.php?id=183&lang=en

Tony is wondering about the proper entry into their inventory. The add states it is designed to shoot both FX marking and CQT rds. I have not seen these myself. It is apparently a dedicated FX firearm and not designed to take live fire.

Your thoughts are appreciated.

Best regards

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From: Murray Smith
To: Glass, Kimberley
Date: 8/24/2011 10:26 AM
Subject: Fw: Fwd: RE: (Tasking) Firearms Issues - Due Friday, August 26, 2011
Attachments: Fwd: RE: (Tasking) Firearms Issues - Due Friday, August 26, 2011

Looks OK to me. Just boarding aircraft. Add whatever you think necessary and reply. Thanks.

Murray

Pages 1698 to / à 1699

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From: Murray Smith
To: Carlotti, Constance, Boucher, Nicole, Zhang, Grace
CC: Glass, Kimberley
Date: 8/24/2011 11:57 AM
Subject: Re: Fwd: RE: (Tasking) Firearms Issues - Due Friday, August 26, 2011

Looks OK to me.

Murray
-----Original Message-----
From: Constance Carlotti
To: Boucher, Nicole <nicole.boucher@rcmp-grc.gc.ca>
To: Zhang, Grace <grace.zhang@rcmp-grc.gc.ca>
Cc: Glass, Kimberley <Kimberley.Glass@rcmp-grc.gc.ca>
To: Smith, Murray <Murray.A.Smith@rcmp-grc.gc.ca>

Sent: 8/24/2011 11:27:14 AM
Subject: Fwd: RE: (Tasking) Firearms Issues - Due Friday, August 26, 2011

Grace,

Thank you for your comments.

I have updated the tasking to reflect your comments and have added the 3 options available to clients.

I was also advised that media lines are being prepared and will be available on the web within the next week. I have added this statement to the tasking.

Please review and provide your comments.

Thanks again for your help.

Smith & Wesson

- Smith and Wesson produces M&P 15-22 rifles and M&P 15-22 handguns and also manufactures both 25 and 10 shot magazines that can be used interchangeably in both these firearms. The M&P 15-22 rifle is advertised and commercially sold with the 25-shot magazine. The Criminal Code Regulations Prescribing certain Firearms and other Wapons The Criminal Code Regulations Prescribing certain Firearms and other Wapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted states that a 25-shot cartridge magazine is a prohibited device if it is designed and manufactured for use in a handgun. Pursuant to the Regulations, handgun magazines are limited to a maximum capacity of 10 cartridges, and anything exceeding 10 cartridges is considered a prohibited device. T

There are 668 individuals in possession of the Smith and Wesson M&P 15-22 rifles with a 25-shot capacity magazine. The CFP has issued a business bulletin and public agency bulletin. The Registry has flagged the registration records in the system for the Smith & Wesson rifles owned by individuals and is ready to send a notification letter via registered mail to all affected individual owners, advising them on how to comply with the law through one of the three available options for lawful disposal of the 25-shot magazine. The three options are:

- Alter or pin the 25-shot magazine to 10 shots. The CFP has been advised that North Sylva Company (the importer of the 25-shot magazine) will perform this service free of charge;
- Exchange the 25-shot magazine for a 10-shot magazine at a business licensed to possess and acquire prohibited devices; or

Pages 1706 to / à 1709

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interest depending on the outcome, but I am not prepared to speculate on the outcome.
Given the precise question, I am not aware of anything SFSS has done recently that requires reporting.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Page 1711

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From: Murray Smith
To: Etter, William, Glass, Kimberley
Date: 8/24/2011 3:01 PM
Subject: Re: Questions on Walther G-22

Thanks Bill.

I would like to see the rifle when I return to the office.

Murray

Page 1713

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est non pertinente

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Murray Smith - New 50 cal anti-material rifle

From: Murray Smith
To: Francis, Geoffrey
Date: 8/29/2011 11:06 AM
Subject: New 50 cal anti-material rifle
Attachments: Gepard GM6 Lynx_1.pdf; SERO Geepard GM6 Lynx - FRT_136016_1.PDF

Geoff,

See attached. The following characteristics are noteworthy:

1. The firearm has a non-restricted classification.

2. The manufacturer's monolog (attached) clearly establishes the intent to market a compact 50 BMG calibre urban warfare weapon to take out targets such as ground vehicles, hovering helicopters, and targets in buildings. (Note: the 12.7x107mm cartridge is the Soviet equivalent to 50 BMG.)

3. The firearm is a new arrival on the market and there is a Canadian importer interested in selling the rifle in Canada. The attached FRT record was just created at the request of the DFAIT import-export permits office to respond to the Canadian importer.

Regards,

Murray

Murray A. Smith
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Murray Smith - Akdal MKA1919 shotgun (M16 variant)

From: Murray Smith
To: Francis, Geoffrey
Date: 8/30/2011 3:28 PM
Subject: Akdal MKA1919 shotgun (M16 variant)
Attachments: AKDAL, MKA 1919 - FRT_132450_1.PDF

Geoff,

Attached is the FRT record for the Akdal MKA1919 shotgun, which is classified as a restricted firearm as a variant of the M16 assault rifle. The changes made are largely limited to those necessary to convert the firearm from 5.56x45 mm to 12 guage 3" calibre. The characteristics of the Akdal shotgun fall into the range associated with the panoply of M-16 variants.

The release of this record to the Canadian importer today (Canada Ammo/Disco-Tech) and to the business community tomorrow as a result of the automatic overnight FRT refresh to BWS, may generate controversy. You may recall that the managing director of Disco-Tech inspired the letter campaign to the Minister earlier this month.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Summary

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY
Serial Numbering:	Numbered
Legal Classification:	Restricted

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
132450 - 1	12 GA X 3"	5	483	Restricted RFR, Part 2, para. 2	Manufacturer Specifications and Commercial Customization	

Notes

Make

- trademark logo and "AKDAL" are marked on the left side of the upper receiver.

Model

- "MKA 1919" was observed mark on the right side of the lower receiver, just above the pistol grip and "Magnum" just above the magazine well on one observed model.
- the "MKA 1919" is a variant or modified version of the firearm design commonly known as the M-16 rifle.
- this rifle uses a split, two-piece receiver/frame similar to traditional M-16 and AR15 firearms.
- features include: a "TS 870" free floating round barrel; aluminum alloy upper receiver with a detachable carry handle having an adjustable A2 style rear sight, right hand cocking handle and ejector port; annular (ring type) gas piston which is located surrounding a support tube that is mounted below the barrel, the return spring is also located/mounted on the same support tube; synthetic upper and lower handguards; synthetic lower receiver with an integral/fixed buttstock and pistol grip; safety catch with two positions, safe and semi automatic fire; sling swivels; black or camouflage finish.
- with many interchangeable - aftermarket parts the MKA 1919 may be found in a variety of configurations and barrel lengths.
- overall length with 470MM barrel = 964MM.
- weight 3.25 Kg (empty magazine).

Manufacturer

- "AKDAL" is marked on the left side of the upper receiver.
- "Made in Turkiye" over "Ucyildiz Arms.Inc Istanbul" is marked on the right side of the lower receiver/frame just above the trigger.
- "UC YILDIZ SILIAH SANAYI" may be marked on the barrel.

Type

- this firearm resembles a traditional M-16/AR-15 rifle.

Action

- gas operated.

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Barrel	- NOTE: the barrel length of this firearm has variously been reported as 470MM through to and including 500MM in manufacturer's advertising material. - the barrel was measured during an inspection at SFSS to be 483MM.
Calibre	- "12 GA. / Magnum (3")" was observed marked on the left side of the magazine housing.
Shots	- detachable box magazine.
Serial Number	- the serial number is marked on a metal strip/plate attached to the underside of the receiver/frame on the trigger guard. - an observed sample serial number consisted of a number prefix followed by a decimal point, followed by five numbers: - example "10.00000". - the serial number is repeated on the right forward side of the upper receiver.

Cross-References

No Data Retrieved

Also Known As/Product Code

MKA 1919 Magnum

MKA1919

Year Dates

No Data Retrieved

Importer

Disco-Tech Industries

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A0074293_952-001735

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Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Full View: Left Side

Image:
1 of 11

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A0074293_953-001736

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Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Full View: Right Side

Image:
2 of 11

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A0074293_954-001737

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Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Close-up #1: Left Side

Image:
3 of 11

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A0074293_955-001738

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Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Close-up #2: Left Side

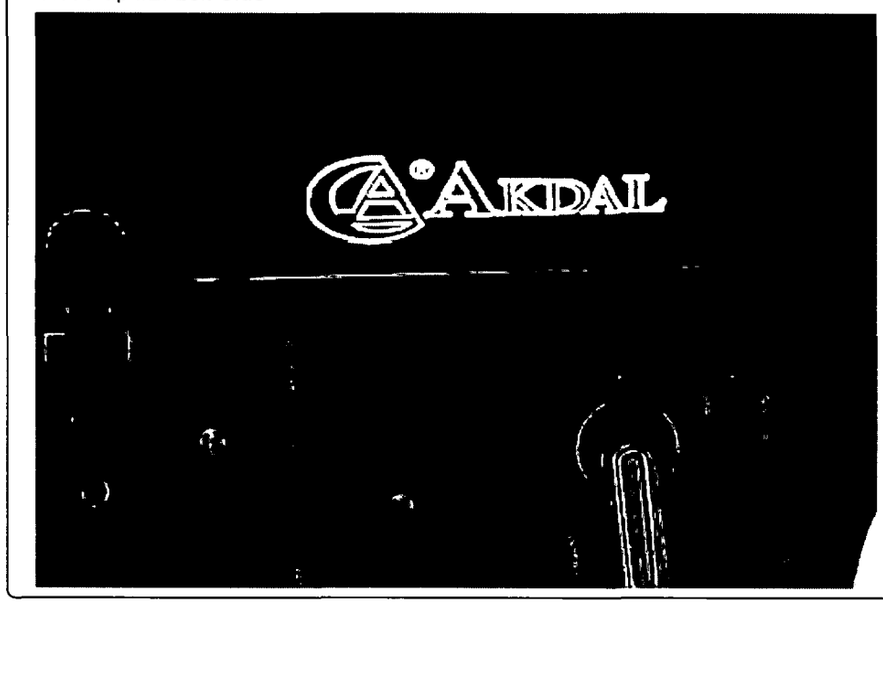

Image:
4 of 11

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A0074293_956-001739

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Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Close-up #3: Left Side

Image:
5 of 11

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A0074293_957-001740

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Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Close-up #4: Left Side

Image: 6 of 11

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A0074293_958-001741

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Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Close-up #1: Right Side

Image:
7 of 11

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A0074293_959-001742

Processed under the provision of the Access to Information Act / Traité en vertu de la loi sur l'accès à l'information

Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Close-up #2: Right Side

Image:
8 of 11

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A0074293_960-001743

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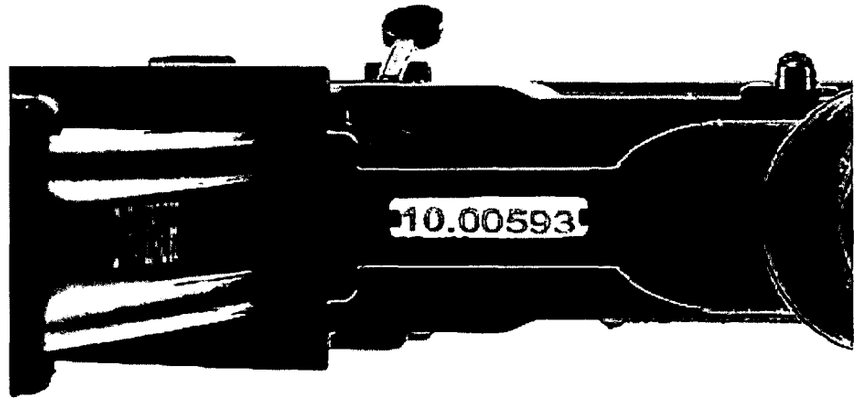
Firearm Details - Image

Make:	Akdal
Model:	MKA 1919
Manufacturer:	Ucyildiz Silah Sanayi
Level:	Manufacturer Specifications and Commercial Customization
Type:	Shotgun
Action:	Semi-Automatic
Country of Manufacturer:	TURKEY

Close-up: Bottom

Image: 9 of 11



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A0074293_961-001744

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Pages 1745 to / à 1746

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Pages 1747 to / à 1748
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of the Access to Information Act
de la Loi sur l'accès à l'information

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FRT Description

The Firearms Reference Table (FRT) is a computer database tool developed by the Royal Canadian Mounted Police - Firearms Support Services Directorate as a component of the Canadian Firearms Program, to help law enforcement officers, customs officers and officials responsible for the regulation of firearms with the identification and classification of firearms. The FRT database presently contains over 130,000 firearms records, each detailing the standard description of the firearm and all known aliases, and the Canadian legal classification with a cross reference to the relevant Criminal Code section.

The FRT database is the most comprehensive and user friendly, single source, firearms reference in existence. FRT staff attend the major firearms manufacturers trade shows, SHOT (USA), EXA (Italy), IWA (Germany) and NRA (USA) to collect information on new firearm models and monitor developments in the industry. To assist the identification process, a visual reference is provided by associating digital images to corresponding firearm records. Both data and images are passed through a vigorous quality assurance process to ensure standards and data integrity are maintained.

The FRT database is updated annually and distributed to Federal, Provincial and Municipal police to help correctly identify firearms in the field, to provide complete and standardized descriptions of firearms for firearms tracing and inventory controls, and determine the correct legal classification of a firearm for law enforcement purposes. In particular, the FRT is used extensively by police units specializing in firearms enforcement such as the National Weapons Enforcement Support Team, the Ontario Provincial Weapons Enforcement Unit, the Toronto Gun and Gang Task Force, and numerous other gun and gang squads across Canada; and the firearms sections within the RCMP, Provincial and Municipal forensic laboratories. The FRT database is also used by the Canadian Firearms Registry during their registration and transfer processes, by Canada Border Services Agency to determine admissibility of firearms into Canada, and by the Department of Foreign Affairs and International Trade Export-Import Permits office to issue permits for the import and export of firearms.

The FRT database is used by Interpol to identify firearms and standardize firearms descriptions for the international exchange of firearms descriptors for the purposes of international firearms tracing, and is in place in the Interpol National Central Bureau in 182 countries. The United Nations also makes use of the FRT database in connection with its Program of Action on Small Arms and Light Weapons.

Armi Jager AP80

The Armi Jager model AP80 firearm is a semiautomatic 22 Long Rifle (22LR) calibre rifle designed to imitate the AK-47 military assault rifle in both appearance and function. It is unlikely that the AP80 rifle would have been created in its present form if the AK-47 rifle that preceded it had never existed. Although the AP80 has a different operating mechanism than the original AK-47 (semiautomatic blowback verses selective fire gas operated) due to the smaller calibre of the AP80 (22 Long Rifle verses 7.62 x 39 mm), the changes are similar to those employed in the

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design of military issue 22 Long Rifle calibre rifles such as the East German KK-MPi69 and Bulgarian AKAT-74 rifles, both of which are selective fire 22 Long Rifle calibre training versions of the AK-47 assault rifle. The Armi Jager AP80 rifle otherwise operates in a similar fashion and is a commercially produced variant of the AK-47 rifle made for the civilian market. The largest civilian markets are in countries where ownership of fully automatic firearms is extremely restricted or prohibited, and thus the manufacture of the AP80 rifle with a semiautomatic mechanism is a reasonable measure to expand the potential market for the firearm. Furthermore, it is not uncommon for 22 Long Rifle calibre variations of military rifles to be produced as this dramatically reduces ammunition costs, another feature which appeals to the civilian buyer.

The Armi Jager AP80 rifle was manufactured in Italy under at least three trade names: the Armi Jager AP80 rifle, the Adler Jager AP80 rifle and the Mitchell Arms AK22 rifle. All three firearms share the same Italian proof house catalog number, #2344, which specifies and seals the design of the firearm. Apart from markings and minor cosmetic features, the three known variations represent the same firearm. The Mitchell Arms AK22 version is named in paragraph 64 (z.22) of Part 1 of the Schedule of the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted. There is at least one known specimen which bears both the Armi Jager AP80 and the Mitchell Arms AK22 markings.

The FRT records for the original Soviet AK-47, Armi Jager AP80, Adler Jager AP80, Mitchell Arms AK22, Bulgarian AKAT-74 and East German KK-MPi69 rifles are attached as Appendicies "A" through "F" respectively.

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Murray Smith - Re: Fwd: Akdal MKA1919 shotgun (M16 variant)

From: Murray Smith
To: Smith, Joel
Date: 8/31/2011 11:10 AM
Subject: Re: Fwd: Akdal MKA1919 shotgun (M16 variant)
CC: Duncan, Glenn; Lee, Hwan

Hi Joel,

This is the initial classification of the Akdal shotgun. No reclassification has occurred.

The firearm was submitted for inspection by the importer. The classification was based on the inspection, manufacturer's information and information in the trade literature. The importer was informed of the result. Note that the classification is "restricted". In that classification the firearm can still be imported and sold to the public. No one is being deprived of a firearm. The controversial aspects, if indeed there is any controversy, lies in the limitations concerning the use of restricted firearms and that a higher level of licence is required.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 8/31/2011 10:12 AM >>>
Murray,

In follow up to your e-mail at the bottom of this chain, and after verifying the FRT record, am I correct in stating that the classification of the Akdal MKA1919 shotgun (M16 variant) was changed from Non-Restricted to Restricted? If this is the case can you provide me with a short paragraph as to why a new determination was made?

Much appreciated
Joel

Joel Smith
Policy Analyst
RCMP Canadian Firearms Program,
Firearms Mgt. & Strategic Services
73 Leikin Drive, Building M1, 803-61
Phone: (613) 843-6929
>>> Pierre Perron 8/31/2011 8:05 AM >>>
For discussion on process to advise Public Safety on these types of classification determination.

A0074293_968-001751

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P.

>>> Geoffrey Francis 8/30/2011 11:52 PM >>>
Pierre,

In light of Public Safety attached is a note from Murray on a classification ruling on the above noted firearm. As Murray states, the importer

Geoff

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205
Fax: 905-795-5224

Email: geoffrey.francis@rcmpgrc.gc.ca
>>> Murray Smith 2011-08-30 15:28 >>>
Geoff,

Attached is the FRT record for the Akdal MKA1919 shotgun, which is classified as a restricted firearm as a variant of the M16 assault rifle. The changes made are largely limited to those necessary to convert the firearm from 5.56x45 mm to 12 guage 3" calibre. The characteristics of the Akdal shotgun fall into the range associated with the panoply of M-16 variants.

The release of this record to the Canadian importer today (and to the business community tomorrow as a result of the automatic overnight FRT refresh to BWS,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_969-001752

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Murray Smith - GSG 522 rifle and pistol

From: Murray Smith
To: STILLER, Dietmar
Date: 9/1/2011 12:36 PM
Subject: GSG 522 rifle and pistol
CC: GROSSPIETSCH, Frank

Hi Dietmar,

Hope all is well.

Frank had a question about the GSG 522 rifle and asked me to send you the information.

The GSG 522 is a prohibited variant of the HK MP5 submachine gun. The firearm is made in both pistol and carbine versions, hence the large capacity magazines made for it (22 round, 15 round) are prohibited devices. The ten round and two round magazines are not regulated.

There are multiple variations of the rifle and pistol. FRT records are being prepared. The manufacturer's specifications for the full range of products are outlined in the link below:

http://www.gsg-waffen.de/site/index.php?option=com_content&view=category&layout=blog&id=46&Itemid=78&lang=en

Is there a context to the question? Have some of these firearms been imported to Canada?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Royal Canadian Mounted Police / Gendarmerie royale du Canada

FACSIMILE / MESSAGE TRANSMITTAL
ENVOI D'UN MESSAGE PAR TÉLÉCOPIEUR

Security Classification/Designation - Classification/désignation sécuritaire	
Unclassified	
Precedence - Priorité	Date
Routine	1999-10-22
Our File - Notre n° de dossier	Your File - Votre n° de dossier
Reference No. - N° de référence	

TO / À
Ken Moss
Appeals Division
Trade Administration Services
Vancouver, B.C.

INFO. RENS

FROM / DE
Murray Smith
Chief Scientist - Firearms
RCMP Central Forensic Laboratory
Ottawa, Ont.

SENDER - EXPÉDITEUR		RECIPIENT - DÉSTINATAIRE	
Fax. No - N° de télécopieur	Telephone No. - N° de téléphone	Fax. No. - N° de télécopieur	Telephone No. - N° de téléphone
(613) 952-7325	(613) 993-0139	(604) 666-0214	(604) 666-2494

COMMENTS
COMMENTAIRES

Total number of pages including this one
Nombre total de pages, y compris celle-ci

Subject: Pellet Gun Muzzle Velocities re the Replica Firearms Legislation

Dear Mr. Moss,

This is in reply to your FAX of 1999-10-21.

Air, spring and gas guns, commonly known as 'pellet guns' or 'air guns', acquire the capacity to cause serious bodily injury and thus fall within the ambit of the definition of 'firearm' in section 2 of the Criminal Code when the projectile muzzle velocity exceeds the following:

177 BB	246 fps (75.0 mps)	5.5 grain (0.356 gram) projectile
177 pellet	196 fps (59.8 mps)	8.2 grain (0.534 gram) projectile
22 pellet	172 fps (52.4 mps)	16.5 grain (1.07 gram) projectile
6 mm AirSoft	407 fps (124.0 mps)	3.4 grain (0.22 gram) projectile

This message is intended for the use of the addressee. Disclosure of message content may breach one or more laws. If you have received this communication in error, notify the sender immediately by telephone.

Cette communication est exclusivement destinée à la personne à qui elle est adressée. La divulgation de son contenu peut constituer une infraction à une ou plusieurs lois. Si vous avez reçu cette communication par erreur, veuillez en aviser immédiatement l'expéditeur par téléphone.

Operator - Opérateur			Telephone No. - N° de téléphone	Daily No. - N° quotidien
TO BE DELIVERED BY / À LIVRER D'ICI LE	Date	Time - Heure	Authorizing Signature / Signature de l'approbateur	Date: 1999-10-22
REPLY REQUIRED BY / RÉPONDRE D'ICI LE				Time - Heure: 15:27

2875 (1998-04) (WPT)

Canada

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Air, spring or gas guns which exceed the velocity criteria can be treated as firearms and thus cannot fall within the definition of 'replica firearm' as defined in section 84 of the Criminal Code.

I trust this will be of assistance to you.

Regards,

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Page 1760

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Pages 1761 to / à 1764

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Pages 1766 to / à 1767

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Page 1768

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Pages 1769 to / à 1770

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Page 1771

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Murray Smith - Re: Lee-Endfield No 1 Mark III, serial number: [redacted]

From: Murray Smith
To: Etter, William; Guay, Daniel
Date: 9/9/2011 9:08 AM
Subject: Re: Lee-Endfield No 1 Mark III, serial number:
CC: Glass, Kimberley

Hi Dan,

Bill is away today. However, I concur with your account of the decision taken.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Daniel Guay 9/9/2011 8:22 AM >>>
Good morning Bill,

Do you confirm the decision below?

thank you

dan

Daniel Guay
Firearms Technologist/Technicien Spécialiste en arme à feu.
Royal Canadian Mounted Police
Gendarmerie royale du Canada
Specialized Firearms Support Services (SFSS)
Services Spécialisés de soutien en matière d'armes à feu (SSSAF)
Firearms Technology Unit-Leikin (FTU-L)
Groupe de la technologie des armes à feu-Leikin (GTAF-L)
613-843-6892
daniel.guay@rcmp-grc.gc.ca

>>> Daniel Guay 8/29/2011 8:38 AM >>>
Good Morning Bill,

This is to confirm our discussion of last Thursday Aug 25 in Murray's office regarding the Lee Enfield model No.1 Mark III serial number [redacted] with a non standard barrel length of 406mm.

[redacted] the barrel remain a non-commercial after market modification which contravene to the Criminal Code of Canada, CC 84(1) "prohibited firearm" para. (b). The legal classification of this firearm is therefore

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Page 1773

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Pages 1781 to / à 1786

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Pages 1787 to / à 1788

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Murray Smith - Fwd: New Products

From: Murray Smith
To: Etter, William
Date: 9/13/2011 2:35 PM
Subject: Fwd: New Products
CC: Glass, Kimberley
Attachments: Canadian Gun Nutz discussion of Technopol VMS-07.pdf; Canadian Gun Nutz discussion on HS Produkt VHS.pdf

Bill,

See attached postings to GunNutz concerning the VMS-07.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Wendy Verrecchia 9/13/2011 12:53 PM >>>
Good afternoon Murray,
Here is some information about a new type of product that may be coming into Canada. Just a heads up if you want to take a look at them.
wendy

Wendy Verrecchia, Sgt.
RCMP / GRC
Canadian Firearms Centre
Centre canadien des armes à feu
Firearms Internet Investigation Support Unit
tel 613 843 3664

>>> Wendy Verrecchia 9/13/2011 11:08 AM >>>
Good morning Wendy,

Here are some recent blog posts I

...more of a head's up.

Jenn

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Pages 1794 to / à 1804

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Pages 1806 to / à 1823

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Murray Smith - Re: Fwd: New Products

From: Murray Smith
To: Verrecchia, Wendy
Date: 9/13/2011 2:57 PM
Subject: Re: Fwd: New Products
CC: Francis, Geoff

Thanks Wendy.

This firearm is so new that it is not even in the current Janes Infantry Weapons. We are going to create the FRT record for the full auto version and wait for the semiauto version to hit the market.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1041-001824

Page 1825

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From: Murray Smith
To: Rose, Michelle
Date: 9/14/2011 2:14 PM
Subject: Re: Classification information - follow up to interview

OK, but there will be 10 or more FRT records.

Murray
-----Original Message-----
From: Michelle Rose
Cc: Lee, Hwan <Hwan.Lee@rcmp-grc.gc.ca>
To: Smith, Murray <Murray.A.Smith@rcmp-grc.gc.ca>

Sent: 9/14/2011 1:10:37 PM
Subject: Classification information - follow up to interview

Hi there,

Thank you for participating today.

Can you please forward me the information on the classification of the two firearms discussed during the call so that I can prepare a comprehensive response to

Thank you!

Michelle

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Murray Smith - Re: Classification information - follow up to interview

From: Murray Smith
To: Rose, Michelle
Date: 9/15/2011 10:07 AM
Subject: Re: Classification information - follow up to interview

We have a conference next week. Unless it is urgent, we will not deliver before the week of Sept 26.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Fwd: Threshold velocity for Airsoft projectiles

From: Murray Smith
To: Quevillon, Yves
Date: 9/15/2011 11:56 AM
Subject: Re: Fwd: Threshold velocity for Airsoft projectiles
CC: Rannie, Michael

Hi Yves,

We can meet today or tomorrow if you are available. Preparations for the conference next week are in full swing so I would like to keep it short.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 9/13/2011 9:03 AM >>>
Hi Murray,

I presume you received a similar message. Given the NWEST POWPOM next week, the DD for this is fairly short. Do you have some time to meet this week as a starting point or would you rather complete this in the last week of September? My calendar is pretty full as yours probably is this week, but it is up to date if you want to schedule a meeting.

The last week of September, I am AOL deer hunting the Monday but I will be at work the reminded of the week.

Are we going to take into consideration the following recommendations from your DG as a starting point and go from there?:

RECOMMENDATION:

Page 1829

is not relevant

est non pertinente

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Murray Smith - Re: Fwd: Threshold velocity for Airsoft projectiles

From: Murray Smith
To: Francis, Geoffrey
Date: 9/15/2011 11:59 AM
Subject: Re: Fwd: Threshold velocity for Airsoft projectiles

Hi Geoff,

FYI. Is there any direction from our DG on this matter?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1047-001830

Page 1831
is withheld pursuant to sections
est retenue en vertu des articles

of the Access to Information Act
de la Loi sur l'accès à l'information

Pages 1832 to / à 1836
are withheld pursuant to section
sont retenues en vertu de l'article

of the Access to Information Act
de la Loi sur l'accès à l'information

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Murray Smith - Re: Fwd: T012715

From: Murray Smith
To: Thomas, Rose
Date: 9/16/2011 12:05 PM
Subject: Re: Fwd: T012715

Hi Rose,

The question should go to the Dept of Justice.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 9/16/2011 11:52 AM >>>
Please find attached Ministerial correspondence T012715. I have attached, for your review and/or comments, a copy of the proposed response, You will notice that the proposed response is a standard one, therefore, please advice if more specific information should be added regarding the Thompson sub-machine guns and the FN FAL.

Thank you

Rose Thomas

>>>

> **From:** ES&ML-DLO
> **To:** Thomas, Rose
> **Date:** 9/7/2011 8:34 AM
> **Subject:** T012715
> Good morning,
>
> Please prepare a response for the Minister's signature. **DD: 2011-09-29**
>
> Should you not be the responsible policy centre, please advise ES&ML-DLO immediately.
>
> Thank you,
> Amanda Layman
> ES & ML
> 843-6678

A0074293_1054-001837

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Murray Smith - Re: Fwd: T012715

From: Murray Smith
To: Renaud, Nadine
Date: 9/16/2011 1:54 PM
Subject: Re: Fwd: T012715
CC: Etter, William; Glass, Kimberley
Attachments: T012715_3.pdf; T012715 _ .doc

For your records.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1055-001838

Pages 1839 to / à 1844

are not relevant

sont non pertinentes

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Murray Smith - RE: Tokarev 7.62 mm Pistol

From: Murray Smith
To: Chief_Instructor@FSESO.org
Date: 9/22/2011 3:20 PM
Subject: RE: Tokarev 7.62 mm Pistol

Hi Mike,

We are hosting an international firearms trafficking conference this week. I am not at the office. On return, I will send you the list we have prepared for which calibres we believe are 25 or 32.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services

A0074293_1062-001845

Pages 1846 to / à 1848

are not relevant

sont non pertinentes

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Murray Smith - Fwd: Re: Question regarding firearms

From: Murray Smith
To: Francis, Geoffrey
Date: 9/26/2011 2:07 PM
Subject: Fwd: Re: Question regarding firearms
Attachments: Re: Question regarding firearms

FYI, the technical answer was made, by SFSS.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 9/26/2011 12:16 PM >>>
Hi Murray:

As requested

Bill

F.A. William (Bill) ETTER
Royal Canadian Mounted Police
Senior Firearms Technologist
Specialized Firearms Support Services
Firearms Investigative & Enforcement Services Directorate
NPS - Rm 504
P.O. Box 8885,
Ottawa, Ontario, Canada
K1G 3M8
613-993-6684

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Pages 1850 to / à 1853

are not relevant

sont non pertinentes

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Murray Smith - RE: Tokarev 7.62 mm Pistol

From: Murray Smith
To:
Date: 9/26/2011 3:27 PM
Subject: RE: Tokarev 7.62 mm Pistol
Attachments: 25 and 32 calibre cartridges - FRT keywords - Nov 2010.pdf; 25 and 32 calibre cartridges - FRT conventions - Nov 2010.pdf

Hi

Attached are two documents. The FRT conventions is a scan from the FRT editor's guide, which covers most of the 25 and 32 calibre cartridges. It is in need of updating which we will get to in due course. The other document is a listing of what was in the FRT as of November, 2010, and links the calibre as it appears in the FRT (left column) with the synonyms for the cartridge (right column) as they are listed in the "keywords" section of the FRT. The keywords are loaded into the FRT to permit searching by alternate nomenclature, so if someone happens to use a valid calibre name other than the one we use, the search will still succeed.
Both documents were released in response to an ATIP request, so they are in the public domain. However, if you are planning to circulate the list, please caveat it with our plans to update the lists.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 1856 to / à 1858

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CALIBRE	KEYWORD
25	
25 ALLEN LIP-FIRE	No 50 ALLEN LIP-FIRE
25 AUTO	25 A C P
25 AUTO	25 ACP
25 AUTO	25 ASP
25 AUTO	25 AUTO PISTOL
25 AUTO	25 AUTO SAVAGE PISTOL
25 AUTO	25 AUTOMATIC
25 AUTO	25 AUTOMATIC COLT PISTOL
25 AUTO	25 AUTOMATIC PISTOL
25 AUTO	25 COLT
25 AUTO	25 COLT AUTOMATIC
25 AUTO	25-6.35MM AUTO
25 AUTO	25AUTO
25 AUTO	6.35 A C P
25 AUTO	6.35 AUTO PISTOL
25 AUTO	6.35 BROWNING
25 AUTO	6.35MM ACP
25 AUTO	6.35MM AUTOMATIC PISTOL
25 AUTO	6.35MM BROWNING
25 AUTO	6.35MM SR BROWNING
25 AUTO	6.35X15.8MM
25 AUTO	6.35X16SR
25 AUTO	DWM 508A
25 AUTO	GR 757
25 AUTO	.25 ACP
25 AUTO	.25 AUTO
25 CF	.25 CF
25 CF	25CF
25 CF	.25CF
25 KRAG	25 KRAG NIEDNER
25 LONG	25 LONG FOR STEVENS
25 LONG	25-10
25 LONG	25 STEVENS LONG
25 NAA	.25 NAA
25 NAA	6.35X19SR
25 NAA	25NAA
25 NAA	25 NORTH AMERICAN ARMS
25 REM	25 REMINGTON AUTOMATIC RIMLESS
25 REM	25 REMINGTON RIMLESS
25 REM	25 REMINGTON AUTOLOADING
25 REM	25 REMINGTON AUTO RIMLESS
25 REM	25 REM SELF LOADING
25 REM	25 REM CF
25 REM	25 REM AUTOMATIC
25 REM	25 REM AUTOLOADING
25 REM	25 AUTOLOADING
25 REM	.25 REM
25 REM	25 REMINGTON SELF LOADING
25 REM	25-35 REM
25 REM	25-35 REMINGTON

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25 REM	6.5X52MM
25 REM	DWM 519A K
25 REM	DWM 539
25 RF	25 RIM-FIRE
25 RF	25 RIMFIRE
25 RKS	Ron Smith
25 RKS	25-357 RKS
25 RKS	25-357 MAXIMUM RKS
25 RKS	25 Ron K Smith
25 RKS	25 RKS Enterprises
25 RKS	25 RKS Ron Smith
25 RKS	25RKS
25 SHORT RF	25-5-42
25 SHORT RF	25-5-38
25 SHORT RF	25 X 15/32"
25 SHORT RF	25 SHORT RIMFIRE
25 SHORT RF	25 BLISS RF
25 SHORT RF	25 BACON & BLISS RF
25 SHORT RF	25-5-43
25 STEVENS LONG RF	25-10 STEVENS
25 STEVENS LONG RF	25-10 RF
25 STEVENS LONG RF	25 STEVENS RF
25 STEVENS LONG RF	25 STEVENS LONG RIM-FIRE
25 STEVENS LONG RF	25 STEVENS LONG
25 STEVENS LONG RF	25 STEVENS
25 STEVENS LONG RF	25-10 STEVENS RF
25 STEVENS SHORT RF	25 SHORT RF
25 STEVENS SHORT RF	25 STEVENS SHORT
25 STEVENS SHORT RF	25 STEVENS SHORT RIM-FIRE
25 WSSM	.25 WSSM
25 WSSM	25 WIN SSM
25 WSSM	25 WINCHESTER SUPER SHORT MAG
25 WSSM	25 WIN SUPER SHORT MAGNUM
25 WSSM	25 WIN SUPER SHORT MAG
25-06 ACKLEY IMPROVED	25-06 AI
25-06 ACKLEY IMPROVED	25-06 IMPROVED
25-06 ACKLEY IMPROVED	25-06 IMPROVED ACKLEY
25-06 ACKLEY IMPROVED	25-06 REM ACKLEY IMPROVED
25-06 ACKLEY IMPROVED	25-06 REM AI
25-06 REM	25 NEIDNER
25-06 REM	25-06 REMINGTON
25-06 REM	25/30-06
25-20 SINGLE SHOT	25-20 STEVENS
25-20 SINGLE SHOT	6.5X41R
25-20 SINGLE SHOT	GEORGE ROTH 794
25-20 SINGLE SHOT	GR 794
25-20 SINGLE SHOT	25-20 SS
25-20 SINGLE SHOT	25-20 SINGLE SHOT CF
25-20 SINGLE SHOT	.25-20 SINGLE SHOT
25-20 WIN	6.5X34R
25-20 WIN	GR 586H
25-20 WIN	25-20 WINCHESTER HV

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25-20 WIN	25-20 WINCHESTER CF
25-20 WIN	25-20 WINCHESTER CENTRE FIRE
25-20 WIN	25-20 WINCHESTER CENTER FIRE
25-20 WIN	25-20 WINCHESTER
25-20 WIN	25-20 WIN HV
25-20 WIN	25-20 WIN CF
25-20 WIN	25-20 WHV
25-20 WIN	25-20 WCF
25-20 WIN	25-20 SHORT
25-20 WIN	25-20 REPEATER
25-20 WIN	25-20 MARLIN HV
25-20 WIN	25-20 MARLIN
25-20 WIN	25-20 HV
25-20 WIN	.25-20 WIN
25-20 WIN	25-20 DOMINION
25-21 STEVENS	.25-21 STEVENS
25-21 STEVENS	25-21 STEVENS CF
25-222 COPPERHEAD	25-222 REMINGTON COPPERHEAD
25-222 COPPERHEAD	25/222 COPPERHEAD
25-222 COPPERHEAD	25/222 REM COPPERHEAD
25-222 COPPERHEAD	25/222 REMINGTON COPPERHEAD
25-222 COPPERHEAD	25 C
25-222 COPPERHEAD	25 COPPERHEAD
25-222 COPPERHEAD	25-222 REM COPPERHEAD
25-243 WIN ACKLEY IMPROVED	25-243 WIN IMPROVED 40-DEGREE
25-243 WIN ACKLEY IMPROVED	25-243 IMPROVED 40
25-243 WIN ACKLEY IMPROVED	25/243 WIN ACKLEY IMPROVED
25-243 WIN ACKLEY IMPROVED	25-243 WINCHESTER ACKLEY IMPROVED 40-DEGREE
25-243 WIN ACKLEY IMPROVED	25-243 WINCHESTER ACKLEY IMPROVED
25-243 WIN ACKLEY IMPROVED	.25-243 WIN ACKLEY IMPROVED
25-243 WIN ACKLEY IMPROVED	25-243 WIN ACKLEY IMPROVED 40-DEGREE
25-243 WIN ACKLEY IMPROVED	25-243 WIN ACKLEY IMP
25-243 WIN ACKLEY IMPROVED	25-243 IMPROVED 40-DEGREE
25-25 STEVENS	.25-25 STEVENS
25-25 STEVENS	25-25 STEVENS CF
25-284 WIN	25-284 WIN WILDCAT
25-284 WIN	25/284 WINCHESTER
25-284 WIN	25-284
25-284 WIN	.25-284 WIN
25-303 BRITISH WILDCAT	25/303 BRITISH
25-303 BRITISH WILDCAT	25-303 BRITISH
25-303 BRITISH WILDCAT	25-303 BRIT WILDCAT
25-303 BRITISH WILDCAT	.25-303 BRITISH
25-303 BRITISH WILDCAT	.25/303 BRITISH WILDCAT
25-303 BRITISH WILDCAT	25/303 WILDCAT
25-303 BRITISH WILDCAT	.25/303 BRITISH
25-303 BRITISH WILDCAT	.25-303 BRITISH WILDCAT
25-35 ACKLEY IMPROVED	25-35 ACKLEY IMP WIN
25-35 ACKLEY IMPROVED	25-35 ACKLEY IMP WINCHESTER
25-35 ACKLEY IMPROVED	25-35 WIN ACKLEY IMPROVED
25-35 ACKLEY IMPROVED	25-35 ACKLEY IMPROVED WIN
25-35 WIN	.25-35 WIN

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25-35 WIN	25-35
25-35 WIN	25-35 SAVAGE
25-35 WIN	25-35 WCF
25-35 WIN	25-35 WINCHESTER CF
25-35 WIN	25-35 WINCHESTER SHORT RANGE
25-35 WIN	25-35 Winchester
25-35 WIN	25-35 Winchester Center Fire
25-35 WIN	25-35 Winchester Centre Fire
25-35 WIN	6.5X52RMM
25-35 WIN	DWM 519
250 ACKLEY IMPROVED	250/3000 AI
250 ACKLEY IMPROVED	250/3000 ACKLEY IMPROVED
250 ACKLEY IMPROVED	250-3000 IMPROVED ACKLEY
250 ACKLEY IMPROVED	250-3000 AI
250 ACKLEY IMPROVED	250/3000 SAVAGE IMPROVED ACKLEY
250 ACKLEY IMPROVED	250 SAVAGE ACKLEY IMPROVED
250 ACKLEY IMPROVED	250 ACKLEY IMPROVED WILDCAT
250 ACKLEY IMPROVED	.250 ACKLEY IMPROVED
250 ACKLEY IMPROVED	250-3000 ACKLEY IMPROVED
250 SAVAGE	6.5X53
250 SAVAGE	DWM 394
250 SAVAGE	250SAVAGE
250 SAVAGE	250/3000
250 SAVAGE	250-3000 SAVAGE HI-POWER
250 SAVAGE	250-3000 SAVAGE
250 SAVAGE	250-3000 SAV
250 SAVAGE	250-3000
250 SAVAGE	250 SAV
250 SAVAGE	250 HP
250 SAVAGE	.250 SAVAGE
250 SAVAGE	250 HI-POWER
256 NEWTON	.256 NEWTON
256 NEWTON	256 NEWT
256 NEWTON	256 N
257 ACKLEY IMPROVED	257 AI
257 ACKLEY IMPROVED	257 ACKLEY IMPROVED WILDCAT
257 ACKLEY IMPROVED	257 ACKLEY IMPROVED ROBERTS
257 ACKLEY IMPROVED	.257 ACKLEY IMPROVED
257 ACKLEY IMPROVED	257 ROBERTS ACKLEY IMPROVED
257 ACKLEY IMPROVED	257 IMPROVED ROBERTS
257 ACKLEY IMPROVED	257 IMPROVED ACKLEY
257 ACKLEY IMPROVED	257 ROBERTS AI
257 ACKLEY IMPROVED	257 ROBERTS (ACKLEY IMPROVED)
257 ARNOLD	257 ARNOLD MAG
257 ROBERTS	257 REMINGTON ROBERTS
257 ROBERTS	257 ROB
257 ROBERTS	257 ROBERTS + P
257 ROBERTS	257 ROBT
257 ROBERTS	.257 ROBERTS
257 ROBERTS	257 WINCHESTER ROBERTS
257 ROBERTS	257 WIN ROBERTS
257 ROBERTS	25 ROBERTS

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257 ROBERTS	257 REM
257 ROBERTS	257 REM ROBERTS
257 ROBERTS IMPROVED	.257 ROBERTS IMPROVED
257 ROBERTS IMPROVED	257 IMP
257 ROBERTS IMPROVED	257 IMP ROBERTS
257 ROBERTS IMPROVED	257 IMPROVED
257 ROBERTS IMPROVED	257 IMPROVED ROBERTS
257 WBY MAG	257 WEATHERBY MAG
257 WBY MAG	257 WEATHERBY MAGNUM
257 WBY MAG	257 WEATHERBY
257 WBY MAG	257 WBY MAGNUM
257 WBY MAG	.257 WBY MAG
257 WBY MAG	WEATHERBY 257 MAGNUM
257-243 WIN IMPROVED	257-243 WINCHESTER IMPROVED
257-243 WIN IMPROVED	257-243 WIN IMPROVED WILDCAT
257-243 WIN IMPROVED	257-243 IMPROVED, 30 DEGREE
257-243 WIN IMPROVED	.257-.243 WIN IMPROVED
257-7MM STW WILDCAT	257 - 7MM STW
257-7MM STW WILDCAT	257 STW
257-7MM STW WILDCAT	257/7MM STW
257-7MM STW WILDCAT	257 / 7MM STW
257-7MM STW WILDCAT	257 SHOOTING TIMES WESTERNER
257X54R WILDCAT	257 X 54 R.
257X54R WILDCAT	257X54R
32 ALLEN LIP-FIRE	No 52
32 AUTO	.32 ACP
32 AUTO	.32 AUTO
32 AUTO	30 BROWNING
32 AUTO	32 ACP
32 AUTO	32 ASP
32 AUTO	32 AUTO COLT
32 AUTO	32 AUTO SAVAGE PISTOL
32 AUTO	32 AUTOMATIC
32 AUTO	32 AUTOMATIC COLT PISTOL
32 AUTO	32 AUTOMATIC PISTOL
32 AUTO	32 AUTOMATIC SAVAGE PISTOL
32 AUTO	32 CAP
32 AUTO	32 COLT AUTOMATIC PISTOL
32 AUTO	32 RIMLESS SMOKELESS
32 AUTO	32ACP
32 AUTO	32AUTO
32 AUTO	7.65 BROWNING
32 AUTO	7.65 COURT
32 AUTO	7.65MM
32 AUTO	7.65MM ACP
32 AUTO	7.65MM AUTO
32 AUTO	7.65MM AUTOMATIC PISTOL
32 AUTO	7.65MM BROWNING
32 AUTO	7.65MM BROWNING M1897
32 AUTO	7.65MM BROWNING M1900
32 AUTO	7.65MM COURT
32 AUTO	7.65MM HOLLAND P.S. No .19

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32 AUTO	7.65MM MAUSER
32 AUTO	7.65MM PIST. PATR. 260 (h)
32 AUTO	7.65MM PISTOLE BERETTA
32 AUTO	7.65MM PISTOLE BROWNING
32 AUTO	7.65MM PISTOLE MAUSER
32 AUTO	7.65MM PISTOLEN-PATRONE 260 h
32 AUTO	7.65MM PISTOLEN-PATRONE No 19
32 AUTO	7.65MM POUR PISTOLET AUTO
32 AUTO	7.65MM SELBSTLADE-PISTOLE
32 AUTO	7.65X17SR MM
32 AUTO	7.8X17.5 BROWNING
32 AUTO	DWM 479
32 AUTO	DWM 479A
32 AUTO	DWM 479C
32 AUTO	GR 619
32 CF	32CF
32 CF	.32 CF
32 CF	.32CF
32 CF	32 CENTER FIRE
32 CF	32 CENTRE FIRE
32 COLT NEW POLICE	32 COLT POLICE POSITIVE
32 COLT NEW POLICE	32 POLICE
32 COLT NEW POLICE	32 COLT NP
32 EXTRA LONG BALLARD RF	32 EXTRA LONG BALLARD
32 EXTRA SHORT RF	32 RIM-FIRE PROTECTOR
32 EXTRA SHORT RF	32 RF PROTECTOR
32 EXTRA SHORT RF	32 PROTECTOR RIM-FIRE
32 EXTRA SHORT RF	32 EXTRA SHORT RIMFIRE
32 EXTRA SHORT RF	32 PROTECTOR RF
32 H&R	32 M&H LONG
32 H&R	32 M H & CO LONG
32 H&R	32 M & H LONG
32 H&R	32 HARRINGTON & RICHARDSON
32 H&R	32 H&R 1883
32 H&R	32 H & R or M & H
32 H&R	32 H & R
32 H&R	32 MERWIN, HULBERT & Co LONG
32 H&R MAG	7.7X27R MM
32 H&R MAG	32 MAGNUM
32 H&R MAG	32 MAG
32 H&R MAG	8X27 HR
32 H&R MAG	.32 H&R MAG
32 H&R MAG	32 H&R MAGNUM
32 H&R MAG	32 HARRINGTON & RICHARDSON MAG
32 H&R MAG	32 HARRINGTON & RICHARDSON MAGNUM
32 IDEAL	32-25-150
32 IDEAL	.32 IDEAL
32 IDEAL	32 IDEAL CF
32 LONG CF	.32 LONG CF
32 LONG CF	32 L
32 LONG CF	32 LONG
32 LONG CF	32 LONG C.F.

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32 LONG CF	32 LONG CENTER FIRE
32 LONG CF	32 LONG CENTRE FIRE
32 LONG COLT	.32 LONG COLT
32 LONG COLT	32 C
32 LONG COLT	32 COLT
32 LONG COLT	32 LANG COLT
32 LONG COLT	32 LC
32 LONG COLT	32 LCF
32 LONG COLT	32 LG COLT
32 LONG COLT	32 LONG
32 LONG COLT	32 LONG COLT - INSIDE LUB
32 LONG COLT	32 LONG COLT - OUTSIDE LUB
32 LONG COLT	DWM 262
32 LONG COLT	REVOLVER KAL 32 LG
32 LONG RF/32 LONG COLT	32 LONG COLT/32 LONG RF
32 NAA	.32 NAA
32 NAA	7.65X17
32 NAA	32NAA
32 NAA	32 NORTH AMERICAN ARMS
32 PIN-FIRE	32 PINFIRE
32 PROTECTOR	32 CHICAGO PROTECTOR
32 PROTECTOR	8MM PROTECTOR
32 PROTECTOR	32 MINEAPOLIS PROTECTOR
32 PROTECTOR	32 MINEAPOLIS PROTECTOR CF
32 PROTECTOR	8MM MERVEILLEUX CF
32 PROTECTOR	.32 PROTECTOR
32 PROTECTOR	32 EXTRA SHORT CF
32 REM	32 REMINGTON RIMLESS
32 REM	32 REMINGTON AUTOMATIC
32 REM	32 REMINGTON AUTOLOADING
32 REM	32 REMINGTON
32 REM	.32 REM
32 RF	32 RIMFIRE
32 RF	32 RIM-FIRE
32 RF	32 RIM FIRE
32 RF	32 RF SHOT
32 RF	32 SHOT RF
32 RF	142 GAUGE
32 S&W	32 M&H
32 S&W	7.9X15.0 S&W 32
32 S&W	32 M&H SHORT
32 S&W	32 MERWIN & HULBERT
32 S&W	32 MERWIN & HULBERT SHORT
32 S&W	32 MERWIN, HULBERT & CO
32 S&W	32 MERWIN, HULBERT & COMPANY
32 S&W	32 MERWIN, HULBERT & COMPANY SHORT
32 S&W	32 MH&CO
32 S&W	32 S&W 1876
32 S&W	32 S&W GALLERY
32 S&W	8.15X15.30 SMITH & WESSON
32 S&W	8.15X15.80 SMITH & WESSON
32 S&W	DWM 202

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32 S&W	DWM 260
32 S&W	GR 930
32 S&W	GR 971
32 S&W	REVOLVER SMITH & WESSON KAL 32
32 S&W	S&W CAL 32 KURZ
32 S&W	32 S&W LUNGO
32 S&W	32 S&W REV
32 S&W	32 S&W REVOLVER
32 S&W	32 S&W SHORT
32 S&W	32 S+W
32 S&W	32 SHORT S&W
32 S&W	32 SMITH & WESSON
32 S&W	32 SMITH & WESSON SHORT
32 S&W	32-6-85 SMITH & WESSON
32 S&W	32S&W
32 S&W	.32 S&W
32 S&W LONG	32 S&W LANG
32 S&W LONG	32 S&W L
32 S&W LONG	32 POLICE
32 S&W LONG	32 NEW POLICE
32 S&W LONG	32 LONG S&W
32 S&W LONG	32 LONG Ctg
32 S&W LONG	32 LONG
32 S&W LONG	32 COLT POLICE POSITIVE
32 S&W LONG	32 COLT NP
32 S&W LONG	32 COLT NEW POLICE
32 S&W LONG	.32 S&W LONG
32 S&W LONG	GR 931
32 S&W LONG	GR 972
32 S&W LONG	7.65X23R MM
32 S&W LONG	32S&W LONG
32 S&W LONG	32 WC
32 S&W LONG	32 WADCUTTER
32 S&W LONG	32 SMITH & WESSON LONG
32 S&W LONG	32 S&W LONG WADCUTTER
32 S&W LONG	32 S&W LONG REVOLVER
32 S&W LONG	32 S&W LONG 1896
32 S&W LONG	32 S&W LG
32 S&W LONG	32 S&W LG WADCUTTER
32 S&W LONG	32 S&W LG WC
32 S&W LONG/7.65MM	32 S&W LONG / 7.65MM
32 SHORT COLT	32 LONG COLT
32 SHORT COLT	32 SC
32 SHORT COLT	320 REVOLVER CF
32 SHORT COLT	32 SHORT CF
32 SHORT COLT	32 WEBLEY
32 SHORT COLT	320 REV
32 SHORT COLT	320 REV CF
32 SHORT COLT	32 LONG CF
32 SHORT COLT	32 SH COLT
32 TEAT-FIRE	32 ROUND TEAT No 2
32 TEAT-FIRE	ROUND TEAT No 2

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32 TEAT-FIRE	32 WILLIAMSON'S TEAT-FIRE
32 WIN SL	32 SL
32 WIN SL	32 SLR
32 WIN SL	32 WSLR
32 WIN SL	32 WSL
32 WIN SL	32 WINCHESTER SLR
32 WIN SL	32 WINCHESTER SL
32 WIN SL	32 WINCHESTER SELF LOADING RIFLE
32 WIN SL	32 WINCHESTER SELF LOADING
32 WIN SL	32 WCF AUTOMATIC
32 WIN SL	32 WIN SLR
32 WIN SL	32 WINCHESTER AUTOLOADING
32 WIN SL	32 WINCHESTER AUTOMATIC
32 WIN SL	32 WINCHESTER RIMLESS
32 WIN SPL	32 SPECIAL
32 WIN SPL	32 WINCHESTER SPL
32 WIN SPL	32 WINCHESTER SPECIAL
32 WIN SPL	32 WIN SPECIAL
32 WIN SPL	32 W.S.
32 WIN SPL	32 W-S
32 WIN SPL	32 WS
32-20 WIN	32-20 CFW
32-20 WIN	W32
32-20 WIN	GR 942
32-20 WIN	GEORGE ROTH 942
32-20 WIN	8X33 WINCHESTER
32-20 WIN	8.0X33.0 WINCHESTER 32
32-20 WIN	32/20 WINCHESTER
32-20 WIN	32-20-115 WINCHESTER
32-20 WIN	32-20-100 MARLIN SAFETY
32-20 WIN	.32-20 WIN
32-20 WIN	32 20 WIN
32-20 WIN	32 CLMR
32-20 WIN	32 COLT L M RIFLE
32-20 WIN	32 COLT LIGHTNING M R
32-20 WIN	32 COLT LIGHTNING MAGAZINE RIFLE
32-20 WIN	32 COLT MAGAZINE RIFLE
32-20 WIN	32 COLT MR
32-20 WIN	32 MARLIN
32-20 WIN	32 WCF
32-20 WIN	32 WHV
32-20 WIN	32 WHV M92
32-20 WIN	32 WIN
32-20 WIN	32 WINCHESTER
32-20 WIN	32 WINCHESTER CENTER FIRE
32-20 WIN	32 WINCHESTER CENTER-FIRE
32-20 WIN	32 WINCHESTER CF
32-20 WIN	32 WINCHESTER, MARLIN & COLT
32-20 WIN	32-20
32-20 WIN	32-20 CF
32-20 WIN	WINCHESTER CAL 32/20
32-20 WIN	32-20 CLMR

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32-20 WIN	32-20 COLT L M RIFLE
32-20 WIN	32-20 COLT LIGHTNING
32-20 WIN	32-20 COLT LIGHTNING MAGAZINE RIFLE
32-20 WIN	32-20 COLT LMR
32-20 WIN	32-20 COLT MR
32-20 WIN	32-20 DOMINION
32-20 WIN	32-20 HI-POWER
32-20 WIN	32-20 HIGH POWER
32-20 WIN	32-20 MARLIN
32-20 WIN	32-20 WCF
32-20 WIN	32-20 WHV
32-20 WIN	32-20 WIN CENTER FIRE
32-20 WIN	32-20 WIN CENTRE FIRE
32-20 WIN	32-20 WIN CF
32-20 WIN	32-20 WINCHESTER
32-20 WIN	32-20 WINCHESTER CENTER FIRE
32-20 WIN	32-20 WINCHESTER CENTRE FIRE
32-20 WIN	32-20 WINCHESTER CF
32-20 WIN	32-20 WINCHESTER HIGH VELOCITY
32-20 WIN	32-20 WINCHESTER HV
32-30 REM	32 30 REM
32-30 REM	32-30 REM CF
32-30 REM	32-30 REMINGTON
32-30 REM	.32-30 REM
32-35 STEVENS & MAYNARD	32-35 MAYNARD
32-35 STEVENS & MAYNARD	32-35 STEVENS
32-35 STEVENS & MAYNARD	32-35 STEVENS & MAYNARD
32-35 STEVENS & MAYNARD	32-35 STEVENS & MAYNARD CF
32-35 STEVENS & MAYNARD	.32-35 STEVENS & MAYNARD
32-40 BULLARD	.32-40 BULLARD
32-40 BULLARD	32 BULLARD
32-40 BULLARD	32-40 BUL
32-40 BULLARD	32-40 BULLARD CF
32-40 BULLARD	32-40-150 BULLARD
32-40 BULLARD	32-40-185 BULLARD
32-40 REM	32-40-150 REMINGTON CF
32-40 REM	.32-40-150 REMINGTON
32-40 REM	32-40 REMINGTON
32-40 REM	32-40-150 REM
32-40 REM	32-40-150 REMINGTON
32-40 WIN	32-40 WHV
32-40 WIN	32-40 WIN CF
32-40 WIN	32-40 WCF
32-40 WIN	32-40 MARLIN
32-40 WIN	32-40 HP
32-40 WIN	32-40 BALLARD
32-40 WIN	32-40
32-40 WIN	.32-40 WIN
32-40 WIN	32-40 WINCHESTER
32-40 WIN	32-40 WINCHESTER CENTER FIRE
32-40 WIN	32-40 WINCHESTER CENTRE FIRE
32-40 WIN	32-40 WINCHESTER CF

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32-44 S&W	32-44 SMITH & WESSON GALLERY
32-44 S&W	32-44 SMITH & WESSON
32-44 S&W	32-44 S&W TARGET
32-44 S&W	32-44 S&W GALLERY
32-44 S&W	32-44
32-44 S&W	32 44 S&W
32-44 S&W	.32-44 S&W
32-44 S&W	32-44 SMITH & WESSON TARGET
320 GARRUCHA	.320 GARRUCHA
320 GARRUCHA	320 ROSSI GARRUCHA
320 GARRUCHA	320 DERRINGER BRASIL
320 GARRUCHA	320 ROSSI
320 LONG REV CF	320 LONG CF
320 LONG REV CF	320 LONG REVOLVER CENTRE FIRE
320 LONG REV CF	320 LONG REVOLVER CF
320 LONG REV CF	320 LONG RIFLE
320 LONG REV CF	320 ROOK
320 LONG REV CF	320 ROOK RIFLE
320 LONG REV CF	7.55X20.0 320 LANG
320 LONG REV CF	7X19 320 LANG
320 LONG REV CF	8X19.5MM ENGLISCH KAL 320
320 LONG REV CF	DWM 219
320 LONG REV CF	DWM 219A
320 LONG REV CF	GR 101
320 LONG REV CF	REVOLVER KAL 320 LG
320 LONG REV CF	320 LONG
320 LONG REV CF	320 LANG
320 LONG REV CF	320 L
320 LONG REV CF	.320 LONG REV CF
320 LONG REV CF	320-8-80 LONG
320 REV RF	320 REVOLVER RIM FIRE
320 REV RF	320 REV RIM FIRE
320 REV RF	320 REVOLVER RF
320	
320 RF	.320
320 RF	320 Rimfire
320 S&W RIFLE	32 SMITH & WESSON RIFLE
320 S&W RIFLE	32 S&W RIFLE
320 S&W RIFLE	320 SMITH & WESSON
320 S&W RIFLE	320 S&W REVOLVING RIFLE
320 S&W RIFLE	320 S&W
320 SHORT REV CF	320 REV CF
320 SHORT REV CF	320 REVOLVER CENTER FIRE
320 SHORT REV CF	320 REVOLVER CENTRE FIRE
320 SHORT REV CF	320 REVOLVER CF
320 SHORT REV CF	320 SHORT
320 SHORT REV CF	320 SHORT REV
320 SHORT REV CF	320 SHORT REVOLVER
320 SHORT REV CF	320 SHORT TRANTER
320 SHORT REV CF	320-6-80 REVOLVER
320 SHORT REV CF	7.5X16.0 320 KURZ
320 SHORT REV CF	7MM (320) REVOLVER CF

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320 SHORT REV CF	7MM REV CF
320 SHORT REV CF	7MM REVOLVER CF
320 SHORT REV CF	7X16 320 KURZ
320 SHORT REV CF	8X16.5MM ENGLISCH KAL 320
320 SHORT REV CF	8X16.5R REVOLVER
320 SHORT REV CF	DWM 194
320 SHORT REV CF	DWM 233
320 SHORT REV CF	GR 97
320 SHORT REV CF	REVOLVER CAL 320 (7MM)
320 SHORT REV CF	REVOLVER KAL 320
320 SHORT REV CF	32 REVOLVER SHORT
320 SHORT REV CF	.320 SHORT REV CF
320 SHORT REV CF	320 KURZ
320 SHORT REV CF	320 CF
320 SHORT REV CF	320 CENTER FIRE
320 SHORT REV CF	32 SHORT WEBLEY
320 SHORT REV CF	32 WEBLEY
320 SHORT REV CF	320 (7MM) REVOLVER CF
325 WSM	.325 WSM
325 WSM	325 WINCHESTER SHORT MAGNUM
325 WSM	325 WINCHESTER SHORT MAG
325 WSM	325 WIN SHORT MAG
327 FEDERAL MAG	327 FEDERAL MAGNUM
327 FEDERAL MAG	327 FED MAGNUM
327 FEDERAL MAG	327 FED MAG
327 FEDERAL MAG	.327 FEDERAL MAGNUM
6.35MM	.25 AUTO - 6.35MM AUTO
6.35MM	25 ACP
6.35MM	GR 757
6.35MM	DWM 508A
6.35MM	6.35X16SR
6.35MM	6.35X15SR
6.35MM	6.35X15.8MM
6.35MM	25 ASP
6.35MM	25 AUTO
6.35MM	25 AUTOMATIC PISTOL
6.35MM	25 COLT
6.35MM	25 COLT AUTO
6.35MM	25 COLT AUTOMATIC
6.35MM	25 COLT AUTOMATIC PISTOL
6.35MM	6.35 AUTO - .25 AUTO
6.35MM	6.35 AUTO PISTOL
6.35MM	6.35 BROWNING
6.35MM	6.35MM ACP
6.35MM	6.35MM AUTO
6.35MM	6.35MM AUTOMATIC COLT PISTOL
6.35MM	6.35MM BROWNING
6.35MM	6.35MM FUR SELBSTLADE-PISTOLE
6.35MM	6.35MM SELBSTLADE-PISTOLE
6.35MM	6.35X15.8 BROWNING PISTOLE
6.35MM PICKERT	6.35MM PICKERT CF
6.35MM PICKERT	6.35 PICKERT

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6.35MM PICKERT	25 REVOLVER CF
6.35MM PICKERT	6.35MM REV
6.35MM PICKERT	6.35MM PICKERT REVOLVER
6.35MM PICKERT	6.35MM REVOLVER
7.65MM	30 BROWNING
7.65MM	32 ACP
7.65MM	32 ASP
7.65MM	32 AUTO
7.65MM	32 AUTO COLT
7.65MM	32 AUTOMATIC
7.65MM	32 AUTOMATIC COLT PISTOL
7.65MM	32 AUTOMATIC PISTOL
7.65MM	32 CAP
7.65MM	32 COLT AUTOMATIC
7.65MM	32 COLT AUTOMATIC PISTOL
7.65MM	7.65 ACP
7.65MM	7.65 BROWNING
7.65MM	7.65 COURT
7.65MM	7.65MM ACP
7.65MM	7.65MM AUTO
7.65MM	7.65MM AUTOMATIC COLT PISTOL
7.65MM	7.65MM BROWNING
7.65MM	7.65MM BROWNING M1897
7.65MM	7.65MM BROWNING M1900
7.65MM	7.65MM COURT
7.65MM	7.65MM PIST PATR 206(h)
7.65MM	7.65MM PIST PATRONE 260(h)
7.65MM	7.65MM PIST PATRONE NO 19
7.65MM	7.65X17SR
7.65MM	7.65X17SR MM
7.65MM	7.8x17.5 FUR BROWNING PISTOLE
7.65MM	DWM 479A
7.65MM	GR 619
7.65MM BORCHARDT	30 BORCHARDT
7.65MM BORCHARDT	7.65MM BORCHARDT AUTO M1910
7.65MM BORCHARDT	7.65MM BORCHARDT M1893
7.65MM BORCHARDT	7.65MM BORCHARDT M1894
7.65MM BORCHARDT	7.8MM SELBSTLADE-PISTOLE
7.65MM BORCHARDT	7.65MM PARABELLUM-BORCHARDT
7.65MM BORCHARDT	7.65X25MM BORCHARDT M1893
7.65MM BORCHARDT	7.8MM BORCHARDT PISTOLE
7.65MM BORCHARDT	7.65MM PARABELLUM BORCHARDT
7.65MM PICKERT	7.65MM REVOLVER
7.65MM PICKERT	30 REV CF
7.65MM PICKERT	7.65MM REV
7.65MM PICKERT	7.65 PICKERT
7.65MM ROTH-SAUER	7.65MM R-S
7.65MM ROTH-SAUER	7.65 ROTH SAUER
7.65MM ROTH-SAUER	7.65 R-S
7.65MM ROTH-SAUER	7.65MM ROTH SAUER
7.65MM ROTH-SAUER	7.8MM ROTH-SAUER
7.65MM ROTH-SAUER	7.8X12.8 ROTH-SAUER

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7.65MM ROTH-SAUER	GR 703
7.65MM ROTH-SAUER	7.8MM ROTH SAUER
7.65X53 MAUSER	7.65MM MAUSER M1889
7.65X53 MAUSER	7.65MM PATRONE 260 (b)
7.65X53 MAUSER	7.65MM TURKISH MAUSER
7.65X53 MAUSER	7.65X53MM
7.65X53 MAUSER	7.65X53MM ARGENTINE MAUSER
7.65X53 MAUSER	7.65X53MM BELGIAN MAUSER
7.65X53 MAUSER	7.65X54 ARGENTINE MAUSER
7.65X53 MAUSER	7.65X54 BELGIAN MAUSER
7.65X53 MAUSER	7.65X54MM MAUSER
7.65X53 MAUSER	7.65X61MM
7.65X53 MAUSER	DWM 367
7.65X53 MAUSER	DWM 367E
7.65X53 MAUSER	DWN 367L
7.65X53 MAUSER	GEORG ROTH 412
7.65X53 MAUSER	7.65MM MAUSER M-1889
7.65X53 MAUSER	7.65MM MAUSER M 1889
7.65X53 MAUSER	7.65MM MAUSER
7.65X53 MAUSER	7.65MM MARINA ARGENTINA
7.65X53 MAUSER	GR 412
7.65X53 MAUSER	7.65MM BELGIAN MAUSER
7.65X53 MAUSER	7.65MM BELGIAN
7.65X53 MAUSER	7.65MM ARGENTINE NAVY MATCH
7.65X53 MAUSER	7.65MM ARGENTINE MAUSER
7.65X53 MAUSER	7.65MM ARGENTINE
7.65X53 MAUSER	303 MAUSER
7.65X53 MAUSER	303 MARKSMAN
7.65X53 MAUSER	7.65MM FRASER

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"Child" Legal Classification:

- business rules for populating Legal Classification at the child level:

1) where Type = HG, the following calibres fall under CC 84(1) "prohibited firearm" and therefore require the Legal Classification to be "Prohibited".

25	25-35 WIN
25 ACP	250 SAVAGE
25 AUTO	256 WIN MAG
25 AUTOMATIC PISTOL	257 ROBERTS
25 COLT	257 WEATHERBY MAGNUM
25 COLT AUTOMATIC	6.35MM
25-20 WIN	6.35 BROWNING
25-20 WINCHESTER	25-06 REM
25-20 MARLIN	25 NAA
25-20 WCF	257 ROBERTS IMPROVED

32	32 MAG	32-20 MARLIN
32 ACP	32 NEW POLICE	32-20 WCF
32 AUTO	32 PROTECTOR	32-20 WIN
32 CAP	32 S&W	32-20 WINCHESTER HIGH VELOCITY
32 CLMR	32 S&W LONG	32-40 WCF
32 COLT	32 S&W LONG WC	32-44 S&W
32 COLT NEW POLICE	32 S&W SHORT	7.65MM
32 COLT POLICE POSITIVE	32 SHORT CF	7.65 BROWNING
32 COLT RIFLE	32 SHORT COLT	32 NAA
32 H&R	32 WCF	320 REV CF
32 H&R MAG	32 WEBLEY	320 REV RF
32 LC	32 WINCHESTER CENTER-FIRE	320 SHORT REV CF
32 LONG	32 WINCHESTER SPECIAL	320 LONG REV CF
32 LONG CF	32-20 COLT LMR	
32 LONG COLT	32-20 MARLIN	

**** This is not to be considered a complete list. ****

Note: any 25 or 32 pin-fire/rim-fire are also included in this rule if the firearm was manufactured after 1898. Eg: 25 LONG, 25 RF

Exceptions: 7.65 MAS and 7.65 LUGER are not considered to be a 32 calibre cartridge.

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Murray Smith - Fwd: Re: Firearms Identification; Golf Ball Launcher - legal status.

From: Murray Smith
To: Leighton, Mike
Date: 9/27/2011 10:36 AM
Subject: Fwd: Re: Firearms Identification; Golf Ball Launcher - legal status.

Mike,

FYI, as it concerns a response to police in your geographic area.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 9/27/2011 9:09 AM >>>
Good morning Cst Mark Blakely:

Regret delay getting back to you; I can only plead - a large work-load.

1. The **"Golf Ball Howitzer"** is definitely a "firearm" by the definition of the Criminal Code.

2. The **"Golf Ball Howitzer"** probably has a projectile velocity in excess of 152.4 mps / 500 fps and will most certainly exceed 5.7 J of energy. To support charges - the velocity will have to be measured to be certain.

3. The silencer is a "prohibited device". CC S. 84 definition of "prohibited device sub (c)

4. Be aware that National Weapons Enforcement Support Team (NWEST) can provide additional assistance with this case.

I hope that this information is of assistance.

William Etter

F.A. William (Bill) ETTER
Royal Canadian Mounted Police
Senior Firearms Technologist
Specialized Firearms Support Services
Firearms Investigative & Enforcement Services Directorate
RCMP - CFP
P.O. Box 8885,
Ottawa, Ontario, Canada
K1G 3M8
613-993-6684

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Murray Smith - Re: Threshold velocity for Airsoft projectiles

From: Murray Smith
To: Quevillon, Yves
Date: 9/28/2011 10:39 AM
Subject: Re: Threshold velocity for Airsoft projectiles

Hi Yves,

I am free this afternoon, most of Thursday and Friday afternoon.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 9/28/2011 9:10 AM >>>
Hi Murray,

My calendar is fairly open. What is a good time for you to meet?

Yves

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Page 1882

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Pages 1902 to / à 1903

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Murray Smith - Re: Fwd: Type 97

From: Murray Smith
To: McDougall, Scott; Rose, Michelle
Date: 10/5/2011 10:09 AM
Subject: Re: Fwd: Type 97

Scott: Thanks for the heads up on the Type 97A matter.
Michelle: Would you please copy me with the reference hearing lines. Thanks.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Michelle Rose 10/5/2011 7:30 AM >>>
I have provided Julie and Marc with our existing lines on the Type 97A, and the Type 97A reference hearing lines. I have also provided our standard lines on classification of firearms.

If there is anything additional that you would like included, please advise.

Thank you,

Michelle

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Murray Smith - Fwd: Type 97

From: Murray Smith
To: Francis, Geoffrey
Date: 10/5/2011 11:21 AM
Subject: Fwd: Type 97
CC: Ste.Marie, Alison
Attachments: Fwd: Type 97

Hi Geoff,

Further to our discussion, this was the first incoming message on this matter. I asked Michelle for a copy of the reference hearing lines.

I will copy you on the two replies.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 10/5/2011 8:48 AM >>>
thanks for acting and keeping us advised Michelle -

Scott

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Murray Smith - Re: Fwd: Type 97

From: Murray Smith
To: McDougall, Scott
Date: 10/5/2011 11:46 AM
Subject: Re: Fwd: Type 97
CC: Delaney, Christa; Francis, Geoffrey; Perron, Pierre; Rose, Michelle

Scott,

3. The CFP applies the firearms classification laws as passed by Parliament. The classification of all the Type 97A rifles is based on the provisions of the Criminal Code.

4. Public safety is of prime concern for the CFP and accordingly, as a result of the Type 97A experience, all previously unseen semiautomatic derivatives of fully automatic firearms are more carefully scrutinized prior to the issuance of an FRT number. More detailed information about the design of the firearm is required as well as a physical inspection.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 10/5/2011 8:48 AM >>>
thanks for acting and keeping us advised Michelle -

Scott

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Murray Smith - Re: Fwd: Type 97

From: Murray Smith
To: McDougall, Scott; Rose, Michelle
Date: 10/5/2011 11:54 AM
Subject: Re: Fwd: Type 97

Michelle,

The update is simply what I mentioned in my earlier e-mail message. Two of the three reference hearings (Nova Scotia and British Columbia) are settled, both in favour of the Crown. The classification of the Type 97A rifle was upheld by the Court as prohibited in both cases. The third reference hearing remains scheduled for February in Alberta.

This impacts two paragraphs, immediately preceding and following the title "Media Lines".
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Tereshchak reasons for judgement

From: Murray Smith
To: Francis, Geoffrey
Date: 10/5/2011 3:22 PM
Subject: Tereshchak reasons for judgement
CC: CUNNINGHAM, Jim; Glass, Kimberley
Attachments: Tereshchak Reasons for Judgment 202147-1_2.pdf

Geoff,

Attached is a pdf of the reasons for judgement as established by the Court in the Tereshchak case.

The effectiveness of video demonstrations was mentioned by the Court (para 14) as well as our change in inspection policy (para 16). The issuance of the publication ban (para 13) and the applicability of the Hasselwander decision (para 12) were also reaffirmed.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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File No: 202147-1
Registry: Vancouver

In the Provincial Court of British Columbia

REGINA

v.

NELLY TERESHCHAK

REASONS FOR JUDGMENT
OF
THE HONOURABLE JUDGE GALATI

COPY

Crown Counsel:	L. Bantourakis
Defence Counsel:	D. Birch
Place of Hearing:	Vancouver, B.C.
Date of Judgment:	August 29, 2011

137283.AUG 29 11 RFJ

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[1] THE COURT: This matter is a reference to the court pursuant to s. 74(1) of the *Firearms Act* and it is with respect to the revocation of a registration certificate issued to the applicant for a Norinco Type 97A rifle. The rifle in question was purchased on March 19th of 2008 by the applicant's husband from Lever Arms Service Ltd. It was subsequently transferred to the applicant, Nelly Tereshchak, and a registration certificate was issued to her on April 1st, 2009.

[2] The rifle was originally part of a shipment of 30 rifles imported from China by Lever Arms and those had been approved for registration as semiautomatic restricted firearms on September 24th, 2007, by the Registrar of Firearms. Apparently, the application for registration was approved on the basis of information provided by an accredited verifier who was also at the time an employee of Lever Arms. This information described the firearm as a semiautomatic rifle with a barrel length of 458 millimetres. In the result, the rifle was designated for registration as a restricted firearm based on its reported characteristics.

[3] Ms. Tereshchak held a firearms licence that allowed her to possess and acquire restricted firearms and she was issued the registration certificate in question upon the rifle having

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been transferred to her. Her possession and acquisition licence for firearms does not allow her to possess or acquire firearms classified as prohibited.

[4] In 2009, the attention of the Registrar of Firearms was drawn to certain other Norinco Type 97A rifles which were in the process of being imported into Canada. In due course, a rifle from the same shipment as the rifle in question was inspected and was found to be easily converted from semiautomatic fire to fully automatic fire. This revelation resulted in the reclassification of two versions of the Norinco Type 97A rifle as a prohibited firearm and ultimately resulted in the revocation of Ms. Tereshchak's registration certificate for the rifle in question as it fell within the firearms which had been reclassified.

[5] Pursuant to s. 75(3) of the *Firearms Act*, the role of the court on the hearing of this reference is restricted to a determination, on all of the evidence presented, of whether the revocation was justified. The burden of proof is on the applicant to satisfy the court that the revocation was not justified. In *British Columbia (Chief Firearms Officer) v. Fahlman*, 2004 BCCA 343, the British Columbia Court of Appeal held that the test to determine whether the revocation is justified is one of reasonableness and although other cases

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have come to a different conclusion, clearly *Fahlman* is the law in British Columbia.

[6] With respect to the evidence on this reference, Ms. Tereshchak testified as to her acquisition of the rifle, the issuance of the registration certificate, and receiving notice of revocation of the registration certificate. With regard to the latter matter, she said that she did not fully understand the basis for revocation given that the rifle was legally purchased as a restricted firearm which she was licensed to acquire and possess.

[7] Blaire Hagen, an employee of Lever Arms and an approved verifier of firearms, testified in respect to the factual background of the importation and registration of the Norinco Type 97A as well as to its reclassification as a prohibited firearm. He also said that he did not understand the basis for the reclassification decision.

[8] Lever Arms was advised of the change of classification from restricted to prohibited by letter dated February 8th, 2010. The letter indicates that two of the three versions of the Norinco Type 97A had been determined upon inspection to be easily converted to full automatic fire and were thus prohibited.

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[9] Ms. Tereshchak received the notice of revocation in question which was dated March 22nd, 2010, and which purports to set out the reasons for the revocation of the registration certificate. Essentially, it informs that the firearm is prohibited and that she is not eligible to possess it. It also requires her to surrender her revoked certificate and the rifle. In addition, other evidence established that a compensation scheme has been made available to Ms. Tereshchak and others in the same situation as her.

[10] The notice of revocation does not specify the basis upon which the firearm in question was determined to be prohibited, rather than restricted, as it had originally been classified. It is not surprising that Ms. Tereshchak did not fully understand the basis for the revocation of her registration certificate based on the advice contained in the notice of revocation.

[11] However, the evidence in this reference hearing shows that the Registrar received an expert opinion from Murray Smith who is the manager of the specialized firearms support services section, a service line of the RCMP, that an identical firearm he had inspected was, in his view, prohibited essentially because it was easily converted from semiautomatic fire to fully automatic fire and, as such, he

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believed it to fall within the definition of a prohibited firearm set out in s. 84(1) of the *Criminal Code*.

[12] The leading case with respect to the interpretation of s. 84(1) is *R. v. Hasselwander*, [1993] 2 S.C.R. 398, where the Supreme Court of Canada held that a firearm which can be quickly and readily converted to automatic fire fell within the definition of prohibited weapon which at the time included firearms capable of automatic fire. Although the wording of s. 84(1) has changed in the interim, it is clear that automatic firearms are prohibited firearms. The definition of automatic firearm includes a firearm that is capable of automatic fire which is the same definition expounded upon and clarified in *Hasselwander* which, accordingly, remains binding authority.

[13] At the commencement of this proceeding, the respondent sought and I subsequently made, an order prohibiting the publication of any information given in evidence as to the modes of converting the Norinco Type 97A rifle from semiautomatic fire to fully automatic fire. I deemed such an order to be in the public interest and, accordingly, I am not going to canvass the evidence with respect to that issue.

[14] Suffice it to say that the evidence in the case at bar, including that of Travis Bader, the applicant's firearms

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expert, clearly establishes that the Norinco Type 97A in question is quickly and readily converted to automatic fire. The video demonstration by Murray Smith, the government expert, was particularly illustrative. The conversion process to fully automatic fire took only a few short seconds and once the methodology was implemented, fully automatic fire was accomplished with no other human intervention except to pull the trigger once.

[15] On the evidence, the firearm in question meets the definition of prohibited firearm set out in s. 84(1) of the *Criminal Code* as clarified by *Hasselwander*. That being the case, the Registrar had no reasonable option but to reclassify the firearm as prohibited and to revoke the applicant's certification of registration.

[16] It is clear from the evidence, particularly that of Mr. Smith, that the original classification of the firearm as restricted was done in error, in adherence to the questionable policy then in place, to routinely rely on information from the manufacturer or importer of firearms as to the characteristics of the firearm to be classified. The current policy, which was apparently changed in 2009, is to conduct a physical inspection of any semiautomatic firearm derived from a line of firearms known to support fully automatic fire.

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[17] The fact that the firearm in question is not classified as prohibited by the Regulations to the *Firearms Act* likely resulted from the initial classification error and any change to the Regulations can only be made by the federal government. This state of affairs in no way impacts on the authority of the Registrar of Firearms to administer the *Firearms Act* including the specific authority found in s. 71(1)(a) to revoke registration certificates for any good and sufficient reason. The only issue is whether the revocation in this case was justified in that it was a reasonable action to take.

[18] It is unfortunate that the Registrar of Firearms erred in the original classification and registration of the firearm in question. It is also unfortunate that the notice of revocation is questionable in its compliance with s. 72(2) of the *Firearms Act* as it does not speak to the investigation conducted and the reason for revocation.

[19] However, in all of the circumstances, I find that it was reasonable for the registrar to rectify the classification and registration errors initially made and, accordingly, the decision to revoke Ms. Tereshchak's certificate of registration is confirmed pursuant to s. 76 of the *Firearms Act*.

[REASONS FOR JUDGMENT CONCLUDED]

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Murray Smith - Re: Fwd: more pics...

From: Murray Smith
To:
Date: 10/6/2011 11:27 AM
Subject: Re: Fwd: more pics...

Hi

The pictures you sent are not exactly the same as what is illustrated on the website. Nonetheless they all appear to be based on genuine full auto AK receivers.

We look forward to inspecting samples.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Page 1922

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Pages 1923 to / à 1924

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Pages 1925 to / à 1936

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Pages 1937 to / à 1942

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Page 1943

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Page 1948

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Murray Smith - Fwd: Re: Airguns Followup

From: Murray Smith
To: (
Date: 10/11/2011 1:10 PM
Subject: Fwd: Re: Airguns Followup

Hi

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Page 1950

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Murray Smith - Fwd: Re: Airguns Followup

From: Murray Smith
To: Etter, William
Date: 10/11/2011 1:12 PM
Subject: Fwd: Re: Airguns Followup
CC: Glass, Kimberley; Renaud, Nadine; Riley, Pamela
Attachments: The AK Files Forums - Izhmash Yunkers 4 coming soon_1.pdf

Bill,

A new development. See the attached pdf file.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 1952 to / à 1959

are not relevant

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Pages 1960 to / à 1962
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Murray Smith - Fwd: Re: Letter to CBSA DG Maureen Tracy

From: Murray Smith
To: Glass, Kimberley
Date: 10/13/2011 10:14 AM
Subject: Fwd: Re: Letter to CBSA DG Maureen Tracy
Attachments: SKMBT_C45211090710400_1.pdf; Letter to CBSA DG Maureen Tracy.docx

FYI

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 10/13/2011 10:13 AM >>>

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Thanks,

Hwan

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Pages 1965 to / à 1967

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Murray Smith - Fwd: Re: Ministerial Correspondence T012842

From: Murray Smith
To: Francis, Geoffrey
Date: 10/13/2011 1:06 PM
Subject: Fwd: Re: Ministerial Correspondence T012842
CC: Glass, Kimberley
Attachments: MALAVOIEs copy of T012842 Version 1_1_2.pdf; T012842 - Breitkreuz_1.doc

Geoff,

The incoming letter and proposed response from the CFP are attached.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 10/13/2011 1:01 PM >>>
Hi Rose,

1. The Walther G22 information is incomplete and inaccurate. Grace Zhang has prepared a BN on the subject (to which I have contributed) which would supply the necessary text.
2. Barrel length is measured in accordance with Section 84(2) CC.

3. The Ministers advisory group still exists and is composed mostly of firearms business owners. It has a different name - Minister's User Group or something like that. PSC would know.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 10/13/2011 12:06 PM >>>
Good morning

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Pages 1969 to / à 1975

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Pages 1976 to / à 1978

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Pages 2009 to / à 2010

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Page 2022

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Murray Smith - Re: Notarized affidavit - Specialized Firearms Support Services

From: Murray Smith
To: Gauthier, Marc-Andre; Riley, Pamela
Date: 10/17/2011 12:21 PM
Subject: Re: Notarized affidavit - Specialized Firearms Support Services
Attachments: McDonald-Affidavit of Murray Smith final.docx; CV Murray Smith October 2011.wpd; FRT 15664 Russian Kalashnikov AK47.PDF; FRT 16276 Armi Jager AP80.PDF; FRT 82973 Mitchell Arms AK22.PDF; FRT 113135 East German KK-MPi69.PDF; FRT 113417 Bulgarian AKAT-74.PDF; FRT 125705 Romanian AKT-98.PDF

Thanks Marc-Andre,

I am sending you all the documents in electronic format in case there are last minute changes. I will be bringing hard copies as well.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Page 2024

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Pages 2025 to / à 2029

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Page 2030

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Pages 2031 to / à 2066

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Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Mike Leighton 10/17/2011 11:22 AM >>>
Thanks Murray,
I am waiting to hear back from Insp Johnson on this. I will be reaching out to you for some assistance on this. I'll give you a call later today.

Mike

>>> Murray Smith 10/17/2011 12:13 PM >>>
Hi Mike,

Ready to help out as required. I was talking with the RCMP file coordinator for this case this morning. It looks like they are going the regulatory route, which means they will need a report from me. It is in the works (as well as a video).

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 10/16/2011 7:58 PM >>>
Pierre,

Please see the attached email below from Inspector Greg Johnson (OIC, C&E, GTA).

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Pages 2069 to / à 2070

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Pages 2071 to / à 2077

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Court File No. 31992-1
Prince George Registry

PROVINCIAL COURT OF BRITISH COLUMBIA
IN THE MATTER OF A REFERENCE HEARING UNDER S. 74 OF THE *FIREARMS ACT*

BETWEEN:

GEOFFERY MCDONALD

APPLICANT

AND:

ATTORNEY GENERAL OF CANADA

RESPONDENT

AFFIDAVIT OF MURRAY SMITH

I, Murray Smith, of the City of Ottawa in the Province of Ontario, make oath and say as follows:

1 I am the Manager of the Specialized Firearms Support Services (SFSS) section, which is a component of the Canadian Firearms Program (CFP), itself a service line of the Royal Canadian Mounted Police (RCMP). I am a forensic scientist specializing in firearms, and over the course of 33 years with the RCMP Forensic Laboratory and more recently, the Canadian Firearms Program, have inspected and tested numerous types of firearms to determine their operating characteristics and classifications. I have provided expert testimony with respect to firearms, including their operating characteristics and classification, which has been accepted by numerous Canadian courts. My Curriculum Vitae is attached as Exhibit "A".

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2 As part of my duties I oversee the production of the Firearms Reference Table (FRT) database. The FRT is an encyclopedic reference currently cataloging over 141,000 types of firearms, detailing the description and legal classification of each as defined in Part III of the Criminal Code. The FRT is widely consulted by the police, customs and other law enforcement officers to assist with the tracing of firearms and the enforcement of the firearms laws. Likewise, the FRT is used by officials from Federal and Provincial departments responsible for the regulation of firearms, and in particular, the Canadian Firearms Registry. Additionally, the FRT is used by Interpol to support international firearms tracing and investigations.

3 From time to time I am asked by police and customs officers, or regulatory officials, to inspect firearms and their components for the purposes of identifying them and establishing their legal classification.

4 As such, I have personal knowledge of the matters stated in this Affidavit, except where stated, to be based on information and belief, and where so stated, I do believe the same to be true.

5 The Armi Jager model AP80 is a 22 Long Rifle (22LR) calibre, semiautomatic blowback operated rifle. The FRT record for the AP80 is attached as Exhibit "B". The AP80 is recorded in the FRT database as a prohibited variant of the AK-47 assault rifle as described in paragraph 64 of the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted. The AP80 forms part of the Armi Jager product line which replicates well known assault rifles such as the M16 (AP74), the Galil (AP84), and the FAMAS (AP85).

› The term "variant" is used in the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted but is not defined in the Regulations. For the purposes of the FRT, the ordinary meaning of the word "variant" is employed, which is taken to mean "a version derived from the original but not identical to the original", based on a survey of various dictionary definitions. For the purposes of the FRT, the "variant or modified version" clause was

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understood to be forward looking and include new variations of firearms entering the marketplace that did not exist at the time the prohibited and restricted parts of the Regulations were last extensively overhauled in 1995. The Regulations largely focus on semiautomatic copies of military and paramilitary firearms. The following criteria are used for FRT decisions:

a) is the design of the proposed variant derived from the original firearm, in this case, an AK-47 rifle?
b) would the proposed variant ever have existed were it not for the prior invention of the original?
c) is there any commonality in the handling, firing and other operating characteristics with the original?
d) does the firearm resemble with some precision the original? Would it be mistaken for the original at a modest distance?
e) is there any commonality of parts or accessories?
f) is the proposed variant marketed or otherwise represented by the manufacturer, importer or firearms dealer as being their copy of the original?
g) does the trade literature describe the proposed variant as being a copy of the original?

None of the factors listed above are individually conclusive by their presence or absence. It is the combination of features that leads a conclusion one way or the other, for the purposes of the FRT database.

7 The overall appearance of the Armi Jager AP80 is similar to the AK-47 assault rifle. The firing controls are in similar locations and operate in a similar fashion. Firearms catalogs, advertising and other trade literature consistently refer to the AP80 as a derivative of the AK-47 assault rifle. It is very clear that the AP80 would never have existed were it not for the prior invention of the AK-47 assault rifle and the marketing desire to capitalize on the fame and notoriety of the original AK-47 assault rifle.

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8 There is no known parts interchangeability between the Armi Jager AP80 and the AK-47 assault rifle.

9 The Armi Jager AP80 rifle has an operating mechanism which differs from the original AK-47 assault rifle. The AP80 rifle has a blowback mechanism whereas the original AK-47 assault rifle is gas operated. Additionally, the AP80 has a semiautomatic mechanism whereas the original AK-47 has a selective fire mechanism which supports fully automatic fire. The use of a blowback mechanism is a logical and necessary technical consequence of the choice to chamber the firearm in 22LR calibre, which lacks the capacity for a gas operated mechanism. It is relatively common for change of caliber to result in changes to the operating mechanism of a firearm. While the transformation from a gas operated mechanism to a blowback mechanism represents a significant change, the blowback mechanism is nonetheless one of the possible options for the AK-47 assault rifle family. Indeed, there are genuine AK-47 military training rifles produced in former Soviet bloc countries which are chambered in 22 LR calibre and which have blowback operated mechanisms, such as the fully automatic East German KK-MPi69 and Bulgarian AKAT-74 rifles, and the semiautomatic Romanian AKT-98 rifle.

10 The Armi Jager AP80 semiautomatic rifle is chambered for 22 LR calibre which is a rimfire primed calibre as opposed to the 7.62x39 mm centrefire calibre of the original AK-47 assault rifle. However, it is not uncommon for variations of fully automatic military assault rifles that are intended for sale to the general public to be produced with a semiautomatic action and to be chambered for 22LR calibre. Generally speaking, a semiautomatic firearm is legal for sale to the public more broadly than a fully automatic firearm. Likewise a 22LR calibre firearm employs ammunition that is significantly less expensive and more available through retail outlets, and for that reason is more attractive to potential purchasers, and thus a path frequently chosen by manufacturers. The 22LR variant firearms themselves are typically much less expensive, which also adds to their attractiveness.

11 The Armi Jager AP80 rifle is equipped with components which serve no mechanical function, such as the gas tube. The AP80 rifle is blowback operated which does not require a gas tube. The gas tube is located above the barrel near the muzzle end of the AP80 rifle and is a

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readily recognizable element of the original AK-47 assault rifle design, which is gas operated, and which requires the gas tube to function correctly. The gas tube on the AP80 rifle serves no purpose other than to more closely simulate the appearance of the AK-47 assault rifle.

12 The Armi Jager AP80 rifle was manufactured in Italy under at least three trade names: the Armi Jager AP80 rifle, the Adler Jager AP80 rifle and the Mitchell Arms AK-22 rifle (variously written as AK22, AK 22, and AK-22). All three firearms share the same Italian proof house catalog number, #2344, which specifies and seals the design of the firearm. Apart from markings and minor cosmetic features, the three known variations represent the same firearm. The Mitchell Arms AK-22 version is named in paragraph 64 (z.22) of Part 1 of the Schedule of the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted. There is at least one known specimen which bears both the Armi Jager AP80 and the Mitchell Arms AK 22 markings, a photograph of which can be found in the AP80 FRT record (Exhibit "B").

13 The FRT record for the Armi Jaeger AP80 rifle has classified the firearm as prohibited since at least August, 1998. This is before the non-restricted "long gun" registration initiative commenced (in December, 1998). The FRT database was initiated in September, 1996 and was first released to mass distribution with the August, 1998 edition. Thus this represents the earliest version of the FRT put into general service. The Armi Jaeger AP80 rifle has been classified as prohibited in the FRT continuously since that release, including the entire duration of the registration phase in period of December, 1998 to December, 2002.

14 The Canadian Firearms Registry is one of the agencies which makes use of the FRT database, and in particular, did so for automated registration application verification during the phase in period of registration and re-registration under the current Act, which ran from December 1st, 1998 to December 31st, 2002. Between 1998 and mid-2001, an exact FRT match was required, otherwise the application would be sent for further review by a registry analyst. After mid-2001, the FRT portion of registration application verification was simplified and only those applications which met specific search criteria were redirected to a registry analyst for

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verification of classification. The FRT unit supplied a list of firearm makes which were associated with restricted and prohibited firearms. A registration application for any of those firearm makes which was reported as being non-restricted in classification would have been sent for review by a human analyst. One such make was "Jager" which would have been recognized as a potential restricted or prohibited firearm. I was advised on September 13, 2011, by Grace Zhang, an analyst for the Canadian Firearms Registry, that the firearm that is the subject of this hearing had been described in the registration application as having a make "ARMF" and a classification of non-restricted. It is possible that the "ARMF" is a misspelling of "Armi" which is a generic term in Italian meaning "weaponry" or "arm". There are many Italian firearms companies with "Armi" as part of their name. However, the use of "ARMF" or even "Armi" as a firearm make would have been insufficient to clearly identify the firearm as potentially a restricted or prohibited firearm.

15 Attached for convenience of reference are the FRT records for the following firearms:

Exhibit "B": Armi Jager AP80
Exhibit "C": Russian Kalashnikov AK47
Exhibit "D": Bulgarian AKAT-74
Exhibit "E": East German KK-MPi69
Exhibit "F": Romanian AKT-98
Exhibit "G": Mitchell Arms AK-22

SWORN before me at the City of Ottawa, in the Province of Ontario, this 17th day of October 2011.

M-A Gauthier

Marc-André Gauthier
Notary Public
Ontario
[My Commission expires not]

Murray Smith

FRT Report

Network Version 3.15.0

Firearm Reference No.: 16276

Summary

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	
Legal Classification:	Prohibited

This is Exhibit "B" referred to in the affidavit of Murray Smith sworn before me, this 17th day of October, 2011

M. A. Gauthier

A NOTARY FOR THE PROVINCE OF ONTARIO

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	(mm)	Legal Authority	Barrel Type Code
16276 - 1	22 LR				

Notes

Make	- "Armi Jager" may be marked on the right-hand side of the receiver/frame.
Model	- "MOD AP80" is marked on the right-hand side of the receiver/frame. - sample model markings found on an observed specimen consisted of: "- ARMI JAGER ITALY - MOD AP80 - CAL 22LR CAT 2344 -". - visually resembles a Kalashnikov AK47 assault rifle. - this firearm is a 22 calibre, semi-automatic, blowback operated rifle. - features include: replica gas tube, walnut stock and forend or folding stock, post front sight, adjustable rear sight and built in cleaning rod.
Manufacturer	- "Armi Jager" and "Italy" may be marked on the right-hand side of the receive/frame. - following the Model designation the Italian Catalog number designation "CAT 2344", will be found.
Action	- blowback operated
Calibre	- the calibre designation may be marked on the right side of the receiver/frame.

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.15.0, 2011/10/17. All rights reserved, RCMP, 1998-2011.

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Shots	- detachable box magazine.
Serial Number	- serial number rationalization unknown. - example examined was sequential numbered, the serial number consisted of six digits without suffix or prefix with zeros being used as place holders. - the serial number was found stamped on upper right-hand side of the receiver / frame on the example examined. - "CAT 2344" is marked on the right side of the receiver/frame. - "2344" is not the serial number, this number is the Italian Proof House catalogue number.
Canadian Law Comments	- this firearm model is a 22 calibre, semi-automatic, blowback operated rifle and is an unnamed variant of the AK-47 in the Regulations appended to the Criminal Code of Canada Part III, Prohibited Firearms Regulations, Para 64, sub (z.22).
Other Markings	- following the Model designation the Italian Catalog number designation "CAT 2344", will be found marked on the receiver/frame.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
28902	Jager	AP80	Adler	Rifle	Semi-Automatic
82973	Mitchell Arms	AK22	Armi Jager	Rifle	Semi-Automatic

Also Known As/Product Code

2344

AK 22

AK22

AK-22

AP 80

AP-80

Armi Jager Mod AP80

Armi Jager Model AP80

CAT 2344

Italian Catalog Number 2344

Mod AP80

Year Dates

No Data Retrieved

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A0074293_1302-002085

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Importer

Mitchell Arms

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A0074293_1303-002086

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Firearm Details - Image

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Full View: Left Side

Image:
1 of 4

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A0074293_1304-002087

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Firearm Details - Image

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Full View: Right Side

Image 2 of 4

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A0074293_1305-002088

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Firearm Details - Image

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Close-up: Right Side

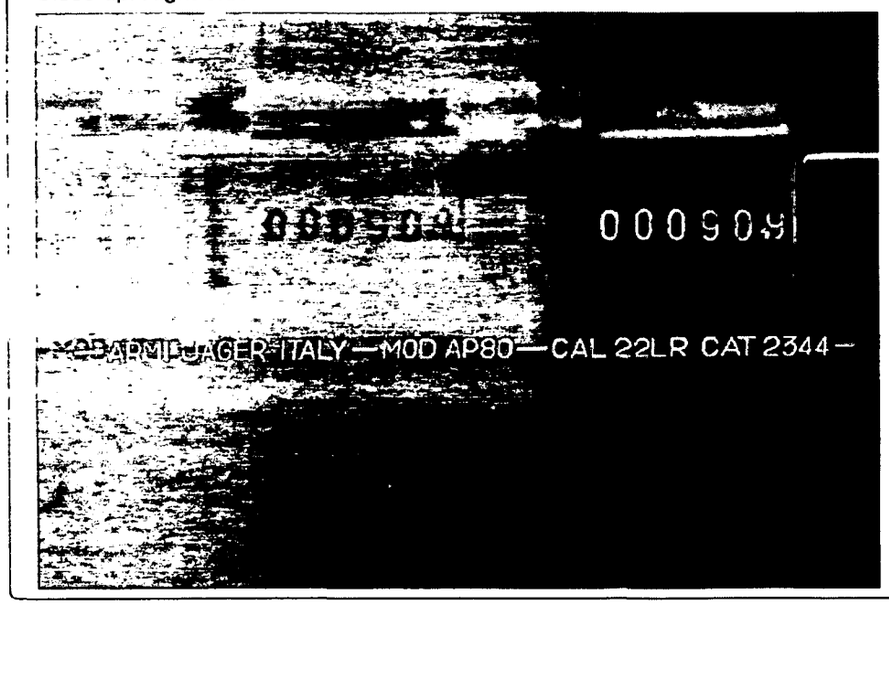

Image: 3 of 4

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A0074293_1306-002089

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Firearm Details - Image

Make:	Armi Jager
Model:	AP80
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Variant Markings

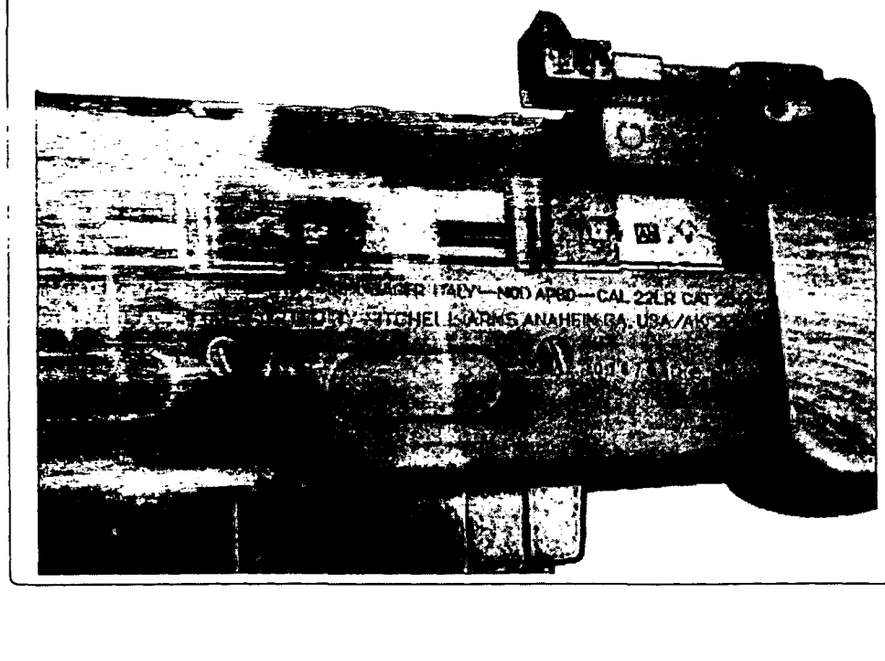

Image: 4 of 4

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A0074293_1307-002090

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Pages 2091 to / à 2097

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FRT Report

Network Version 3.15.0

Firearm Reference No.: 15664

Date: 2011-10-17

Summary

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA
Serial Numbering:	Numbered
Legal Classification:	Prohibited

This is Exhibit "C" referred to in the affidavit of Murray Smith sworn before me, this 17th day of October, 2011

H-A Lauthier

A NOTARY FOR THE PROVINCE OF ONTARIO

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
15664 - 1	7.62X39 RUSSIAN	5	415	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
15664 - 2	7.62X39 RUSSIAN	30	415	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	

Notes

Make

- "KALASHNIKOV" is not marked on the firearm.
- Kalasknikov as a make is in reference to the designer's last name, Mikhail Timofeyevich Kalishnikov of the "Automat Kalasnikova obrazets 1947" assault rifle.
- Kalishnikov is used as the make for military versions of this firearm.

Model

- model designation not marked on firearm.
- model was accepted by the Russian Military and designated as AK47 (Avtomat Kalishnikov 1947) in 1949.
- total production of AK47 type firearms exceeds 35 million.
- adopted by several communist bloc countries, several of which manufacture their own variant of this design.
- uses a machined steel receiver, available with a fixed or under folding stock.
- a modernized version with a stamped steel receiver known as the "AKM" was also produced.

Manufacturer

- manufacturers logo will normally appear on the receiver.

Action

- gas operated.

Barrel

- barrel measurement does not include flash hider.

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A0074293_1315-002098

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Shots - detachable box magazine.

Serial Number - usually located on left side of receiver.

Cross-References No Data Retrieved

Also Known As/Product Code

AK-47

Avtomat Kalishnikov

Year Dates No Data Retrieved

Importer No Data Retrieved

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.15.0, 2011/10/17. All rights reserved, RCMP, 1998-2011.

A0074293_1316-002099

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Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Full View: Left Side

Image:
1 of 6

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A0074293_1317-002100

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Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Full View: Right Side

Image:
2 of 6

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A0074293_1318-002101

Processed under the provisions of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Close-up: Left Side

Image:
3 of 6

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A0074293_1319-002102

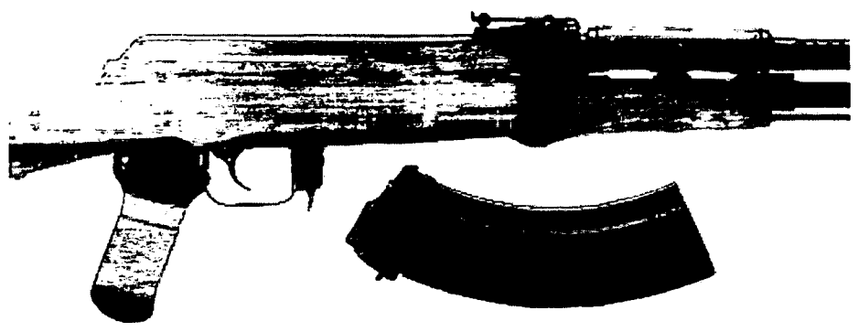
Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Close-up: Right Side

Image:
4 of 6



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A0074293_1320-002103

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Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Physical Variant #1

Image:
5 of 6

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A0074293_1321-002104

Processed under the provision of the Access to Information Act / Traité en vertu de la loi sur l'accès à l'information

Firearm Details - Image

Make:	Kalashnikov
Model:	AK47
Manufacturer:	Russian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	RUSSIA

Physical Variant #2

Image:
6 of 6

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A0074293_1322-002105

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FRT Report

Network Version 3.15.0

Firearm Reference No.: 113417

Date: 2011-10-17

Summary

Make:	Kalashnikov
Model:	AKAT-74
Manufacturer:	Bulgarian State Arsenal, Factory 10
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Full Automatic
Country of Manufacturer:	BULGARIA
Serial Numbering:	Numbered
Legal Classification:	Prohibited

This is Exhibit "D" referred to in the affidavit of Murray Smith sworn before me, this 17th day of October, 2011

H. A. Gauthier

A NOTARY FOR THE PROVINCE OF ONTARIO

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
113417 - 1	22 LR	20	568	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	

Notes

Make

- "KALASHNIKOV" is not marked on the firearm.
- Kalasknikov as a make is in reference to the designer's last name, Mikhail Timofeyevich Kalishnikov of the "Automat Kalasnikova obrazets 1947" assault rifle.
- Kalishnikov is used as the make for military versions of this firearm.

Model

- this firearm is a converted AK-47.
- the conversion appears to have been done by adapting an AK milled / forged receiver/frame to become a 22 calibre training rifle, by the addition of an appropriate barrel and blow-back breech mechanism.
- It is not possible to tell exactly where or when this conversion took place and it cannot safely be presumed that that the firearm was adapted / manufactured or re-manufactured at the factory which manufactured of the receiver / frame.
- this firearm does have a "dummy" gas tube to closely resemble the parent AK-47 firearm.

Manufacturer

- manufactured by an unknown manufacturer in the Bulgarian State Arsenal system, the receiver / frame was manufactured by Factory Number 10.

Action

- blowback operated.
- capable of full automatic or semi-automatic fire.
- rate-of-fire (theoretical) 700 shots-per-minute.

Barrel

- barrel measurements do not include flash hider.

Shots

- detachable box magazine.

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A0074293_1323-002106

Processed under the provision of the Access to Information Act / Traité en vertu de la loi sur l'accès à l'information

Serial Number

- serial number is marked on the left side of the receiver/frame.
- serial number rationalization unknown.
- one specimen reported revealed the following information: full year prefix 1960 followed by two letters followed by three digits.

Remarks

- this firearm was manufactured by the Bulgarian State Arsenals during the 1970's for export sales to Canada and other trading partners.
- it replicates the weight and appearance of the larger calibre firearm that it imitates.

Cross-References

No Data Retrieved

Also Known As/Product Code

AK AT 74

AK-AT 74

AK-AT-74

Kalashnikov AKAT 74

Submachinegun - AKAT 74

Submachinegun-AKAT .74

Year Dates

No Data Retrieved

Importer

No Data Retrieved

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police.Network Version 3.15.0, 2011/10/17. All rights reserved, RCMP, 1998-2011.

A0074293_1324-002107

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This is Exhibit "E" referred to in
the affidavit of Hway Smith
sworn before me, this 17th
day of October, 2011
M- A Lauthier
A NOTARY FOR THE PROVINCE OF ONTARIO

Barrel Type Code

Action

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A0074293_1325-002108

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Serial Number

- serial number is marked on the left side of the receiver/frame.
- serial number rationalization unknown.
- four specimens have been reported all having a six digit serial number without prefix or suffix.

Remarks

- this firearm was manufactured by DDR Government Arsenals during the 1960s & '70s for the Peoples Army of the German Democratic Republic.
- this firearm is purpose-built to replicate the weight and appearance of the larger calibre firearm that it imitates and the automatic fire capability was included to train personnel in the use of this feature for transition to the parent firearm.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
113195	Kalashnikov	KK-MPi 69	East German State Arsenals	Rifle	Converted Automatic

Also Known As/Product Code

Kalashnikov Mpi-69 KK

KK Mpi 69

KK Mpi-69

KKMpi 69

KK-Mpi-69

Klein Kaliber-Maschinen Pistole-69

Mpi-69

Year Dates

No Data Retrieved

Importer

No Data Retrieved

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A0074293_1326-002109

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FRT Report

Network Version 3.15.0

Firearm Reference No.: 125705

Date: 2011-10-17
Page: 1 / 2

Summary

Make:	Kalashnikov
Model:	AKT-98
Manufacturer:	Romanian State Arsenals
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ROMANIA
Serial Numbering:	See Note
Legal Classification:	Prohibited

This is Exhibit "F" referred to in the affidavit of Murray Smith sworn before me, this 17th day of October, 2011

A NOTARY FOR THE PROVINCE OF ONTARIO

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
125705 - 1	22 LR	10	439	Prohibited PFR, Part 1, para. 64	Non-Commercial Customization	

Notes

Make
- "KALASHNIKOV" is not marked on the firearm.
- Kalasknikov as a make is in reference to the designer's last name, Mikhail Timofeyevich Kalishnikov of the "Automat Kalasnikova obrazets 1947" assault rifle
- Kalishnikov is used as the make for military versions of this firearm.

Model
- the AKT-98 is a 22 LR CALIBRE firearm, either purpose-built or a conversion from an AKM.
- the conversion appears to have been done by adapting an AKM sheet metal pressing receiver/frame to become a 22 calibre training rifle, by the addition of an appropriate barrel and blow-back breech mechanism.
- It is not possible to tell exactly where or when this conversion took place and it cannot safely be presumed that that the firearm was not originally manufactured to be a 22 LR CALIBRE firearm.
- this firearm does have a "dummy" gas tube to closely resemble the parent AKM firearm.
- features include: plastic furniture which may readily be replaced with the furniture from any model of AKM.

Manufacturer
- "CUGIR - ROMANIA" is lightly stamped on the receiver/frame.
- the manufacturer is reported as being "S.C. Fabrica De Arme Cugir S.A."

Action
- blow-back operated.

Shots
- detachable box magazine.

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A0074293_1327-002110

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Serial Number

- serial number rationalization unknown.
- observed specimen serial number consisted of model designation AKT-98 followed by a dash followed by five digits followed by a dash followed by a two digit year code. EXAMPLE: - AKT-98-00084-04

Importer

- Markings consisted of:
AK-98 22 LR
ARMAMENTOS INC WPB FL

WPB FL = WEST PALM BEACH, FLORIDA

Other Markings

- the rear sight block has been observed with KK-95 marked on the left side.
- markings found on the left front of the receiver/frame include in three lines:
AKT-98 22 LR
ARMAMENTOS INC WPB FL
CUGIR -ROMANIA

Remarks

- this firearm was manufactured circa 2004, for export sales to North America by the Romanian State Arsenals or a privatised segement of the Romanian State Arsenals known as S.C. Fabbrica De Arme Cugir S.A. .
- this firearm replicates the weight and appearance of the larger calibre firearm that it imitates.

Cross-References

No Data Retrieved

Also Known As/Product Code

AKT 98

AKT98

KK-95

Year Dates

No Data Retrieved

Importer

Armamentos

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A0074293_1328-002111

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Summary

Make:	Mitchell Arms
Model:	AK22
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY
Serial Numbering:	Numbered
Legal Classification:	Prohibited

This is Exhibit "G" referred to in the affidavit of Murray Smith sworn before me, this 17th day of October, 20 11
H-A Gauthier
A NOTARY FOR THE PROVINCE OF ONTARIO

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
82973 - 1	22 LR	10	457	Prohibited PFR, Part 1, para. 64(z.22)	Manufacturer Specifications and Commercial Customization	
82973 - 2	22 LR	20	457	Prohibited PFR, Part 1, para. 64(z.22)	Manufacturer Specifications and Commercial Customization	
82973 - 3	22 MAG	10	457	Prohibited PFR, Part 1, para. 64(z.22)	Manufacturer Specifications and Commercial Customization	

Notes

Make

- "MITCHELL ARMS", "MITCHELL ARMS CORP." or "MITCHELL ARMS, INC." is marked on the firearm.
- "Mitchell Arms" was a manufacturer, importer and distributor from 1980 to 1997.
- "Mitchell Arms" had offices in Anaheim, Compton, Costa Mesa, and Santa Ana, California and Winchester, Virginia, U.S.A., and in Winchester, England.
- "Mitchell Arms" open a new factory and offices in Santa Ana, California in 1995.

Model

- "- ARMI JAGER ITALY - MOD AP80 - CAL 22LR CAT 2344 -" over "IMPORTED BY MITCHELL ARMS ANAHEIM CA USA/AK 22" was marked on an observed specimen.
- visually resembles a Kalashnikov AK47 assault rifle.
- this firearm is a 22 calibre, semi-automatic, blowback operated rifle.
- features include: replica gas tube, walnut stock and forend or folding stock, post front sight, adjustable rear sight and built in cleaning rod.

Manufacturer

- observed specimen firearm illustrated in references record this firearm model as being marked "Imported by Mitchell Arms", and being manufactured by "Armi Jager Italy- Model AP80" and having the Italian Catalog Number recorded as "CAT 2344".

Action

- blowback operated.

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A0074293_1329-002112

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Shots	- detachable magazine.
Serial Number	- the serial number will be found marked on the right front of the receiver/frame. - observed specimen serial numbers consisted of six digits without prefix or suffix, the serial number has zeros used as place holders to achieve a six digit number.
Canadian Law Comments	- this firearm model is a 22 calibre, semi-automatic, blowback operated rifle and is a named variant of the AK-47 in the Regulations appended to the Criminal Code of Canada Part III, Prohibited Firearms Regulations, Para 64, sub (z.22).
Other Markings	- following the Model designation the Italian Catalog number designation "CAT 2344", will be found marked on the receiver/frame.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
16276	Armi Jager	AP80	Armi Jager	Rifle	Semi-Automatic
28902	Jager	AP80	Adler	Rifle	Semi-Automatic

Also Known As/Product Code

2344

AK 22

AK-22

AK47 22

AK47/22

AK47-22

AP 80

AP80

AP-80

CAT 2344

Italian Catalog Number 2344

Year Dates

No Data Retrieved

Importer

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A0074293_1330-002113

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Mitchell Arms

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A0074293_1331-002114

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Firearm Details - Image

Make:	Mitchell Arms
Model:	AK22
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Full View: Left Side

Image: 4 of 4

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A0074293_1332-002115

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Firearm Details - Image

Make:	Mitchell Arms
Model:	AK22
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Full View: Right Side

Image:
2 of 4

A0074293_1333-002116

Processed under the provisions of the Access to Information Act / Traité en vertu de la loi sur l'accès à l'information

Firearm Details - Image

Make:	Mitchell Arms
Model:	AK22
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Close-up: Right Side

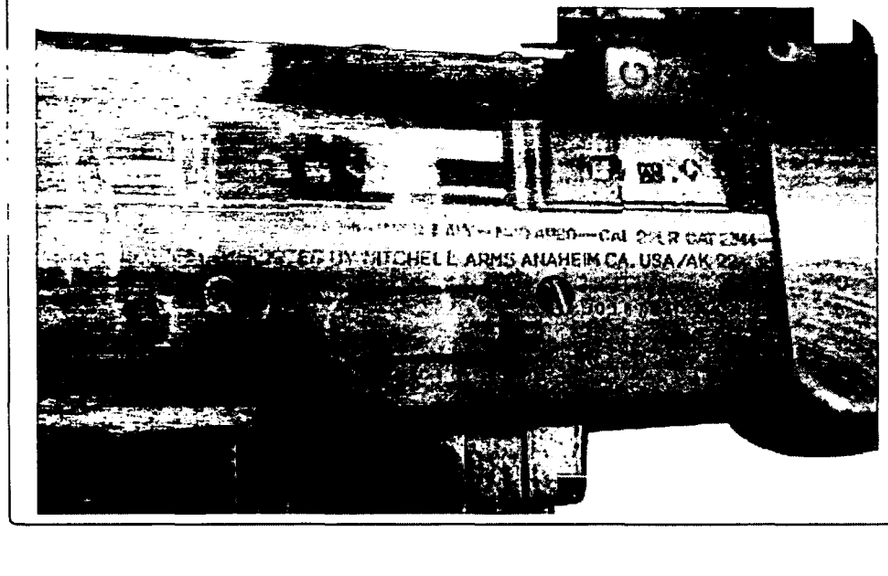

Image: 3 of 4

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A0074293_1334-002117

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Firearm Details - Image

Make:	Mitchell Arms
Model:	AK22
Manufacturer:	Armi Jager
Level:	Manufacturer Specifications and Commercial Customization
Type:	Rifle
Action:	Semi-Automatic
Country of Manufacturer:	ITALY

Variant Markings

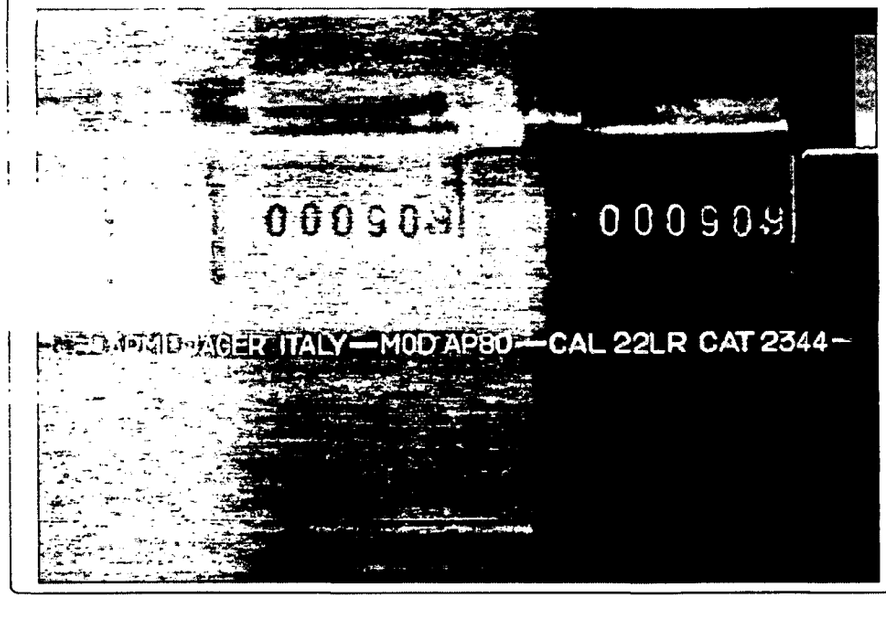

Image: 4 of 4

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A0074293_1335-002118

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Murray Smith - Re: Fwd: MALAVOIE's copy of T013342 Version 1.pdf - Adobe Acrobat Professional

From: Murray Smith
To: Thomas, Rose
Date: 10/18/2011 4:24 PM
Subject: Re: Fwd: MALAVOIE's copy of T013342 Version 1.pdf - Adobe Acrobat Professional

Rose,

There is not much more to add to the chain of correspondence. [redacted] indicated that he was already informed by the RCMP that the SIG 522 rifle was prohibited by amendment of the SIG 550/SIG 551 - see para 83 of the CC Regs. See FRT records 129147 and 132171. He has not offered any compelling argument nor new evidence that would alter that conclusion.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 10/18/2011 2:55 PM >>>
Good afternoon

Please find attached Ministerial Correspondence T013342 with an add-on correspondence. The client is expressing concerns regarding the classification of the Swiss semi-automatic SIG 522 as a prohibited firearm. Can you please provide me with some information that could be incorporated in the Minister's response?

Thank you

Rose

>>>

> **From:** ES&ML-DLO
> **To:** Thomas, Rose CFP
> **Date:** 10/3/2011 3:38 PM
> **Subject:** MALAVOIE's copy of T013342 Version 1.pdf - Adobe Acrobat Professional
> Good afternoon,
>
> Please prepare a response for the ministers signature. **Diary Date of 2011-10-28**
> Should you not be the responsible policy centre, advise ES&ML immediately.
>
> Thank You,
>
> MA Lavoie
> ES&ML

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Murray Smith - Re: Fwd: MALAVOIE's copy of T013342 Version 1.pdf - Adobe Acrobat Professional

From: Murray Smith
To: Leighton, Mike
Date: 10/18/2011 4:25 PM
Subject: Re: Fwd: MALAVOIE's copy of T013342 Version 1.pdf - Adobe Acrobat Professional
CC: Francis, Geoffrey
Attachments: MALAVOIEs copy of T013342 Version 1_1.pdf; MALAVOIEs copy of MALAVOIEs copy of T013342 A-Add-To Version _1.pdf

Mike: FYI.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 10/18/2011 4:24 PM >>>
Rose,

There is not much more to add to the chain of correspondence. indicated that he was already informed by the RCMP that the SIG 522 rifle was prohibited as a variant of the SIG 550/SIG 551 - see para 83 of the CC Regs. See FRT records 129147 and 132171. He has not offered any compelling argument nor new evidence that would alter that conclusion.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 10/18/2011 2:55 PM >>>
Good afternoon

Please find attached Ministerial Correspondence T013342 with an add-on correspondence. The client is expressing concerns regarding the classification of the Swiss semi-automatic SIG 522 as a prohibited firearm. Can you please provide me with some information that could be incorporated in the Minister's response?

Thank you

Rose

A0074293_1337-002120

Pages 2121 to / à 2126

are not relevant

sont non pertinentes

Pages 2127 to / à 2154

are duplicates

sont des duplicatas

Pages 2155 to / à 2157

are not relevant

sont non pertinentes

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Murray Smith - Fwd: CBC BB gun story

From: Murray Smith
To: Leighton, Mike
Date: 10/20/2011 8:30 AM
Subject: Fwd: CBC BB gun story

Mike,

Here is the CBC story that was all over CBC Radio this morning. And on their web site. I am working with Comms (Roxanne Beaubien) to finalize bulletins.
The details are mostly correct but the issue is explained awkwardly and with incorrect terminology.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Roxanne Beaubien 10/20/2011 8:06 AM >>>

Here is the online version of the CBC story on the AK47 weapons. The reporter still wants to know what the process for importing this replica guns is and how this got through. Would that be CBSA or us?

Thanks
Roxanne

Replica AK-47 BB guns allowed into Canada

Police say they can easily be converted into a prohibited weapon

By Dave Seglins and John Nicol, CBC News

Posted: Oct 20, 2011 5:04 AM ET

Last Updated: Oct 20, 2011 7:49 AM ET

The RCMP are racing to track down and seize hundreds of replica AK-47 BB guns imported from China that investigators fear can be easily reconfigured into deadly prohibited weapons.

The Mounties launched raids and seizures last week on a number of gun stores in B.C., Ontario, and Quebec. Investigators believe the toys — assembled with authentic parts from the Chinese Type-56 version of the AK-47 semi-automatic assault rifle — can be transformed into weapons with a simple switch of the gun's barrel and bolt.

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The weapons were allowed into the country as BB guns after being inspected and approved by the Canada Border Services Agency.

The RCMP and its National Weapons Enforcement Support Team (NWEST) refused to discuss details of the raids last week. In an email, media spokesman Sgt. Richard Rollings told CBC News "the RCMP does not comment during the course of an investigation. In the event that criminal charges are laid, the RCMP would confirm its investigation."

Police would also not comment on whether they've seized any of the replica BB guns turned into prohibited AK-47-style weapons. However, two gun sellers visited by the RCMP said police told them they are alarmed because they found one of the replica guns at the scene of another investigation, raising the spectre criminals have figured out how to get cheap AK-47s through BB gun retailers.

No explanation given about gun shipments

CBC News has made repeated inquiries this week to the Canada Border Services Agency but so far has been offered no explanation as to why the shipments of guns were approved for entry into the country.

Despite the RCMP investigation, a CBSA media spokesperson claimed on Wednesday that import records in the case have still not been tracked down.

Gun buyer and distributor North Sylva has ordered and imported the BB gun replicas over the last 14 months. A spokesman for the Toronto-based company declined an interview, but managers insist the shipments were inspected and approved by the CBSA and that their company paid taxes on the BB guns before reselling them to army surplus stores and retailers across the country.

"When they came in here, I did not have a clue," said Tony Messina, owner of North American Blade, a hobby and novelty shop based in Mississauga, Ont. "I sell BB guns and pellet guns. I don't carry any firearms.

"This is just BB guns and pellet guns."

Messina was handcuffed by RCMP investigators last Friday during a search of his store and officers seized two of the weapons which Messina said he believed were harmless.

"I think right now people have bought them for what they are — BB guns. At least my customers have. There may be somebody out there who may try" to convert them to semi-automatic assault rifles, Messina told CBC News.

'Shocked' that BB guns being seized

North Sylva and Messina said they were shocked and mystified to learn that a BB gun approved by CBSA for import into Canada is now being seized as a potential prohibited weapon.

"Very very scary," said Messina. "I mean I've got children too, and you know what — that's the last thing we want to see."

Messina said he's spent a number of sleepless nights fearing he could now be in trouble with police.

"The [CBSA] should have checked things out before they actually allowed them to be sold. Somebody messed up. I'm just hoping that in the near future they can and will hire somebody who knows what's coming into the country."

The RCMP also executed searches and seizures at a number of other retailers across the country,

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including at replicaairguns.com — an online BB and paintball gun seller based in Langley, B.C.

Owner Michael Kaye would not discuss last week's visit from police and has removed numerous videos promoting the weapon from the internet. In an email, he told CBC News the general public doesn't understand his business nor his fellow BB gun enthusiasts and says his website is "for those interested and passionate about the hobby I am also just as passionate about."

An investigation by CBC News revealed Kaye has been selling the replica assault rifle for about a year for between $250 and $299, promoting it as: "Excellent, with an all metal and wood construction. This gun is more like a real AK-47 than it's like a BB gun."

Kaye also told an online discussion group for BB and pellet gun owners, "the [body] portion of this gun is from a real AK!!"

But Kaye said he is well aware of laws prohibiting the alteration of BB guns into real firearms and in a video posted on his replicairguns.com website he cautions customers:

"I answer these questions over and over again," Kaye explains in the video. "Can I use real ammo in a blank gun? Or can I convert a blank gun to shoot real ammo. First of all, this is probably highly illegal just about anywhere in the world.

"If you do it, you are probably breaking all kinds of laws."

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Pages 2161 to / à 2171

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Pages 2172 to / à 2179

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Murray Smith - Fwd: Re: Project O-Barrier

From: Murray Smith
To: Johnson, Greg
Date: 10/20/2011 1:53 PM
Subject: Fwd: Re: Project O-Barrier

Greg,

Thanks very much. By the way, the video left this morning.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Greg Johnson 10/20/2011 1:42 PM >>>
Murray, I hope this helps. Greg

>>> Wayne Pupek 2011-10-20 13:19 >>>
Sir,

See below for answer from investigator. Hopefully this helps for now.

>>> Greg Johnson 2011-10-20 11:59 >>>
Wayne, can you or one of your investigators help with this question?

Greg Johnson, Insp.
OIC GTA C & E
"O" Division, RCMP
tel:(905)876-9574

>>> Murray Smith 2011-10-20 08:49 >>>

A0074293_1397-002180

Page 2181

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Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Greg Johnson 10/19/2011 3:40 PM >>>
Richard;
In order to respond the CBC and hopefully placate the media in general, as I expect this will generate significant media interest, I have attached a series of bullet points that you might wish to incorporate into a press release for immediate issuance. In these points, we are merely advising that these weapons are by definition prohibited under the CCC and not going into detail about modifications to make them firearms. Given the time line involved with this, an early reply would be appreciated. Greg

Greg Johnson, Insp.
OIC GTA C & E
"O" Division, RCMP
tel:(905)876-9574

>>> Richard Rollings 2011-10-19 15:19 >>>
Hello all,

The CBC reporter that is planning on putting out this story has spoken to the retailer and importer. He has a fair amount of information and will be running his story tomorrow morning. He would like to know:

1) are we currently investigating a file where modified AK47's are being imported into Canada.
2) under what specific sections of the code are these prohibited.
3) he would like to include a message from us that directs the public on what they should be doing if they purchased one of these BB guns.

I assume the investigators are probably not ready to do up a media release?? But, I suggest that we should provide some answers to the reporters questions.

Can the investigators of this file please read over these responses and determine if this is what they would like to say and then float this around for approval.

1) are we currently investigating a file where modified AK47's are being imported into Canada.
"yes, the RCMP can confirm that we have executed numerous search warrants in relation to AK47 BB guns being imported into Canada and sold by various retailers"
2) under what specific sections of the code are these prohibited.
"the AK47 BB guns are capable of being modified ..... and are considered prohibited weapons under >>>> of the Criminal Code"
3) he would like to include a message from us that directs the public on what they should be doing if they purchased one of these BB guns.
"If the any member of the public has one of these weapons in their possession, they should immediately contact their local RCMP detachment or local police force"

Thanks,

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Rich

>>> Murray Smith 2011-10-19 10:13 >>>

He will know what conditions apply to the business and its verifiers. We recently retrained some of their verifiers at the insistence of the CFO to address prior shortcomings, hence there may be some business conditions.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Robert Davis 10/19/2011 8:59 AM >>>
Good morning Greg,
I am mindful, as I know you are, that this is an ongoing investigation, all of the facts are not in, and a decision has yet to be made respecting charges. However, having regard for the fact that the weapon is prohibited and the overall level of risk, I agree with your proposed course of action as it relates to the media and notification of enforcement authorities. I'm not sure where you are with regard to the second importer, but prompt action is required on this front. It would be better if the story did not break until the investigation is completed, but given the public's sensitivity to weapons, particularly in the GTA we need to be prepared. Information sharing with other police services should be done first as they are on the front lines in terms of both enforcement and media calls.
We should;
- an advisory should be sent to all police services across the country asap (with photo). CFC or NWEST may well be best placed to expedite this.
-prepare a response for the media in consultation with CFC and CBSA. There is no harm in acknowledging the facts, ie: we are conducting a criminal investigation, have seized a number of firearms generally described as..., that they are prohibited under xxx, anyone who is in possession, or suspects they may have a weapon that is prohibited should call the local police. (Our media folks can be of assistance here. The communication needs to be brief, factual and not alarmist in tone). Unless charges are laid we should not be identifying the suspect(s) or location of the searches.

A0074293_1400-002183

Pages 2184 to / à 2186

are not relevant

sont non pertinentes

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Murray Smith - Re: Prohib firearms

From: Murray Smith
To: Lee, Hwan
Date: 10/20/2011 2:39 PM
Subject: Re: Prohib firearms

Hwan,

Assuming they are all the same as the sample we inspected (and we do not know that), they are all prohibited firearms.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Lee, Hwan(Hwan Lee) 10/20/2011 2:26 PM >>>
Are all of these BB guns prohibs? No restr or NR?

Hwan
Sent from BlackBerry

A0074293_1404-002187

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Murray Smith - Re: Fw: media line BB gun

From: Murray Smith
To: Lee, Hwan
Date: 10/20/2011 2:41 PM
Subject: Re: Fw: media line BB gun

We presume they are all the same, but that has not been confirmed. the model name is not marked on the gun. We can inspect all 21 if needed.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/20/2011 2:34 PM >>>
All prohibs?

Hwan
Sent from BlackBerry

A0074293_1405-002188

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Murray Smith - Re: Prohib firearms

From: Murray Smith
To: Lee, Hwan
Date: 10/20/2011 2:44 PM
Subject: Re: Prohib firearms

The investigators describe the items as all having the same kind of receiver. All the advertising depicts likewise. We are reasonably certain the BB guns are all prohibited.

If desired, like the Type 97A, we can inspect all the turned in guns here to confirm they qualify for the recall. Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/20/2011 2:41 PM >>>
Would you feel comfortable stating them as "prohibited firearms"? or just call them generally as "firearms"?

Hwan

>>> On 10/20/2011 at 2:39 PM, Murray Smith wrote:

> Hwan,
>
> Assuming they are all the same as the sample we inspected (and we do not know that), they are all prohibited firearms.
>
> Murray
>
> Murray A. Smith
> Manager,
> Specialized Firearms Support Services
> Firearms Investigative and Enforcement Support Services Directorate
> Canadian Firearms Program
> Policing Support Services
> Office: (613) 993-0139
>
> >>> Lee, Hwan(Hwan Lee) 10/20/2011 2:26 PM >>>
> Are all of these BB guns prohibs? No restr or NR?
>
> Hwan
> Sent from BlackBerry

A0074293_1406-002189

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Murray Smith - Re: CBSA OPerationa Bulletin - AK47 BB guns

From: Murray Smith
To: Sevigny, Linda
Date: 10/20/2011 2:59 PM
Subject: Re: CBSA OPerationa Bulletin - AK47 BB guns
CC:

Martin,

The bulletin looks OK in general. I have a few minor points:

2. The second bullet under details: the word "frequently" would be a better choice than "generally".

3. Two known model names of the BB guns are FX18HB c.4.5. air rifle (full stock)AK47, and FX18IIHB c.4.5. air rifle(folding stock) AK47. There may be other models.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1407-002190

Page 2191

is not relevant

est non pertinente

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Murray Smith - Fwd: Re: CBSA OPerationa Bulletin - AK47 BB guns

From: Murray Smith
To: Leighton, Mike
Date: 10/20/2011 3:01 PM
Subject: Fwd: Re: CBSA OPerationa Bulletin - AK47 BB guns
Attachments: Operational bulletin AK47 BB gun_1.doc

Mike,

FYI, CBSA has a draft operational bulletin. They are wondering when we plan to issue our bulletin.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1409-002192

Pages 2193 to / à 2195

are not relevant

sont non pertinentes

Page 2196

is under consultation

est sous consultation

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Murray Smith - Fwd: New Type 97A?

From: Murray Smith
To: Etter, William
Date: 10/20/2011 4:00 PM
Subject: Fwd: New Type 97A?
CC: Glass, Kimberley; Greenley, Calvin
Attachments: 榴弹发射器(1).JPG; KL12-1Z(1).jpg

Paul will not allow this firearm to be imported until the Canadian importer has a sample evaluated by the FRT. Consequently we may receive a request to be an end user for the purposes of importing one or two of these items to assess classification.
Looks like the shotgun version of the Type 97A.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> <Paul.Galveias@international.gc.ca> 10/20/2011 3:55 PM >>>

the photo for KL12-1Z shotgun and single laucher.

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Pages 2198 to / à 2202

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Pages 2203 to / à 2204

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Pages 2205 to / à 2207

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Murray Smith - AK47 BB gun bulletins

From: Murray Smith
To: Beaubien, Roxanne; Sevigny, Linda
Date: 10/20/2011 4:17 PM
Subject: AK47 BB gun bulletins
CC: Leighton, Mike

Roxanne & Linda,

Not sure who is drafting the CFP bulletins. Here are the technical parameters:

Name: Two known model names are: FX18HB c.4.5. air rifle (full stock) AK47, and FX18IIHB c.4.5. air rifle (folding stock) AK47. The BB guns may be sold under other model names.

Description: The 177 calibre BB gun resembles an AKM style of AK-47 rifle. It is operated by a CO2 cartridge. The BB gun mechanism is contained in a false magazine.

Classification: Prohibited Firearm per Section 84(1) CC

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1425-002208

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Murray Smith - Re: Fwd: BB guns: bulletins, script and media lines

From: Murray Smith
To: Lee, Hwan
Date: 10/21/2011 10:03 AM
Subject: Re: Fwd: BB guns: bulletins, script and media lines
CC: Leighton, Mike

Hi Hwan,

2. Bullet 10: The FRT is PRIMARILY used for enforcement, not "often".

Script, Police Bulletin, Business Bulletin:
Looks OK.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/21/2011 9:18 AM >>>
HI Murray,

Can you please have a quick look at these 4 items for accuracy and clarity?

Soonest, please.

Thanks

Hwan

A0074293_1426-002209

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Murray Smith - Re: Fw: Follow up Qs to CBSA

From: Murray Smith
To: Perron, Pierre
Date: 10/21/2011 10:07 AM
Subject: Re: Fw: Follow up Qs to CBSA

I have not seen the import documents. I have asked for them and have been promised same. As of yesterday PM, the CBSA firearms policy centre still had not found the records.

I suspect that statement 2 is correct, statement 3 incorrect.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Pierre Perron 10/20/2011 7:11 PM >>>
Murray what is your take on second question.

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Pages 2211 to / à 2213

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Murray Smith - Re: Fw: FW: Significant Event Notification

From: Murray Smith
To: Lee, Hwan; Leighton, Mike
Date: 10/21/2011 10:19 AM
Subject: Re: Fw: FW: Significant Event Notification

We are aware of the Yunker. It is a different class of item, not based on a recycled FA AKM receiver; rather it is based on a purpose built receiver. Unless the item in Alberta differs significantly, it is a 177 cal BB gun that falls into the regulatory gap between "firearm" and firearm subject to registration, due to sub-152.4 mps velocity.

There is not much we have been able to do about this problem. We have been monitoring the marketplace constantly and are collecting information with a view to finding the right circumstances on which to make case law.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/21/2011 10:07 AM >>>
FYI and to comment

Hwan
Sent from BlackBerry

A0074293_1431-002214

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Murray Smith - Re: Fw: FW: Significant Event Notification

From: Murray Smith
To: Leighton, Mike
Date: 10/21/2011 11:49 AM
Subject: Re: Fw: FW: Significant Event Notification

Hi Mike,

It's the same item. IZHMASH is the Russian manufacturer. Nonetheless, we can inspect it to confirm classification, if needed.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Mike Leighton 10/21/2011 10:56 AM >>>
Murray,
In reference to the correspondence that CBSA just sent out about the Yunker, I was unaware that we (C&E) seized another type of firearm, i.e. the "IZHMASH Yunker AK-47" .

Are we talking about another seizure?

Do I understand that the Yunker is legal? If so, what is the issue?

Sorry to bother you but I want to get the fact and for my own personal knowledge.

Thanks,

Mike

>>> Murray Smith 10/21/2011 11:19 AM >>>
We are aware of the Yunker. It is a different class of item, not based on a recycled FA AKM receiver; rather it is based on a purpose built receiver. Unless the item in Alberta differs significantly, it is a 177 cal BB gun that falls between "firearm" and firearm subject to registration, due to sub-152.4 mps velocity.

The Yunker exemplifies namely, partially completed receivers. There is not much we have been able to do about this problem. We have been monitoring the marketplace constantly and are collecting information with a view to finding the right circumstances on which to make case law.

Regards,

Murray

Murray A. Smith
Manager,

A0074293_1432-002215

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Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/21/2011 10:07 AM >>>
FYI and to comment

Hwan
Sent from BlackBerry

A0074293_1433-002216

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Murray Smith - Re: Fw: FW: Significant Event Notification

From: Murray Smith
To: Lee, Hwan
Date: 10/21/2011 11:52 AM
Subject: Re: Fw: FW: Significant Event Notification

It does not need to be registered.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/21/2011 11:46 AM >>>
what is the FRT record for the purpose of registering?

A0074293_1434-002217

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Murray Smith - Yunker

From: Murray Smith
To: Greenley, Calvin
Date: 10/21/2011 11:54 AM
Subject: Yunker
CC: Etter, William

Cal,

Would you please send me the pdf of the Yunker, if it is in the FRT. More of them have turned up as a result of this AK47 BB gun issue. We might inspect a few more to be certain of the classification.

Thanks.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1435-002218

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Fw: FW: Significant Event Notification

From: Murray Smith
To: Lee, Hwan
Date: 10/21/2011 11:57 AM
Subject: Re: Fw: FW: Significant Event Notification

The current issue concerns the receivers of AK-47 assault rifles being used in the construction of the BB guns. There is not any FRT record specific to these BB guns nor are any planned. The FRT reference would default to the frame of the specific type of AK-47 rifle from which the receiver was taken.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139
(
>>> Hwan Lee 10/21/2011 11:53 AM >>>
so sorry. I meant to ask about the BB guns.

manufacturer (make) and FRT record.

Thanks

Hwan

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Murray Smith - AK 47 record

From: Murray Smith
To: Greenley, Calvin
Date: 10/21/2011 11:59 AM
Subject: AK 47 record

Cal,

Please add to the previous request the AK-47 record for the Chinese AKM that was used for the BB gun. Thanks.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: BB gun lines and bulletins

From: Murray Smith
To: Lee, Hwan
Date: 10/21/2011 12:01 PM
Subject: Re: BB gun lines and bulletins

OK for the description of the changes.

Were you planning to distribute the final copies?

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/21/2011 11:55 AM >>>
Hi Gang,

Can you please quickly read through and provide comments on any significant issues?

3 things to note:

- simply stating "surrender". Previously "surrender or dispose of"
- the only option of to whom to surrender is the police. removed CFO
- FRT added to script

D/D 12:30 EDT

Merci

Hwan

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Murray Smith - Re: BB gun lines and bulletins - this time with attachment

From: Murray Smith
To: Beauchamp, Monique; Boucher, Nicole; Depew, Robert; Lee, Hwan; Leighton, Mike; Maillet, Gilles
Date: 10/21/2011 12:10 PM
Subject: Re: BB gun lines and bulletins - this time with attachment
CC: Henderson, Christine

Hwan,

Looks OK to me. The FRT number is being looked up now. Note that it can vary depending on which type of Chinese AKM AK47 assault rifle frame was employed. They may not be all the same and we have seen only one sample.

Murray

Murray A. Smith
Manager,
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Firearms Investigative and Enforcement Support Services Directorate
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Office: (613) 993-0139

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Murray Smith - Re: AK47 replica BB guns

From: Murray Smith
To: Perry, Michael; Reynolds, Jeffrey
Date: 10/21/2011 12:16 PM
Subject: Re: AK47 replica BB guns

Jeff,

The two known model numbers are FX18HB c.4.5. air rifle (full stock) and FX18IIHB c.4.5. air rifle (folding stock) . It is possible that there are other models. A comprehensive CFP bulletin will be released shortly.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jeffrey Reynolds 10/21/2011 11:38 AM >>>
Good afternoon Mike and Murray,

We received a distributed news article regarding replica AK47 BB guns. I'm not sure if the supplier North Sylva had any sales in NL at this time. While at one of the outdoor supply stores I attended recently for a personal purchase I do recall an AK styled airgun catching my attention due to it's apparent realism, but not having been aware of the issue didn't have a closer look.

What is the make / model of this replica? If I can determine in which store I saw it I'll go back and have a closer look, should there be a potential that they are selling the replica that there is an issue with.

Jeff

Jeff Reynolds
Firearms Officer
Royal Canadian Mounted Police
Canadian Firearms Program

Suite E120 - 120 Torbay Road
St. John's, NL A1A 2G8
Toll Free 1-800-731-4000 ext 5017
Phone 709-772-3801
Fax 709-772-3202

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Murray Smith - Re: changes to BB lines - explanation of the reason. Are you ok?

From: Murray Smith
To: Lee, Hwan; Leighton, Mike
Date: 10/21/2011 1:04 PM
Subject: Re: changes to BB lines - explanation of the reason. Are you ok?

Hwan,

Even though the firearms bulletin posts (like GunNutz) have pretty much caught on to the receiver issue, it would add considerable weight for it to be confirmed officially.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/21/2011 12:57 PM >>>
Media Line:
BB guns with model numbers FX18HB c.4.5. air rifle (full stock) and FX18IIHB c.4.5. air rifle (folding stock) have been determined to be prohibited firearms based on criteria set out in the *Criminal Code* because these BB guns were manufactured with authentic frame and receiver from the Chinese Type-56 version of the AK-47 semi-automatic assault rifle.

Police Bulletin:
The RCMP Canadian Firearms Program (CFP) inspected these BB guns. Based on criteria set out in the *Criminal Code*, the inspection determined that these are prohibited firearms because these BB guns were manufactured with authentic frame and receiver from the Chinese Type-56 version of the AK-47 semi-automatic assault rifle.

Business Bulletin:

The Model FX18HB c.4.5. air rifle (full stock) and FX18IIHB c.4.5. air rifle (folding stock) were inspected and, based on criteria set out in the *Criminal Code*, the inspection determined that these are prohibited firearms because these BB guns were manufactured with authentic frame and receiver from the Chinese Type-56 version of the AK-47 semi-automatic assault rifle.

CPS script:

BB guns with model number FX18HB c.4.5. air rifle (full stock) and FX18IIHB c.4.5. air rifle (folding stock) have been identified, based on criteria set out in the *Criminal Code*, as prohibited firearms because these BB guns were manufactured with authentic frame and receiver from the Chinese Type-56 version of the AK-47 semi-automatic assault rifle..

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Murray Smith - RE: Re: CBSA OPerationa Bulletin - AK47 BB guns

From: Murray Smith
To: Lee, Hwan; Smith, Joel
Date: 10/21/2011 2:06 PM
Subject: RE: Re: CBSA OPerationa Bulletin - AK47 BB guns
CC: Depew, Robert; Leighton, Mike; Sevigny, Linda

Joel: This version of the bulletin looks OK to me.

Hwan: that appears to be out of date now, per you previous e-mail message. You might inform CBSA that the CFP intends to be more explicit. They may wish to do likewise.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Joel Smith 10/21/2011 1:56 PM >>>
Hwan,

From a policy perspective I see no issues with CBSA releasing the attached operational bulletin. They made the changes/suggestions we offered yesterday.

I have sent it to Murray to ensure that he has no issues with it.

Please advise.
Joel

>>> "Burtt, Martin" <Martin.Burtt@cbsa-asfc.gc.ca> 10/21/2011 1:44 PM >>>
Hi Joel,

We have revised our bulletin. Any comments or concerns?

Do you have any news on when your bulletin will be approved?

Thanks,
Martin

From: Joel Smith [mailto:Joel.Smith@rcmp-grc.gc.ca]
Sent: October 21, 2011 9:43 AM
To: Burtt, Martin
Cc: Carmichael, Tim; Depew, Robert; Lee, Hwan; Sevigny, Linda; Walsh, Stephanie-CBSA
Subject: RE: Re: CBSA OPerationa Bulletin - AK47 BB guns

Martin,

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We are expecting it before end of day as it is currently being reviewed by the DG's Office.

Hope this helps.

Joel

>>> "Burtt, Martin" <Martin.Burtt@cbsa-asfc.gc.ca> 10/21/2011 9:37 AM >>>
Thanks a lot Joel When do you expect the bulletin to be approved?

From: Joel Smith [mailto:Joel.Smith@rcmp-grc.gc.ca]
Sent: October 21, 2011 9:34 AM
To: Burtt, Martin; Walsh, Stephanie-CBSA
Cc: Depew, Robert; Lee, Hwan; Linda Sevigny
Subject: Fwd: Re: CBSA OPerationa Bulletin - AK47 BB guns

Martin,

My apologies for not getting you our reply last night concerning the operational bulletin. From a policy perspective Linda and myself have nothing further to add aside from Murray's comments.

As soon as our bulletins have been approved by the DG we will circulate them to you. If you have any questions please do not hesitate to contact me.

Thank you,
Joel

Joel Smith
Policy Analyst
RCMP Canadian Firearms Program,
Firearms Mgt. & Strategic Services
73 Leikin Drive, Building M1, 803-61
Phone: (613) 843-6929

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Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> "Burtt, Martin" <Martin.Burtt@cbsa-asfc.gc.ca> 10/20/2011 2:44 PM >>>
Hi Linda and Murray,

I'm not sure which of you is the appropriate contact on this, but we have developed a bulletin to our officers advising them of the existence of the AK47 bb guns. We had originally planned to just refer to the CFP bulletin but as we don't know when it will be ready, we have developed the attached general direction.

Our senior management has asked that we ensure this is coordinated with RCMP so we'd appreciate if you could have a quick look. We are hoping to get this out later today, so a quick response would be appreciated if at all possible.

Thanks,

Martin Burtt
(613) 948-7865 | | facsimile / télécopieur (613) 946-1520 | Teletypewriter | Téléimprimeur 1-866-335-3237
Martin.Burtt@cbsa-asfc.gc.ca
Manager | Other Government Department Programs Unit | Commercial Border Programs Division
Gestionnaire | Unité des programmes des autres ministères | Division des programmes frontaliers du secteur commercial
Canada Border Services Agency | 5th Floor, 150 Isabella St., Ottawa ON K1A 0L8
Agence des services frontaliers du Canada | 5e étage, 150, rue Isabella, Ottawa ON K1A 0L8
Government of Canada | Gouvernement du Canada

Canada Border Services Agency | Agence des services frontaliers du Canada

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Murray Smith - Re: changes to BB lines - explanation of the reason. Are you ok?

From: Murray Smith
To: Lee, Hwan; Leighton, Mike
Date: 10/21/2011 2:13 PM
Subject: Re: changes to BB lines - explanation of the reason. Are you ok?
Attachments: Izhmash_Yunker 2_FRT_124220_1.PDF; Izhmash_Yunker 3_FRT_124209_1.PDF

There are two variations of the Yunker BB gun on the FRT. Both are classified as "deemed non-firearms".

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 2234 to / à 2242

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Pages 2243 to / à 2246

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Murray Smith - Re: Yunker

From: Murray Smith
To: Greenley, Calvin
Date: 10/21/2011 2:31 PM
Subject: Re: Yunker
CC: Renaud, Nadine

Thanks for the Yunker FRT records. Did you find a suitable AKM for the BB gun built on the frame. Any generic Chinese AKM would suffice.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Calvin Greenley 10/21/2011 2:06 PM >>>
As requested

>>> Murray Smith 2011-10-21 11:54 AM >>>
Cal,

Would you please send me the pdf of the Yunker, if it is in the FRT. More of them have turned up as a result of this AK47 BB gun issue. We might inspect a few more to be certain of the classification.

Thanks.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 2248 to / à 2252

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Murray Smith - Re: AK 47 BB Gun Notification for NWEST / Intelligence Units

From: Murray Smith
To: GROSSPIETSCH, Frank
Date: 10/26/2011 3:12 PM
Subject: Re: AK 47 BB Gun Notification for NWEST / Intelligence Units
CC: CUNNINGHAM, Jim

Hi Frank,

Has the final version of this document been circulated? Also, I expect by tomorrow that the SFSS inspection report will be completed and could be distributed within police circles.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 10/24/2011 6:07 PM >>>
Murray,

Can you please have a look at this and advise if it is good to go tomorrow.

Thanks

A/Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

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Murray Smith - Re: AK 47 BB Gun Notification for NWEST / Intelligence Units

From: Murray Smith
To: GROSSPIETSCH, Frank
Date: 10/26/2011 3:43 PM
Subject: Re: AK 47 BB Gun Notification for NWEST / Intelligence Units

Thanks.

There are apparently lots being recovered in Ontario - how about out west?

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 10/26/2011 3:41 PM >>>
Cheers

A/Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office
(604) 787-6268 cell
(604) 1-888-236-3579 pager
(604) 543-4999 fax
>>> Murray Smith 2011-10-26 12:40 >>>
Thanks.

Would you be able to send me a copy?

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 10/26/2011 3:14 PM >>>
Yes it has / We are in for interesting times

A/Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

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>>> Frank GROSSPIETSCH 10/24/2011 6:07 PM >>>
Murray,

Can you please have a look at this and advise if it is good to go tomorrow.

Thanks

A/Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

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Murray Smith - AK47 BB gun

From: Murray Smith
To: Etter, William
Date: 10/26/2011 4:10 PM
Subject: AK47 BB gun
CC: Glass, Kimberley

Bill,

The Chinese maker or exporter (do not know for sure if it is one or both) of the AK47 BB gun has been identified as:

Would you ask someone to look up this company, if it has a web presence.

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - AK47 BB gun manufacturer

From: Murray Smith
To: GROSSPIETSCH, Frank; Lucas, John
Date: 10/27/2011 3:59 PM
Subject: AK47 BB gun manufacturer

Frank & John,

We have found more information on the Chinese company that was identified as making the AK47 BB guns.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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From: Murray Smith
To: Etter, William, Glass, Kimberley
Date: 10/28/2011 12:28 PM
Subject: Fw: Questar International - SIG 522
Attachments: Re: Questar International - SIG 522

The Questar matter is still underway.

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Murray Smith - Re: Antique pistols?

From: Murray Smith
To: Ibson, Jamie
Date: 10/31/2011 5:05 PM
Subject: Re: Antique pistols?

Hello Jamie,

It is possible for the percussion revolver you described, presumably a cap and ball revolver, to be an antique firearm. To be eligible for antique status it must have been manufactured prior to 1898. Such firearms are exempt from registration.

Note that there are many reproduction percussion revolvers of modern manufacture on the market. Such firearms are either restricted or prohibited depending on barrel length and calibre.

We can help identify the revolver. Pictures and a description of markings would assist.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jamie Ibson 10/31/2011 3:09 PM >>>
Hi Murray,

I don't know if you recall, but we spoke several months ago about a cane-gun we had here at Surrey Det from the gigantic firearm seizure from 2008.

I've just received a call from and he was calling about a black-powder percussion-cap revolver. Can you confirm whether something of that nature would be/could be an antique (and therefore would not require registration?) I can take and send photographs if you require.

Thanks,

Cst. Jamie Ibson
Special Projects
Surrey RCMP
778-593-3115 (Personal Voicemail)
604-599-0502 (Non-Emergency Line)

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Murray Smith - Fwd: Re: Antique pistols?

From: Murray Smith
To: Etter, William
Date: 10/31/2011 5:39 PM
Subject: Fwd: Re: Antique pistols?

Bill,

Can we do much with the description we have so far?

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jamie Idson 10/31/2011 5:26 PM >>>
Thanks. Doug Kress viewed it and suggested FRT 21293-2 might be appropriate, however the text from the FRT report does not appear to match.

FRT indicates:
- The manufacturer's name and/or logo (FAP) is marked on the bottom of the barrel.
- There is no manufacturer's mark on the bottom of the barrel.

- "NAVY MOD 1851" is marked on the Firearm.
- There is no such mark on the firearm. There is a mark on top of the barrel that states 'New Navy cal. 36"

- Features include: Three styles/variants available. 1) brass receiver/frame, backstrap and trigger guard; 2) with colour case hardened steel receiver/frame, loading lever and hammer; 3) with colour case hardened steel receiver/frame and brass trigger guard. In all cases the firearm will have walnut grips, an octagonal barrel, the barrel and cylinder are blued and the cylinder will be engraved with a naval battle scene.
- The pistol appears to have a brass frame (description 1), with the loading lever and hammer (description 2). It has walnut grips, an octagonal barrel, the barrel & cylinder are blued, but there is no naval battle scene engraved on the cylinder.

- marked "Black Powder Only"
- There are no 'Black Powder Only' markings on it.

- NAVY MOD 1851 marked on top of barrel
- The revolver is marked 'New Navy .36 cal' on top of the barrel.

The pistol has three gunsmith stamps on the right hand side of the frame. They are, from left to right:
1: A circle with a 5-pointed start inside, above the letters PN.
2: A shield with a star above it
3: Roman Numerals XVII

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4: The serial numbe[illegible] is found under the barrel. There don't appear to be any further markings on it.

The FRT entry notes 26 'alternate' names for the pistol and none of those names match any of the stamps on the pistol either.

I can send photographs but it will take a little doing and may not be able to get them to you for a day or two.
Jamie

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Murray Smith - Re: Antique pistols?

From: Murray Smith
To: Ibson, Jamie
Date: 11/1/2011 11:31 AM
Subject: Re: Antique pistols?

Jamie,

The pistol is not an antique. Based on the information supplied it was manufactured in Italy in the 1960s. For a precise determination of make, model etc., we will need pictures.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
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Office: (613) 993-0139

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Murray Smith - Re: Airgun legislation history?

From: Murray Smith
To: Bartlett, David
Date: 11/1/2011 11:48 AM
Subject: Re: Airgun legislation history?

Hi Dave,

I hope all is well with you.

1. The 500 fps criterion was introduced in 1968; I do not know the bill number. The reason why "500" was chosen is lost in time. If you find anything, let me know.

2. When the Criminal Code went metric in 1985, the value changed to its near exact equivalent, 152.4 mps.

3. The provision was updated in 2003 to include an energy criterion - 5.7 joules. The firearm is exempted if it is under either one of the criteria.

4. Note that the exemption applies only to the regulatory provisions - licencing, registration, simple possession etc. If an exempted firearm is used in a substantive offence, it remains a firearm, and the mandatory minimum sentences apply.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> David Bartlett 11/1/2011 10:29 AM >>>
Yesterday evening I was trying to find the year that our firearms legislation first defined over 500 fps air guns as firearms, without any luck. The firearms program web page on Canada's gun control history doesn't mention it. Would you happen to know which Bill made the change and when it came into effect? Also, do you know where I might find publicly accessible info regarding the rationale for the choice of 500fps as the initial threshold?

Thanks

Dave Bartlett
Centre for Criminal Intelligence Research and Innovation / Centre de recherche et d'innovation en renseignements criminels

Canadian Criminal Intelligence Support & Development (CCISD) / Soutien et Développement en renseignements criminels canadien (SDRCC)

Chief Criminal Intelligence Executive Sector (CCIE) / Secteur du dirigeant principal des renseignements

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Murray Smith - Re: Airgun legislation history?

From: Murray Smith
To: Bartlett, David
Date: 11/1/2011 2:03 PM
Subject: Re: Airgun legislation history?

Well, if you are digging through Hansard, I believe (but have not confirmed) that the relevant bill and session are:

C-38: Criminal Law Amendment Act 1968-69
28th Parliament, 1st session

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> David Bartlett 11/1/2011 11:54 AM >>>
I was guessing that it would be '68. I'm also guessing that 500 was a nice round number. It does strike me as odd that we went with straight velocity when many European countries were already using energy criteria. If I ever find myself with too much time on my hands, I may track down the archives of the Hansard debates concerning the inclusion of airguns from back in the 60s.
Thanks!

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Murray Smith - Fwd: Re: Project O-Barrier

From: Murray Smith
To: Johnson, Greg
Date: 11/1/2011 3:44 PM
Subject: Fwd: Re: Project O-Barrier

Greg,

I have a report ready for you, if you still need it. Do you think there will be any regulatory or criminal proceedings that flow from this issue?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Greg Johnson 10/20/2011 2:04 PM >>>
Great, thank you.

>>> Murray Smith 2011-10-20 13:53 >>>
Greg,

Thanks very much. By the way, the video left this morning.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Greg Johnson 10/20/2011 1:42 PM >>>
Murray, I hope this helps. Greg

>>> Wayne Pupek 2011-10-20 13:19 >>>
Sir,

See below for answer from investigator. Hopefully this helps for now.

Wayne

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>>> Frank De Paola 2011-10-20 13:11 >>>
Wayne, the product codes on the purchase invoices we have thus far for stores that identify them as models FX18HB c.4.5. air rifle (full stock), and FX18IIHB c.4.5. air rifle(folding stock) AK47. We anticipate getting customs documentation from CBSA soon, however they are identified as same by the customs broker, in their invoices. Most of the store websites also advertised them as the aforementioned.

Frank

>>> Greg Johnson 2011-10-20 11:59 >>>
Wayne, can you or one of your investigators help with this question?

Greg Johnson, Insp.
OIC GTA C & E
"O" Division, RCMP
tel:(905)876-9574

>>> Murray Smith 2011-10-20 08:49 >>>
Greg,

I am working with Roxanne Beaubien on the Canadian Firearms Program bulletins to police and firearms businesses. The urgency has been accelerated due to the CBC story today. We will receive draft text for review later this morning.
One of the issues left dangling is the trade name (or names) under which the BB guns were sold. We need to identify the product(s) in the bulletins. Does anyone have a comprehensive list based on what was seized.

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

[redacted] 4:41 PM >>>
Thank you Murray.

I made a few amendments to the questions the reporter wants to know. Bob and Greg, am I okay to release the following information to the reporter. If you would rather wait until tomorrow that is fine.

1) are we currently investigating a file where modified AK47's are being imported into Canada?
"The RCMP can confirm that we have executed numerous search warrants in relation to AK47 style BB guns being sold by various retailers in Canada"

2) under what specific sections of the code are these prohibited?
"These AK47 BB guns, fall into the definition of a firearm under s. 2 CC. and prohibited firearm under s. 84(1) CC."

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3) What should the public do if they purchased one of these BB guns?
"If the any member of the public has one of these weapons in their possession, they should immediately contact their local RCMP detachment or local police force for instructions on how to surrender the firearm"

Rich

>>> Murray Smith 2011-10-19 15:57 >>>
Greg and Richard,

The draft media lines look good to me. I propose a couple of refinements:

1. The word "weapon" should be replaced with "firearm" wherever it appears. The AK47 BB gun, converted or not, falls into the definitions of "firearm" (Sec 2 CC) and "prohibited firearm" (Sec 84(1) CC).

2. Suggest in the bullet regarding the turning in of the firearms, that it be reworded to ask individuals to contact the RCMP or local police for instructions on how to surrender the firearm. Some police departments may prefer to pick up the firearm or make appointments rather than have people turn up unannounced at their door with "AK47" type items.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Greg Johnson 10/19/2011 3:40 PM >>>
Richard;
In order to respond the CBC as I expect this will generate significant media interest, I have attached a series of bullet points that you might wish to incorporate into a press release for immediate issuance. In these points, we are merely advising that these weapons are by definition prohibited under the CCC and not going into detail about modifications to make them firearms. Given the time line involved with this, an early reply would be appreciated. Greg

Greg Johnson, Insp.
OIC GTA C & E
"O" Division, RCMP
tel:(905)876-9574

>>> Richard Rollings 2011-10-19 15:19 >>>
Hello all,

The CBC reporter that is planning on putting out this story has spoken to the retailer and importer. He has a fair amount of information and will be running his story tomorrow morning. He would like to know:

1) are we currently investigating a file where modified AK47's are being imported into Canada.
2) under what specific sections of the code are these prohibited.

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3) he would like to include a message from us that directs the public on what they should be doing if they purchased one of these BB guns.

I assume the investigators are probably not ready to do up a media release?? But, I suggest that we should provide some answers to the reporters questions.

Can the investigators of this file please read over these responses and determine if this is what they would like to say and then float this around for approval.

1) are we currently investigating a file where modified AK47's are being imported into Canada.
"yes, the RCMP can confirm that we have executed numerous search warrants in relation to AK47 BB guns being imported into Canada and sold by various retailers"
2) under what specific sections of the code are these prohibited.
"the AK47 BB guns are capable of being modified ..... and are considered prohibited weapons under >>>> of the Criminal Code"
3) he would like to include a message from us that directs the public on what they should be doing if they purchased one of these BB guns.
"If the any member of the public has one of these weapons in their possession, they should immediately contact their local RCMP detachment or local police force"

Thanks,

Rich

>>> Murray Smith 2011-10-19 10:13 >>>
Good morning Greg,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program

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Pages 2274 to / à 2276

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From: Murray Smith
To: Francis, Geoffrey
Date: 11/1/2011 8:37 PM
Subject: Fw: Fwd: Re: Project O-Barrier
Attachments: Fwd: Re: Project O-Barrier

FYI - It looks like things are coming to an end.

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From: Greg Johnson
To: Smith, Murray
Date: 11/1/2011 4:12 PM
Subject: Fwd: Re: Project O-Barrier

Yes please Murray. I anticipate criminal charges will likely be pursued against though that decision will have to be made once the investigation is nearing an end and in consultation with the Crown. Regards, Greg.

Greg Johnson, Insp.
OIC GTA C & E
"O" Division, RCMP
tel:(905)876-9574

>>> Murray Smith 2011-11-01 15:44 >>>
Greg,

I have a report ready for you, if you still need it. Do you think there will be any regulatory or criminal proceedings that flow from this issue?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Pages 2279 to / à 2281

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Pages 2282 to / à 2283

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From: Murray Smith
To: Francis, Geoffrey
Date: 11/2/2011 8:54 AM
Subject: Re: Fwd: Re: Conditions

Hi Geoff,

2. The use of the terms restricted weapon and prohibited weapon are correct as formulated.

3. Yes, different conditions for non-restricted firearms would apply not only for registration certificates but probably to transfers, destruction and possibly other aspects.

Regards,

Murray
-----Original Message-----
From: Geoffrey Francis
To: Smith, Murray <Murray.A.Smith@rcmp-grc.gc.ca>

Sent: 11/2/2011 7:36:59 AM
Subject: Fwd: Re: Conditions

Murray,

FYI.

My comments:

1) I believe there should be a requirement for a FIN if a serial number is not on the firearm.
2) Is the term "prohibited weapons, restricted weapons" appropriate?
3)The section on registration number should be further expanded to explain this only applies to prohibited or restricted firearms.

Your thoughts/Comments?

Geoff

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205

Page 2285

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From: Murray Smith
To: Barron, Jon
CC: Riley, Pamela
Date: 11/4/2011 5:29 PM
Subject: Re: AK-47 BB guns

This may be going to court so all we could do is put out an advisory on the BB guns. I am awaiting confirmation of charges from the Crown.

Murray
-----Original Message-----
From: Jon Barron
Cc: Riley, Pamela <Pamela.Riley@rcmp-grc.gc.ca>
To: Smith, Murray <Murray.A.Smith@rcmp-grc.gc.ca>

Sent: 11/4/2011 10:23:07 AM
Subject: AK-47 BB guns

Hi Murray,

Would you be able to provide a brief blurb regarding the recent seizures of the AK-47 BB guns for use in the FIESD news bulletin?

Thanks,

Jon

Jon Barron
Senior Analyst - Analyste principal
Firearms Investigative and Enforcement Policy - Politiques d'enquête et d'application de la loi en matière d'armes à feu
Canadian Firearms Program - Programme canadien des armes à feu
Royal Canadian Mounted Police - Gendarmerie royale du Canada
(613) 843-5413
jon.barron@rcmp-grc.gc.ca

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Murray Smith - Re: AK-47 BB guns

From: Murray Smith
To: Barron, Jon
Date: 11/7/2011 4:22 PM
Subject: Re: AK-47 BB guns

Hi Jon,

OK,

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jon Barron 11/7/2011 10:39 AM >>>
Thanks Murray.

I can use what ever info you can give me. As far as I know, they are BB guns made from real AK-47 frames and receivers and have the potential to be easily converted into full-auto firearms so we (RCMP) are asking for them to be returned as they should have been declared prohibited and not allowed into Canada by CBSA.

Is that close?

Thanks,

Jon

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Pages 2289 to / à 2292

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of the Access to Information Act
de la Loi sur l'accès à l'information

Pages 2294 to / à 2300

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Murray Smith - Re: Dlask Arms Remington 870 Shorty {New Request}

From: Murray Smith
To: Lee, Hwan
Date: 11/7/2011 4:51 PM
Subject: Re: Dlask Arms Remington 870 Shorty {New Request}

Hwan,

Please hold off on any action until it is determined whether or not a criminal investigation will be launched.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 11/7/2011 11:47 AM >>>
Hi Murray,

Do you know if any has been registered or is the FRT record not been established?
If it has, what is the FRT record for these particular problematic firearms? I will ask the CFR staff to determine how many, if any, have been registered so far.

Thanks

Hwan

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Pages 2302 to / à 2304

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Murray Smith - Henderson appeal - Armi Jager AP 80

From: Murray Smith
To: Francis, Geoffrey; McClure, Lloyd
Date: 11/8/2011 12:09 PM
Subject: Henderson appeal - Armi Jager AP 80

Geoff & Lloyd,

We have been informed that the Ontario Court of Appeal decision on this matter will be released tomorrow. I will forward a copy once I obtain it.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1522-002305

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Murray Smith - Fwd: Re: Ontario Court of Appeal decision in Henderson

From: Murray Smith
To: Glass, Kimberley
Date: 11/8/2011 2:57 PM
Subject: Fwd: Re: Ontario Court of Appeal decision in Henderson
Attachments: Re: Ontario Court of Appeal decision in Henderson

FYI, more background.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 11/8/2011 2:11 PM >>>
thanks Nicole -

Roxanne, please call me when you have a moment to discuss the implications of this -

salut -

Scott

>>> Nicole Robichaud 11/8/2011 1:58 PM >>>
Hi Scott,

Sharon has suggested that you may want to have CFP communications prepare media lines regarding this decision which is set to be released tomorrow from the Ontario Court of Appeal. The litigator is not anticipating media attention, but given the attention firearms matters are being given with the Bill, it is possible.

You may also want to let Public Safety know.

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Pages 2307 to / à 2308

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Murray Smith - Henderson decision

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 11/9/2011 12:54 PM
Subject: Henderson decision
Attachments: Henderson decision Nov 2011_1.pdf

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1526-002309

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CITATION: Henderson v. Canada (Attorney General), 2011 ONCA 696
DATE: 20111109
DOCKET: C52819

COURT OF APPEAL FOR ONTARIO

Goudge, Juriansz and MacFarland JJ.A.

BETWEEN

William Henderson

Appellant

and

The Attorney General of Canada

Respondent

Lorne Honickman and Michael Blinick, for the appellant

Philippe Alma, for the respondent

Heard: June 20, 2011

On appeal from the judgment of Justice Michael H. Tulloch of the Superior Court of Justice dated September 21, 2010, with reasons reported at 2010 ONSC 5168, [2010] O.J. No. 4522.

Goudge J.A.:

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INTRODUCTION

[1] Canada has a detailed legislative scheme designed to protect the public against the misuse of firearms. If a weapon is designated as a prohibited firearm by an Order in Council, its owner can lawfully possess the weapon only by obtaining a registration certificate from the Registrar of Firearms (the Registrar). If the Registrar refuses, the owner can refer the matter to the particular provincial court. The provincial court's decision can then be appealed to the superior court of that province. The superior court's decision can be further appealed to the province's court of appeal, but only with leave on a question of law alone.

[2] Mr. Henderson's application for a registration certificate for his Armi Jager AP80 firearm (AP80) was refused by the Registrar. That decision was reversed by the Ontario Court of Justice, Ontario's provincial court. The Attorney General of Canada appealed to the Superior Court of Ontario, which restored the Registrar's refusal.

[3] In his appeal to this court, Mr. Henderson seeks to raise the following questions of law: whether the Ontario Court of Justice and the Superior Court each erred by applying an incorrect standard of review to the decision before it; and whether the proper interpretation of the relevant Order in Council would render the AP80 a prohibited firearm.

[4] For the reasons that follow, I conclude that the Ontario Court of Justice incorrectly applied the standard of reasonableness the Registrar's decision. Secondly, while the

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Superior Court applied a standard of review to the Ontario Court of Justice decision that in my view was incorrect, ultimately the Superior Court was correct in finding that the Registrar interpreted the relevant Order in Council properly and in restoring the Registrar's decision to refuse the application. The Superior Court therefore reached the right result. Consequently I would dismiss the appeal.

THE FACTS

The Registrar's Decision

[5] Mr. Henderson purchased his AP80 in 1984 from a gun shop in Brampton. It is a .22 calibre rifle that is semi-automatic, meaning that a bullet can be fired with each separate pull of the trigger and the gun automatically reloads after each discharge. At the time, it did not have to be registered with the government and Mr. Henderson was entitled to acquire it.

[6] The *Firearms Act*, S.C. 1995, c. 39 (the Act) was enacted in 1995 as part of the tightening of government control of the possession of firearms. Its purpose is to provide for the issuance of licences, registration certificates and authorizations to permit the possession of firearms in circumstances that would otherwise constitute an offence under the *Criminal Code*, R.S.C. 1985, c. C-46. A license allows an individual to possess firearms of particular kinds. A registration certificate allows the individual to possess a specific firearm. An authorization allows the individual to do certain things with a firearm, such as importing. In this case we are concerned with a registration certificate.

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[7] On December 28, 2000, Mr. Henderson applied to the Registrar for a registration certificate for his AP80. The application form required only the model number, serial number, calibre and barrel length of his firearm. He had no further correspondence with the Registrar until he received notice of the Registrar's refusal to issue the registration certificate on June 2, 2008. This long delay was apparently caused by the volume of registration applications following the introduction of the Act.

[8] Several sections of the Act are germane to the Registrar's decision.

[9] Section 13 provides:

> 13. A person is not eligible to hold a registration certificate for a firearm unless the person holds a licence authorizing the person to possess that kind of firearm.

[10] Section 69 provides:

> 69. The Registrar may refuse to issue a registration certificate, authorization to export or authorization to import for any good and sufficient reason including, in the case of an application for a registration certificate, where the applicant is not eligible to hold a registration certificate.

[11] Section 72(1) provides for notice to an applicant of refusal to issue a registration certificate. Section 72(2) provides:

> 72. (2) A notice given under subsection (1) must include reasons for the decision disclosing the nature of the information relied on for the decision and must be accompanied by a copy of sections 74 to 81.

[12] The notice of refusal received by Mr. Henderson indicated that his AP80 is a prohibited firearm for the purposes of the *Criminal Code* because it is declared to be a

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prohibited firearm by s. 64 of Part I of the Schedule to *The Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*, S.O.R./98-462, an Order in Council made on September 16, 1998 pursuant to s. 84(1) of the *Criminal Code*. Section 2 of the Order in Council provides that the firearms listed in Part 1 of the Schedule to S.O.R./98-462 are prohibited firearms for the purposes of the *Criminal Code*. The relevant part of s. 64 of Part 1 reads:

> 64. The firearm of the design commonly known as the AK-47 rifle, and any variant or modified version of it except for the Valmet Hunter, the Valmet Hunter Auto and the Valmet M78 rifles, but including the
>
> :
>
> (*z.22*) Mitchell AK-22 ...

[13] The notice of refusal then went on to explain that because Mr. Henderson's licence to possess firearms did not allow him to possess prohibited firearms, he was therefore ineligible to hold a registration certificate for his AP80, since it was a prohibited firearm. His application was therefore refused.

The Reference to the Ontario Court of Justice

[14] Section 74(1) of the Act allows the applicant whose application is refused to "refer the matter to a provincial court judge in the territorial division in which the applicant ... resides." However, if the application is allowed and the registration certificate is granted by the Registrar, the Attorney General of Canada has no counterpart right of referral.

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[15] On receiving the reference, the provincial court must direct that notice of the hearing be given to the Registrar and to the applicant. Section 75 of the Act requires that the applicant be accorded a hearing by the provincial court, something not contemplated at the Registrar stage.

[16] Sections 75(2) and (3) then provide for the hearing of all relevant evidence by the provincial court, with the burden resting on the applicant in the reference:

> 75. (2) At the hearing of the reference, the provincial court judge shall hear all relevant evidence presented by or on behalf of the chief firearms officer, Registrar or provincial minister and the applicant or holder.
>
> (3) At the hearing of the reference, the burden of proof is on the applicant or holder to satisfy the provincial court judge that the refusal to issue or revocation of the licence, registration certificate or authorization, the decision or the refusal to approve or revocation of the approval was not justified.

[17] Section 76 says that the provincial court may confirm the Registrar's decision or direct the Registrar to issue a registration certificate.

[18] At the hearing of Mr. Henderson's reference, the Ontario Provincial Court received evidence called by the Registrar about the AK-47 rifle and the Mitchell AK-22, and, most importantly, evidence that the AP80 and the AK-22 are the same firearm made under two different trade names by an Italian manufacturer. Mr. Henderson called no evidence, but the Registrar agreed that Mr. Henderson's assertion that no parts of the AP80 are interchangeable with the AK-47 was one that could be treated as evidence.

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[19] The Ontario Court of Justice identified the issue in these terms: is the AP80 an "unnamed variant" of the AK-47 for the purpose of s. 64 of Part I of the Schedule to S.O.R./98-462. The court held that the burden placed on the applicant by s. 75(3) is to show that the Registrar's decision was not reasonable, in other words, that the standard of review the court should apply is reasonableness.

[20] However, the court incorrectly applied the standard of reasonableness by resting its decision on the fact that the AK-47 is an automatic weapon (that is, one pull of the trigger discharges a burst of bullets) and the AP80 is a semi-automatic weapon. In its view, that prevented the AP80 from being an unnamed variant of the AK-47. The court came to this conclusion without considering that the AP80 is the same firearm as the AK-22, which is a named variant of the AK-47 in s. 64. In the result, the Ontario Court of Justice concluded that the Registrar's decision was unreasonable, and therefore directed the Registrar to issue a registration certificate to Mr. Henderson for his AP80 firearm.

The Appeal to the Superior Court

[21] Section 77(1) of the Act gives the applicant the right to appeal to the superior court from an order by the provincial court under s. 76(a) confirming the decision of the Registrar.

[22] Section 77(2) of the Act gives the Attorney General of Canada a counterpart right of appeal from an order by the provincial court under s. 76(b) (or s. 76(c), which is not

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relevant to this case). Here the order was made under s. 76(b) and directed the Registrar to issue a registration certificate that he had previously refused to issue.

[23] Section 79(1) sets out how the superior court may dispose of an appeal. The pertinent part reads:

> Disposition of appeal
>
> 79. (1) On the hearing of an appeal, the superior court may
>
> (a) dismiss the appeal; or
>
> (b) allow the appeal and, in the case of an appeal against an order made under paragraph 76(a),
>
> (i) direct the chief firearms officer or Registrar to issue a licence, registration certificate or authorization or direct the provincial minister to approve a shooting club or shooting range...

[24] When the applicant appeals from a provincial court order under s. 76(a), s. 79(2) defines the burden on the applicant:

> Burden on applicant
>
> (2) A superior court shall dispose of an appeal against an order made under paragraph 76(a) by dismissing it, unless the appellant establishes to the satisfaction of the court that a disposition referred to in paragraph (1)(b) is justified.

[25] On the other hand, when the Attorney General appeals, there is no counterpart provision setting out a specific burden on the appellant.

[26] In Mr. Henderson's case, on receipt of the Ontario Court of Justice decision, the Attorney General appealed to the Superior Court of Ontario. In its reasons for judgment,

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the Superior Court first considered the standard of review it should apply to the decision appealed. It agreed with the parties that under s. 79(2), the appellant, whether the applicant or the Attorney General, had the burden of demonstrating that the decision under appeal was not justified. It therefore concluded that it should apply a standard of reasonableness to the decision under appeal.

[27] The Superior Court found that the decision was clearly wrong and unreasonable in finding that the applicant's firearm is not a variant of the AK-47, given that it is the same weapon as the AK-22, which is a declared variant of the AK-47. It went on to find that the Ontario Court of Justice also erred in the standard of review it applied to the Registrar's decision and should not have substituted its own views for the decision of the Registrar. Rather, it should have determined if the Registrar's decision was reasonable. In the end, the Superior Court found no error in the Registrar's decision to refuse the application. It allowed the appeal and restored that decision.

[28] The applicant then took the final step in the process as provided in s. 80 of the Act by seeking to appeal to this court on grounds that involve a question of law alone.

ANALYSIS

[29] This appeal raises four issues for disposition. I will deal with each in turn.

Leave to Appeal

[30] Mr. Henderson seeks to raise three issues in this court:

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a) Whether the Superior Court erred in finding that the Ontario Court of Justice applied an erroneous standard of review to the decision of the Registrar;

b) Whether the Superior Court erred in applying an erroneous standard of review to the decision of the Ontario Court of Justice;

c) Whether the Superior Court erred in finding that the Provincial Court rendered an incorrect interpretation of "variant" in s. 64 of Part I of the Schedule to S.O.R./98-462.

[31] In my view these are all questions of law alone. Moreover, they are of some significance to the general administration of justice. I say this in light of the volume of applications made pursuant to the Act and, more importantly, the large number of reported cases, many of which reflect inconsistent approaches to these issues. I would therefore grant leave to appeal.

The Standard of Review of the Registrar's Decision

[32] In my view, the approach to be taken by a provincial court to a decision of the Registrar depends on the rather unique scheme set up by the Act and the legislative intention it reflects.

[33] A number of aspects of the scheme are relevant. The application to the Registrar is simply a form containing basic information about the firearm. The Registrar is not required to hold a hearing, nor offer the applicant any other way to provide information or make submissions, before deciding to issue the registration certificate or refuse the

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application. If the application is refused, the Registrar is required to provide the applicant with both the decision and reasons that include the nature of the information relied on. The applicant can then refer the matter to the provincial court.

[34] The Act obliges the provincial court to hear all relevant evidence presented by both the applicant and the Registrar. It is clear that the provincial court is to engage in its own fact finding process. That is why it is described as a reference and not an appeal from the Registrar's decision. Nor is it a hearing *de novo*, since the Registrar has not held a hearing. Clearly the legislative intent is that the provincial court is to find its own facts and need give no deference to any facts recited in the reasons of the Registrar.

[35] However, having done that, s. 75(3) of the Act directs the provincial court to decide, in light of the facts it has found, if the applicant has satisfied it that the Registrar's refusal was "not justified". That is, the applicant must do more than show that, given the facts found, the decision was wrong. Rather, the provincial court must be satisfied that the refusal was not justified. In my view this reflects the legislative intent that the provincial court accord deference to the Registrar's decision. I say this for several reasons.

[36] The first is the particular language of the Act. The pertinent definition of "justification" in *Black's Law Dictionary*, 8th ed., is "a lawful or sufficient reason for one's acts or omissions." That is, a decision is not justified if there is no sufficient reason for it. As well, the Supreme Court of Canada has linked the deferential standard of

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reasonableness to the concept of justification. In *Dunsmuir v. New Brunswick*, 2008 SCC 9, [2008] 1 S.C.R. 190 at para. 47, the court describes the qualities that make a decision reasonable and makes clear that justification is a key aspect of reasonableness. Thus I think the language of s. 75(3) of the Act directs the provincial court to apply a deferential standard of review to the Registrar's decision itself. The provincial court is to test that decision against the facts it has found. It is not to determine if it agrees with the decision, but whether it has been satisfied by the applicant that the decision is not reasonably defenceable. This mandates deference.

[37] A deferential approach is also supported by the undoubted specialized expertise of the Registrar in administering the complex firearms registration regime. That regime encompasses both the legislation and the relevant subordinate legislation, including S.O.R./98-462. In addition, the nature of the questions of law that arise for the Registrar is compatible with a standard of deference. As in this case, where the question is the meaning of "variant" in the relevant Order in Council, these questions are within a very specialized area of the legal system and have limited general application.

[38] In my view, the deferential standard of review to be applied by the provincial court to the Registrar's refusal is best described as one of reasonableness. That notion is well known in judicial review of administrative decisions, and that is, of course, what is going on here. A new label would simply complicate an area of law which the Supreme Court in *Dunsmuir* has said should be simplified. The provincial court's task is not to assess the process used by the Registrar about which it may know very little. Rather it is

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to evaluate the Registrar's decision in the context of the facts it has found to decide if the applicant has satisfied it that the decision does not fall "within a range of possible, acceptable outcomes which are defenceable in respect of the facts and law": *Dunsmuir*, at para. 47. It is in this sense that the provincial court should apply a standard of reasonableness.

[39] Turning to this case, I agree with the Superior Court that the Ontario Court of Justice did not apply this standard of review to the Registrar's refusal. It concluded that the applicant's firearm, the AP80, could not be a variant of the AK-47 because it was a semi-automatic weapon, not an automatic one. The court did not evaluate whether, in light of the fact that the AP80 is the same weapon as the AK-22 (which is expressly declared by the regulation to be a variant of the AK-47), the decision that the AP80 is a variant of the AK-47 is within the range of defenceable outcomes. In my view, had the Ontario Court of Justice done so, it would have confirmed the Registrar's decision.

The Standard of Review of the Provincial Court Decision

[40] This issue also turns on the wording of the Act. Section 77(1) gives the applicant a right of appeal from a provincial court order under s. 76(a) confirming the decision of the Registrar to refuse to issue a registration certificate. Section 77(2) gives a right of appeal to the Attorney General from a provincial court order under s. 76(b) directing the Registrar to issue a registration certificate that has previously been refused.

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[41] In my view the proper standard of review to be applied by the superior court depends on whether it is an appeal by the applicant of an order under s. 76(a) or an appeal by the Attorney General of an order under s. 76(b).

[42] If it is the former, the applicant, to succeed, must discharge the burden set out in s. 79(2) of the Act. Unless the applicant satisfies the superior court that a disposition under s. 79(1)(b) directing the Registrar to issue the registration certificate is justified, the appeal must be dismissed. To be satisfied of this, the superior court must find that the provincial court erred in finding that the Registrar's refusal is reasonable. In other words, only if the superior court determines that, contrary to the provincial court's finding, the Registrar's decision is unreasonable will the applicant's appeal be allowed and the Registrar directed to issue the registration certificate. The superior court does not accord deference to the provincial court decision, but determines whether it was wrong in finding the Registrar's decision to be reasonable. This approach is true to the legislative intent that the Registrar's decision prevails unless it is unreasonable in the sense I have described.

[43] In this case, the appeal is by the Attorney General from an order made under s. 76(b). The Act provides no special burden on the Attorney General as appellant. It simply empowers the superior court to dismiss or allow the appeal. I see no reason why the superior court should approach this task any differently than any appellate court considering an appeal from a lower court. The normal standard of review described in the seminal case of *Housen v. Nikolaisen*, 2002 SCC 33, [2002] 2 S.C.R. 235 should be

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applied with respect to the questions of fact, questions of law and questions of mixed fact and law.

[44] Here the Superior Court applied a standard of reasonableness to the decision of the Ontario Court of Justice. It found that decision to be clearly wrong, and therefore unreasonable, in failing to find that the AP80 is a variant of the AK-47.

[45] While in my view this mistakes the standard of review to be applied, it is of no moment. Scrutinizing the Ontario Court of Justice decision properly, pursuant to the normal appellate standard of review, it is evident that the court was incorrect in its interpretation of the Order in Council in failing to find that a weapon (the AP80) that is the same as a weapon (the AK-22) named expressly as a variant of the AK-47 must itself be a variant of the AK-47 and is therefore a prohibited weapon. This incorrect interpretation constitutes an error of law by the court to be reviewed on a standard of correctness. Had the Superior Court done so, the result would have been the same as it in fact reached. The appeal would have been allowed and the Registrar's decision restored.

Interpretation of S.O.R./98-462

[46] This Order in Council prescribes in its Schedule firearms that are prohibited for the purposes of the *Criminal Code*. Section 64 of the Schedule prescribes the AK-47 rifle and "any variant or modified version of it", including the Mitchell AK-22. In other words, the Governor General in Council has declared the AK-22 to be a variant of the AK-47. If, as is clear, the legislative intent is that the AK-22 is a variant of the AK-47,

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the same must be true of a weapon which is the same as the AK-22, namely the AP80. The correct interpretation of the Order in Council is therefore that the AP80 is a variant of the AK-47. In finding otherwise, the Provincial Court erred in law.

CONCLUSION

[47] In summary, I conclude that Mr. Henderson's weapon is a prohibited firearm pursuant to S.O.R./98-462. Because of this, the Registrar's decision to refuse his application was not unreasonable and should have been confirmed by the Ontario Court of Justice. That court's decision to do otherwise was based on an error of law, namely a misinterpretation of the governing Order in Council. The Superior Court therefore reached the correct result in allowing the appeal and restoring the Registrar's decision.

[48] I would grant leave to appeal, but dismiss the appeal.

RELEASED: November 9, 2011 ("S.T.G.")

"S.T. Goudge J.A."
"I agree R.G. Juriansz J.A."
"I agree J. MacFarland J.A."

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Pages 2331 to / à 2332

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Murray Smith - Henderson appeal - Armi Jager AP80

From: Murray Smith
To: Quevillon, Yves
Date: 11/9/2011 2:27 PM
Subject: Henderson appeal - Armi Jager AP80
CC: Dahlstrom, Dean B.
Attachments: Henderson decision Nov 2011_3.pdf

Hi Yves,

Attached is the decision from the Ontario Court of appeal released today which found the AP80 to be a prohibited variant of the AK-47 assault rifle.

This clearly lays to rest the contention that a 22LR rimfire calibre blowback operated semiautomatic rifle cannot be a variant of a 7.62 x 39mm centrefire calibre gas operated selective fire AK-47 assault rifle.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1550-002333

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CITATION: Henderson v. Canada (Attorney General), 2011 ONCA 696
DATE: 20111109
DOCKET: C52819

COURT OF APPEAL FOR ONTARIO

Goudge, Juriansz and MacFarland JJ.A.

BETWEEN

William Henderson

Appellant

and

The Attorney General of Canada

Respondent

Lorne Honickman and Michael Blinick, for the appellant

Philippe Alma, for the respondent

Heard: June 20, 2011

On appeal from the judgment of Justice Michael H. Tulloch of the Superior Court of Justice dated September 21, 2010, with reasons reported at 2010 ONSC 5168, [2010] O.J. No. 4522.

Goudge J.A.:

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INTRODUCTION

[1] Canada has a detailed legislative scheme designed to protect the public against the misuse of firearms. If a weapon is designated as a prohibited firearm by an Order in Council, its owner can lawfully possess the weapon only by obtaining a registration certificate from the Registrar of Firearms (the Registrar). If the Registrar refuses, the owner can refer the matter to the particular provincial court. The provincial court's decision can then be appealed to the superior court of that province. The superior court's decision can be further appealed to the province's court of appeal, but only with leave on a question of law alone.

[2] Mr. Henderson's application for a registration certificate for his Armi Jager AP80 firearm (AP80) was refused by the Registrar. That decision was reversed by the Ontario Court of Justice, Ontario's provincial court. The Attorney General of Canada appealed to the Superior Court of Ontario, which restored the Registrar's refusal.

[3] In his appeal to this court, Mr. Henderson seeks to raise the following questions of law: whether the Ontario Court of Justice and the Superior Court each erred by applying an incorrect standard of review to the decision before it; and whether the proper interpretation of the relevant Order in Council would render the AP80 a prohibited firearm.

[4] For the reasons that follow, I conclude that the Ontario Court of Justice incorrectly applied the standard of reasonableness the Registrar's decision. Secondly, while the

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Superior Court applied a standard of review to the Ontario Court of Justice decision that in my view was incorrect, ultimately the Superior Court was correct in finding that the Registrar interpreted the relevant Order in Council properly and in restoring the Registrar's decision to refuse the application. The Superior Court therefore reached the right result. Consequently I would dismiss the appeal.

THE FACTS

The Registrar's Decision

[5] Mr. Henderson purchased his AP80 in 1984 from a gun shop in Brampton. It is a .22 calibre rifle that is semi-automatic, meaning that a bullet can be fired with each separate pull of the trigger and the gun automatically reloads after each discharge. At the time, it did not have to be registered with the government and Mr. Henderson was entitled to acquire it.

[6] The *Firearms Act*, S.C. 1995, c. 39 (the Act) was enacted in 1995 as part of the tightening of government control of the possession of firearms. Its purpose is to provide for the issuance of licences, registration certificates and authorizations to permit the possession of firearms in circumstances that would otherwise constitute an offence under the *Criminal Code*, R.S.C. 1985, c. C-46. A license allows an individual to possess firearms of particular kinds. A registration certificate allows the individual to possess a specific firearm. An authorization allows the individual to do certain things with a firearm, such as importing. In this case we are concerned with a registration certificate.

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[7] On December 28, 2000, Mr. Henderson applied to the Registrar for a registration certificate for his AP80. The application form required only the model number, serial number, calibre and barrel length of his firearm. He had no further correspondence with the Registrar until he received notice of the Registrar's refusal to issue the registration certificate on June 2, 2008. This long delay was apparently caused by the volume of registration applications following the introduction of the Act.

[8] Several sections of the Act are germane to the Registrar's decision.

[9] Section 13 provides:

> 13. A person is not eligible to hold a registration certificate for a firearm unless the person holds a licence authorizing the person to possess that kind of firearm.

[10] Section 69 provides:

> 69. The Registrar may refuse to issue a registration certificate, authorization to export or authorization to import for any good and sufficient reason including, in the case of an application for a registration certificate, where the applicant is not eligible to hold a registration certificate.

[11] Section 72(1) provides for notice to an applicant of refusal to issue a registration certificate. Section 72(2) provides:

> 72. (2) A notice given under subsection (1) must include reasons for the decision disclosing the nature of the information relied on for the decision and must be accompanied by a copy of sections 74 to 81.

[12] The notice of refusal received by Mr. Henderson indicated that his AP80 is a prohibited firearm for the purposes of the *Criminal Code* because it is declared to be a

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prohibited firearm by s. 64 of Part I of the Schedule to *The Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*, S.O.R./98-462, an Order in Council made on September 16, 1998 pursuant to s. 84(1) of the *Criminal Code*. Section 2 of the Order in Council provides that the firearms listed in Part 1 of the Schedule to S.O.R./98-462 are prohibited firearms for the purposes of the *Criminal Code*. The relevant part of s. 64 of Part 1 reads:

> 64. The firearm of the design commonly known as the AK-47 rifle, and any variant or modified version of it except for the Valmet Hunter, the Valmet Hunter Auto and the Valmet M78 rifles, but including the
>
> :
>
> (*z.22*) Mitchell AK-22 ...

[13] The notice of refusal then went on to explain that because Mr. Henderson's licence to possess firearms did not allow him to possess prohibited firearms, he was therefore ineligible to hold a registration certificate for his AP80, since it was a prohibited firearm. His application was therefore refused.

The Reference to the Ontario Court of Justice

[14] Section 74(1) of the Act allows the applicant whose application is refused to "refer the matter to a provincial court judge in the territorial division in which the applicant ... resides." However, if the application is allowed and the registration certificate is granted by the Registrar, the Attorney General of Canada has no counterpart right of referral.

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[15] On receiving the reference, the provincial court must direct that notice of the hearing be given to the Registrar and to the applicant. Section 75 of the Act requires that the applicant be accorded a hearing by the provincial court, something not contemplated at the Registrar stage.

[16] Sections 75(2) and (3) then provide for the hearing of all relevant evidence by the provincial court, with the burden resting on the applicant in the reference:

> 75. (2) At the hearing of the reference, the provincial court judge shall hear all relevant evidence presented by or on behalf of the chief firearms officer, Registrar or provincial minister and the applicant or holder.
>
> (3) At the hearing of the reference, the burden of proof is on the applicant or holder to satisfy the provincial court judge that the refusal to issue or revocation of the licence, registration certificate or authorization, the decision or the refusal to approve or revocation of the approval was not justified.

[17] Section 76 says that the provincial court may confirm the Registrar's decision or direct the Registrar to issue a registration certificate.

[18] At the hearing of Mr. Henderson's reference, the Ontario Provincial Court received evidence called by the Registrar about the AK-47 rifle and the Mitchell AK-22, and, most importantly, evidence that the AP80 and the AK-22 are the same firearm made under two different trade names by an Italian manufacturer. Mr. Henderson called no evidence, but the Registrar agreed that Mr. Henderson's assertion that no parts of the AP80 are interchangeable with the AK-47 was one that could be treated as evidence.

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[19] The Ontario Court of Justice identified the issue in these terms: is the AP80 an "unnamed variant" of the AK-47 for the purpose of s. 64 of Part I of the Schedule to S.O.R./98-462. The court held that the burden placed on the applicant by s. 75(3) is to show that the Registrar's decision was not reasonable, in other words, that the standard of review the court should apply is reasonableness.

[20] However, the court incorrectly applied the standard of reasonableness by resting its decision on the fact that the AK-47 is an automatic weapon (that is, one pull of the trigger discharges a burst of bullets) and the AP80 is a semi-automatic weapon. In its view, that prevented the AP80 from being an unnamed variant of the AK-47. The court came to this conclusion without considering that the AP80 is the same firearm as the AK-22, which is a named variant of the AK-47 in s. 64. In the result, the Ontario Court of Justice concluded that the Registrar's decision was unreasonable, and therefore directed the Registrar to issue a registration certificate to Mr. Henderson for his AP80 firearm.

The Appeal to the Superior Court

[21] Section 77(1) of the Act gives the applicant the right to appeal to the superior court from an order by the provincial court under s. 76(a) confirming the decision of the Registrar.

[22] Section 77(2) of the Act gives the Attorney General of Canada a counterpart right of appeal from an order by the provincial court under s. 76(b) (or s. 76(c), which is not

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relevant to this case). Here the order was made under s. 76(b) and directed the Registrar to issue a registration certificate that he had previously refused to issue.

[23] Section 79(1) sets out how the superior court may dispose of an appeal. The pertinent part reads:

> Disposition of appeal
>
> 79. (1) On the hearing of an appeal, the superior court may
>
> (a) dismiss the appeal; or
>
> (b) allow the appeal and, in the case of an appeal against an order made under paragraph 76(a),
>
> (i) direct the chief firearms officer or Registrar to issue a licence, registration certificate or authorization or direct the provincial minister to approve a shooting club or shooting range...

[24] When the applicant appeals from a provincial court order under s. 76(a), s. 79(2) defines the burden on the applicant:

> Burden on applicant
>
> (2) A superior court shall dispose of an appeal against an order made under paragraph 76(a) by dismissing it, unless the appellant establishes to the satisfaction of the court that a disposition referred to in paragraph (1)(b) is justified.

[25] On the other hand, when the Attorney General appeals, there is no counterpart provision setting out a specific burden on the appellant.

[26] In Mr. Henderson's case, on receipt of the Ontario Court of Justice decision, the Attorney General appealed to the Superior Court of Ontario. In its reasons for judgment,

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the Superior Court first considered the standard of review it should apply to the decision appealed. It agreed with the parties that under s. 79(2), the appellant, whether the applicant or the Attorney General, had the burden of demonstrating that the decision under appeal was not justified. It therefore concluded that it should apply a standard of reasonableness to the decision under appeal.

[27] The Superior Court found that the decision was clearly wrong and unreasonable in finding that the applicant's firearm is not a variant of the AK-47, given that it is the same weapon as the AK-22, which is a declared variant of the AK-47. It went on to find that the Ontario Court of Justice also erred in the standard of review it applied to the Registrar's decision and should not have substituted its own views for the decision of the Registrar. Rather, it should have determined if the Registrar's decision was reasonable. In the end, the Superior Court found no error in the Registrar's decision to refuse the application. It allowed the appeal and restored that decision.

[28] The applicant then took the final step in the process as provided in s. 80 of the Act by seeking to appeal to this court on grounds that involve a question of law alone.

ANALYSIS

[29] This appeal raises four issues for disposition. I will deal with each in turn.

Leave to Appeal

[30] Mr. Henderson seeks to raise three issues in this court:

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a) Whether the Superior Court erred in finding that the Ontario Court of Justice applied an erroneous standard of review to the decision of the Registrar;

b) Whether the Superior Court erred in applying an erroneous standard of review to the decision of the Ontario Court of Justice;

c) Whether the Superior Court erred in finding that the Provincial Court rendered an incorrect interpretation of "variant" in s. 64 of Part I of the Schedule to S.O.R./98-462.

[31] In my view these are all questions of law alone. Moreover, they are of some significance to the general administration of justice. I say this in light of the volume of applications made pursuant to the Act and, more importantly, the large number of reported cases, many of which reflect inconsistent approaches to these issues. I would therefore grant leave to appeal.

The Standard of Review of the Registrar's Decision

[32] In my view, the approach to be taken by a provincial court to a decision of the Registrar depends on the rather unique scheme set up by the Act and the legislative intention it reflects.

[33] A number of aspects of the scheme are relevant. The application to the Registrar is simply a form containing basic information about the firearm. The Registrar is not required to hold a hearing, nor offer the applicant any other way to provide information or make submissions, before deciding to issue the registration certificate or refuse the

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application. If the application is refused, the Registrar is required to provide the applicant with both the decision and reasons that include the nature of the information relied on. The applicant can then refer the matter to the provincial court.

[34] The Act obliges the provincial court to hear all relevant evidence presented by both the applicant and the Registrar. It is clear that the provincial court is to engage in its own fact finding process. That is why it is described as a reference and not an appeal from the Registrar's decision. Nor is it a hearing *de novo*, since the Registrar has not held a hearing. Clearly the legislative intent is that the provincial court is to find its own facts and need give no deference to any facts recited in the reasons of the Registrar.

[35] However, having done that, s. 75(3) of the Act directs the provincial court to decide, in light of the facts it has found, if the applicant has satisfied it that the Registrar's refusal was "not justified". That is, the applicant must do more than show that, given the facts found, the decision was wrong. Rather, the provincial court must be satisfied that the refusal was not justified. In my view this reflects the legislative intent that the provincial court accord deference to the Registrar's decision. I say this for several reasons.

[36] The first is the particular language of the Act. The pertinent definition of "justification" in *Black's Law Dictionary*, 8th ed., is "a lawful or sufficient reason for one's acts or omissions." That is, a decision is not justified if there is no sufficient reason for it. As well, the Supreme Court of Canada has linked the deferential standard of

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reasonableness to the concept of justification. In *Dunsmuir v. New Brunswick*, 2008 SCC 9, [2008] 1 S.C.R. 190 at para. 47, the court describes the qualities that make a decision reasonable and makes clear that justification is a key aspect of reasonableness. Thus I think the language of s. 75(3) of the Act directs the provincial court to apply a deferential standard of review to the Registrar's decision itself. The provincial court is to test that decision against the facts it has found. It is not to determine if it agrees with the decision, but whether it has been satisfied by the applicant that the decision is not reasonably defenceable. This mandates deference.

[37] A deferential approach is also supported by the undoubted specialized expertise of the Registrar in administering the complex firearms registration regime. That regime encompasses both the legislation and the relevant subordinate legislation, including S.O.R./98-462. In addition, the nature of the questions of law that arise for the Registrar is compatible with a standard of deference. As in this case, where the question is the meaning of "variant" in the relevant Order in Council, these questions are within a very specialized area of the legal system and have limited general application.

[38] In my view, the deferential standard of review to be applied by the provincial court to the Registrar's refusal is best described as one of reasonableness. That notion is well known in judicial review of administrative decisions, and that is, of course, what is going on here. A new label would simply complicate an area of law which the Supreme Court in *Dunsmuir* has said should be simplified. The provincial court's task is not to assess the process used by the Registrar about which it may know very little. Rather it is

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to evaluate the Registrar's decision in the context of the facts it has found to decide if the applicant has satisfied it that the decision does not fall "within a range of possible, acceptable outcomes which are defenceable in respect of the facts and law": *Dunsmuir*, at para. 47. It is in this sense that the provincial court should apply a standard of reasonableness.

[39] Turning to this case, I agree with the Superior Court that the Ontario Court of Justice did not apply this standard of review to the Registrar's refusal. It concluded that the applicant's firearm, the AP80, could not be a variant of the AK-47 because it was a semi-automatic weapon, not an automatic one. The court did not evaluate whether, in light of the fact that the AP80 is the same weapon as the AK-22 (which is expressly declared by the regulation to be a variant of the AK-47), the decision that the AP80 is a variant of the AK-47 is within the range of defenceable outcomes. In my view, had the Ontario Court of Justice done so, it would have confirmed the Registrar's decision.

The Standard of Review of the Provincial Court Decision

[40] This issue also turns on the wording of the Act. Section 77(1) gives the applicant a right of appeal from a provincial court order under s. 76(a) confirming the decision of the Registrar to refuse to issue a registration certificate. Section 77(2) gives a right of appeal to the Attorney General from a provincial court order under s. 76(b) directing the Registrar to issue a registration certificate that has previously been refused.

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[41] In my view the proper standard of review to be applied by the superior court depends on whether it is an appeal by the applicant of an order under s. 76(a) or an appeal by the Attorney General of an order under s. 76(b).

[42] If it is the former, the applicant, to succeed, must discharge the burden set out in s. 79(2) of the Act. Unless the applicant satisfies the superior court that a disposition under s. 79(1)(b) directing the Registrar to issue the registration certificate is justified, the appeal must be dismissed. To be satisfied of this, the superior court must find that the provincial court erred in finding that the Registrar's refusal is reasonable. In other words, only if the superior court determines that, contrary to the provincial court's finding, the Registrar's decision is unreasonable will the applicant's appeal be allowed and the Registrar directed to issue the registration certificate. The superior court does not accord deference to the provincial court decision, but determines whether it was wrong in finding the Registrar's decision to be reasonable. This approach is true to the legislative intent that the Registrar's decision prevails unless it is unreasonable in the sense I have described.

[43] In this case, the appeal is by the Attorney General from an order made under s. 76(b). The Act provides no special burden on the Attorney General as appellant. It simply empowers the superior court to dismiss or allow the appeal. I see no reason why the superior court should approach this task any differently than any appellate court considering an appeal from a lower court. The normal standard of review described in the seminal case of *Housen v. Nikolaisen*, 2002 SCC 33, [2002] 2 S.C.R. 235 should be

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applied with respect to the questions of fact, questions of law and questions of mixed fact and law.

[44] Here the Superior Court applied a standard of reasonableness to the decision of the Ontario Court of Justice. It found that decision to be clearly wrong, and therefore unreasonable, in failing to find that the AP80 is a variant of the AK-47.

[45] While in my view this mistakes the standard of review to be applied, it is of no moment. Scrutinizing the Ontario Court of Justice decision properly, pursuant to the normal appellate standard of review, it is evident that the court was incorrect in its interpretation of the Order in Council in failing to find that a weapon (the AP80) that is the same as a weapon (the AK-22) named expressly as a variant of the AK-47 must itself be a variant of the AK-47 and is therefore a prohibited weapon. This incorrect interpretation constitutes an error of law by the court to be reviewed on a standard of correctness. Had the Superior Court done so, the result would have been the same as it in fact reached. The appeal would have been allowed and the Registrar's decision restored.

Interpretation of S.O.R./98-462

[46] This Order in Council prescribes in its Schedule firearms that are prohibited for the purposes of the *Criminal Code*. Section 64 of the Schedule prescribes the AK-47 rifle and "any variant or modified version of it", including the Mitchell AK-22. In other words, the Governor General in Council has declared the AK-22 to be a variant of the AK-47. If, as is clear, the legislative intent is that the AK-22 is a variant of the AK-47,

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the same must be true of a weapon which is the same as the AK-22, namely the AP80. The correct interpretation of the Order in Council is therefore that the AP80 is a variant of the AK-47. In finding otherwise, the Provincial Court erred in law.

CONCLUSION

[47] In summary, I conclude that Mr. Henderson's weapon is a prohibited firearm pursuant to S.O.R./98-462. Because of this, the Registrar's decision to refuse his application was not unreasonable and should have been confirmed by the Ontario Court of Justice. That court's decision to do otherwise was based on an error of law, namely a misinterpretation of the governing Order in Council. The Superior Court therefore reached the correct result in allowing the appeal and restoring the Registrar's decision.

[48] I would grant leave to appeal, but dismiss the appeal.

RELEASED: November 9, 2011 ("S.T.G.")

"S.T. Goudge J.A."
"I agree R.G. Juriansz J.A."
"I agree J. MacFarland J.A."

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Murray Smith - Re: AK47 BB Photos

From: Murray Smith
To: GROSSPIETSCH, Frank
Date: 11/9/2011 2:33 PM
Subject: Re: AK47 BB Photos
CC: Etter, William; Glass, Kimberley

Thanks Frank. The photos are nice.

In due course we would like to get more samples of the BB guns that we can restore to original condition in a more aggressive manner. When we had only the one sample we were very cautious to preserve the condition of the BB gun and retain the ability to reverse the restoration. This resulted in a longer restoration time than would otherwise have been required. I would like to determine if the restoration time can be appreciably shortened with those constraints lifted.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 11/9/2011 1:04 PM >>>
Gentlemen,

As discussed, the attached are from our latest seizure. It is the folding stock version and bears the "Arsenal 66" Stamp.

Cheers

A.Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

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Murray Smith - Re: Henderson appeal - Armi Jager AP80

From: Murray Smith
To: Quevillon, Yves
Date: 11/9/2011 2:37 PM
Subject: Re: Henderson appeal - Armi Jager AP80
CC: Dahlstrom, Dean B.

Agreed, that helped establish the principle. The 22LR variants appear in other parts of the regulations as well, and have been there since 1992. The direct link to the AK22 just made it easier to establish.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 11/9/2011 2:32 PM >>>
Good thing that the AK-22 was a named variant.

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Murray Smith - Fwd: Re: AK47 BB Photos

From: Murray Smith
To: Etter, William
Date: 11/9/2011 4:08 PM
Subject: Fwd: Re: AK47 BB Photos
CC: Glass, Kimberley

We can expect more BB guns from Frank.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 11/9/2011 3:47 PM >>>
Will forward two immediately

Cheers

A.Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

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Murray Smith - Re: Fw: Izhmash Yunker 4 air rifle

From: Murray Smith
To: DUSSAULT, Jason
Date: 11/10/2011 1:13 PM
Subject: Re: Fw: Izhmash Yunker 4 air rifle

Jason,

Is this still a live issue? I was going over old messages today and this appears to have been overlooked.

We would like to see the Yunker 4 if it is still available.

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jason DUSSAULT 10/13/2011 11:01 AM >>>
Murray,

I told Lyle from CBSA I would get a hold of you to see if you guys have inspected any of these yet and / or classified them. Please find attached the info below. I informed him there is a chance these are so new they have not been examined and classified. He put a hold on the import and will send out one of them if needed.

- jason

Jason Dussault
Firearms Investigator
National Weapons Enforcement Support Team

Sent from blackberry

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Murray Smith - Re: Signed Inspection Report - BB Gun GFC-2000-7-1-99517

From: Murray Smith
To: Riley, Pamela
Date: 11/14/2011 2:59 PM
Subject: Re: Signed Inspection Report - BB Gun GFC-2000-7-1-99517
CC: Etter, William

Thanks Pamela,

You may as well scan the work notes too. Not urgent.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Pamela Riley 11/14/2011 2:48 PM >>>
Murray,

Please find attached the current Inspection Report with your signature.
I have obtained Mike's signature for the work notes and have placed the documents in the file.

Pamela.

Pamela Riley
Administrative Support
Specialized Firearms Support Services
Canadian Firearms Program.
Royal Canadian Mounted Police
1200 Vanier Parkway
PO Box 8885
Ottawa, ON K1A 0R2
613-993-1768

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Murray Smith - Re: RUGER Mini 14

From: Murray Smith
To: Quevillon, Yves
Date: 11/23/2011 1:47 PM
Subject: Re: RUGER Mini 14

Hi Yves,

We use the manufacturer's specifications for the purposes of the FRT since we are dealing with the Mini-14 rifle as a class. Most of them are at or over the 470 mm limit.

Since the manufacturers specification lies on the 470 mm limit, it is possible that an individual firearm will have a barrel a few millimeters shorter due to manufacturing tolerances and thus be restricted. Where that is known to be the case and reported as such, the firearm would be considered restricted.

Regarding the firearm at hand, I suggest to you that now that you know the barrel is too short, the restricted classification cannot be ignored. You would be free to point out in the forensic report that it may be that way as an accident of the manufacturing process

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 11/23/2011 9:52 AM >>>
Hi Murray,

As you know, because of manufacturing tolerances some Mini 14 have barrels sightly less than 470 mm. We have one such rifle in Halifax being examined. What is the Registry's position on these? How may we justify not classifying it as restricted? Manufacturing specs?

Thanks,
Yves

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Murray Smith - Re: Dlask Arms Remington 870 Shorty {New Request}

From: Murray Smith
To: Lee, Hwan
Date: 11/23/2011 4:51 PM
Subject: Re: Dlask Arms Remington 870 Shorty {New Request}

Nothing yet.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 11/23/2011 4:00 PM >>>
Hi Murray,

Do you have any further information?

Thanks

Hwan

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Murray Smith - Re: Zoraki M906 half section 3 of 3

From: Murray Smith
To: Brouillette, Michael
Date: 12/1/2011 3:47 PM
Subject: Re: Zoraki M906 half section 3 of 3
CC: Etter, William; Glass, Kimberley

Mike,

1. Would it be fair to say that the barrel shroud is integral with the receiver and that the true character of the firearm is determined only after an insert is installed?

2. It looks to me that the insert is held in place at both ends. Do you have any idea how this might be accomplished? It looks like some kind of finishing operation occurs after the insert is installed.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Michael Brouillette 2011-11-28 13:52 >>>

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Murray Smith - Re: Fwd: FW: URGENT Q from the Minister's Office

From: Murray Smith
To: McDougall, Scott
Date: 12/2/2011 10:46 AM
Subject: Re: Fwd: FW: URGENT Q from the Minister's Office
Attachments: Dominion Arms_Outlaw_FRT_129045.PDF

Scott,

The firearm is non-restricted in classification. As the law is currently formulated, the short barrel length would be a problem only if cut down to that length, which is not the case as the shotgun is manufactured this way.

The FRT record is attached.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Scott McDougall 2011-12-02 10:33 >>>

>>> "Doyle, Ryan" <Ryan.Doyle@ps-sp.gc.ca> 12/2/2011 10:25 AM >>>
HIGH PRIORITY

Alison,

Can you please task the RCMP CFP to provide an **URGENT** response to this question for the Minister's office. A BF within the next 20 minutes is required.

Ry

Ryan Doyle
Public Safety Canada | Sécurité Publique Canada
ryan.doyle@ps.gc.ca / Asst: +1.613.949.7770 / Tél +1.613.990.2721 / Fax +1.613.954.4808 / Cel : +1.613.240.4403

From: de Jager, Gabriela
Sent: Friday, December 02, 2011 10:20 AM
To: Murdock, Lyndon
Cc: Dagenais, Anita; Cyr, Lynne
Subject: FW: URGENT Q from the Minister's Office

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Pages 2392 to / à 2395

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Murray Smith - Re: Fwd: FW: URGENT Q from the Minister's Office

From: Murray Smith
To: Greenley, Calvin
Date: 12/2/2011 10:49 AM
Subject: Re: Fwd: FW: URGENT Q from the Minister's Office
CC: Etter, William; Glass, Kimberley
Attachments: Dominion Arms_Outlaw_FRT_129045.PDF

Thanks Cal for your help.

This reportedly came out of a meeting with the Minister currently in progress. I have no idea what the context is.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Pages 2397 to / à 2400

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Murray Smith - Re: FW: URGENT Q from the Minister's Office

From: Murray Smith
To: Carlotti, Constance; Francis, Geoffrey; McDougall, Scott; Sevigny, Linda
Date: 12/2/2011 10:56 AM
Subject: Re: FW: URGENT Q from the Minister's Office
CC: Glass, Kimberley; Gregory, Alison; Lee, Hwan

Hi Linda,

The matter has already been addressed. Scott sent the enquiry directly to me a few minutes ago. I will forward the response immediately following this message.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Linda Sevigny 2011-12-02 10:54 >>>
Hi, I'm off to a meeting. Alison Gregory, ES&ML, just called me and would like us to respond directly to Public Safety on this tasking.

Geoff and Murray, for your action. Can you please respond directly to Connie Carlotti. She will respond to Public Safety in my absence.

We're assuming it's a non-restricted based on FRT record 129045-1. Please advise.

Thanks.

Linda Sevigny
Manager/Gestionnaire
Canadian Firearms Program/Programme canadien des armes à feu
Firearms Management & Strategic Services/Contrôle des armes à feu et services stratégiques
Royal Canadian Mounted Police/Gendarmerie royale du Canada
73 Leikin Drive/73 ch. Leikin
Ottawa, ON, K1A 0R2
613-843-5442
facsimile/télécopieur 613-825-0315

>>> "Doyle, Ryan" <Ryan.Doyle@ps-sp.gc.ca> 12/2/2011 10:25 AM >>>
HIGH PRIORITY

Alison,

Can you please task the RCMP CFP to provide an **URGENT** response to this question for the Minister's office. A

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Murray Smith - Outlaw shotgun

From: Murray Smith
To: Etter, William; Glass, Kimberley; Greenley, Calvin
Date: 12/2/2011 12:37 PM
Subject: Outlaw shotgun
Attachments: Riley-Ottawa Citizen-Outlaw shotgun.docx

FYI.

This article in the Citizen by Susan Riley may have provoked the Ministerial enquiries received today.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Published | Publié: 2011-12-02
Received | Reçu: 2011-12-02 1:59 AM

OTTAWA CITIZEN

OTTAWA CITIZEN (FINAL)
EDITORIAL, Page: A10

Registry bill is soft on weapons

Susan Riley, Ottawa Citizen

Stephen Harper won a majority in the last election and made no secret of his determination to abolish the long-gun registry. Fine. Some may not like it, but that's democracy.

But it turns out we didn't know the extent of his ambition. Not only were Conservatives intent on ending the requirement that anyone purchasing a gun must register their weapon, they also planned to destroy all existing records and prevent provincial governments from using that expensively acquired information to start regional registries. They want to ensure there will never be another gun registry, anywhere, ever.

At the least, this seems wasteful, especially since the Conservatives complained endlessly about the $2 billion the previous government squandered in its ham-fisted attempt to get the registry established. And eliminating the registry isn't a simple matter of hitting "select all, delete." Experts say it will be pricey and complicated. How pricey? The government seems to have misplaced its cost estimates.

Again.

The explanation for the purge - Conservatives insist the seven-odd million weapons already listed are, in fact, the registry - has a superficial logic. But it ignores an important detail. While the registry's usefulness to police continues to wither as the list becomes more dated, it is still a source of evidence in potential criminal trials. Former Ontario attorney general Michael Bryant calls the government's willingness to destroy it "incredible."

The still unanswered question, of course, is why any law-biding gunowner would object to having his or her name on an inert list, especially now that they are spared ever having to deal with the registry. It's a matter of principle, we're told - emotion, too. Hunters and farmers feel victimized, criminalized. Fine. They won. They are victims (of onerous paperwork) no more.

But how many duck hunters, or farmers, include "The Outlaw" in their home arsenal? This is a replica of a sawed-off shotgun which can slide into a backpack; the real version is a prohibited weapon. Yet The Outlaw remains unrestricted. So does the gun used by Marc Lépine on Dec. 6, 1989, a semi-automatic Ruger Mini-14 known as "the

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poor man's assault gun." A modified version of the same rifle was used recently by Norwegian killer Anders Breivik. At a Commons committee meeting this week, New Democrat MP Nathan Cullen produced photographs of four weapons, including the Ruger, that remain, inexplicably, unrestricted. One, a 50-calibre sniper rifle, smashes to smithereens anything it hits - hardly useful if you are hunting moose for food, notes Cullen.

In fact, Cullen, who represents a sprawling riding in northern B.C., once favoured eliminating the registry but has changed his mind in light of unanticipated provisions buried in this bill.

Harper could have reassured gun-control advocates - and appealed to reasonable critics - by using this bill to restrict the borderline weapons highlighted by Cullen, and others, while moving to kill the registry. It is hard to imagine many farmers and hunters would object; they aren't generally interested in playing with urban assault guns.

Instead, the government is weakening provisions for tracking such weapons (to the apparent discomfort of some of its own caucus members). In a measure no one saw coming - it certainty wasn't advertised - the new bill removes a 1977 mandatory requirement that gun sellers and buyers report on acquisitions, sales or transfers. That means no automatic check to ensure a buyer has a valid gun licence.

That, say critics, will only fuel the black market. It will be easier for terrorists, or gangs, to stockpile weapons, easier for a suicidal teen or aggrieved spouse to buy a gun from someone they know.

Anti-registry advocates, like Tory MP Candice Hoeppner, always argued that licensing requirements - guns cannot be sold to anyone with a criminal record, a history of spousal abuse, or to the mentally ill - are a crucial backstop in the absence of the registry. But if no one is checking licences before a sale is made, where does that leave us?

It is easy to get lost in the weeds on this issue, but it seems the Harper government is not only eliminating the registry, but weakening gun control in incremental, worrying ways. For a government that insists on tracking the sale of every marijuana plant, that boasts about being tough on crime, it seems curiously sanguine about the whereabouts of deadly weapons.

As with the omnibus crime bill, instead of listening to informed suggestions and refining their bill (without sacrificing its purpose), they are blindly rushing it into law. This truculence is an indirect gift to the opposition: it plays into the claim that Harperites are libertarian loonies, or puppets of the U.S. gun lobby.

But it does Canadians no favours. It produces flawed public policy - hasty, sloppy, ideologically rigid and, if the larger goal is safer streets, perhaps tragically counterproductive.

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Murray Smith - Re: Fwd: FW: URGENT Q from the Minister's Office

From: Murray Smith
To: ES_ML-QPMI@rcmp-grc.gc.ca; McDougall, Scott
Date: 12/2/2011 2:33 PM
Subject: Re: Fwd: FW: URGENT Q from the Minister's Office
CC: Desnoyers, Christine; Francis, Geoffrey; Gregory, Alison; Sevigny, Linda; Smith, Joel

There is no minimum barrel length that applies to all non-restricted firearms.

For the 470 mm barrel length rule to apply, the firearm must be semiautomatic and be chambered for a centrefire calibre. The Dominion Arms Outlaw shotgun qualifies on two counts (barrel less that 470 mm in length, and 12 gauge is a centrefire calibre), but the shotgun does not have a semiautomatic action. Hence that subsection does not apply.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> ES&ML-QPMI 2011-12-02 13:42 >>>
Hi Scott,

The M.O. has a follow-up question to this response:

The MO understands that this firearm is not cut down, but isn't there a minimum barrel length for a non-restricted firearm? Moreover, they comprehend the requirements for a non-restricted firearm to be that the barrel length has to be more than 470 mm. In the case of the outlaw double-barrel firearm, the FRT record says the barrel length for the outlaw is 305 mm.

Could you please clarify?

Diary Date: Monday, December 5 by 10am.

Please call if there are any questions.

Regars,

Alison Gregory
843-4489

>>> On 12/2/2011 at 10:51 AM, in message <4ED8F403.66C : 12 : 33116>, Scott McDougall wrote:

> Information as requested -
>
> S.M.
>
> >>> Murray Smith 12/2/2011 10:46 AM >>>

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Murray Smith - Ottawa Citizen article

From: Murray Smith
To: Clarke, Paula
Date: 12/6/2011 9:42 AM
Subject: Ottawa Citizen article
Attachments: Riley-Ottawa Citizen-Outlaw shotgun.docx

Hi Paula,

Here is the article. The PDF FRT records are being prepared. I will send them shortly.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - FRT records and pictures

From: Murray Smith
To: Clarke, Paula
Date: 12/6/2011 10:13 AM
Subject: FRT records and pictures
Attachments: Steyr HS50 FRT_122982.PDF; Canstar CS50 FRT_134079.PDF; Dominion Arms Outlaw shotgun.jpg; FRT_129045 Dominion Arms Outlaw.PDF; Robinson Armament_XCR_FRT_126113.PDF; Ruger Mini-14 FRT_32456.PDF; SaskSten_Sten MARK 2_FRT_129614.PDF; Sports Systeme Dittrich_BD42_FRT_128455.PDF; SaskSten_Sten MARK 2 FA_FRT_129224_1.PDF

Hello again,

Canstar CS50 and Steyr HS50
Both are 50 calibre long range sniper rifles and anti-material rifles, capable of striking targets beyond 2 Km. Some firearms of this class are prohibited but many are not. The Canstar is Canadian made.

Dominion Arms Outlaw shotgun
The FRT record does not have a picture yet, one is attached as a JPG.

SaskSten STEM Mk2
A copy of a British and Canadian WW2 era submachine gun. FRT 129614 is the non-restricted version. No picture available as yet. Looks identical to FRT 129124 except for a longer barrel. The SaskSten is Canadian made.

Robinson and Ruger
Both variations of moderns assault rifles. No picture for the Robinson, will send later if I find one.

SSD BD42
Copy of German WW2 era light machine gun. Complete with German Nazi/WaffenAmt markings except that the swastika is replaced with an "x". There is presently a growing trend to make semiautomatic copies of German and Allied WW2 era automatic firearms.

Please confirm that this message made it through the gateway (because of size restrictions).

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Robinson Arms XCR picture

From: Murray Smith
To: Clarke, Paula
Date: 12/6/2011 10:16 AM
Subject: Robinson Arms XCR picture
Attachments: Robinson-arms-xcr-rifle.gif

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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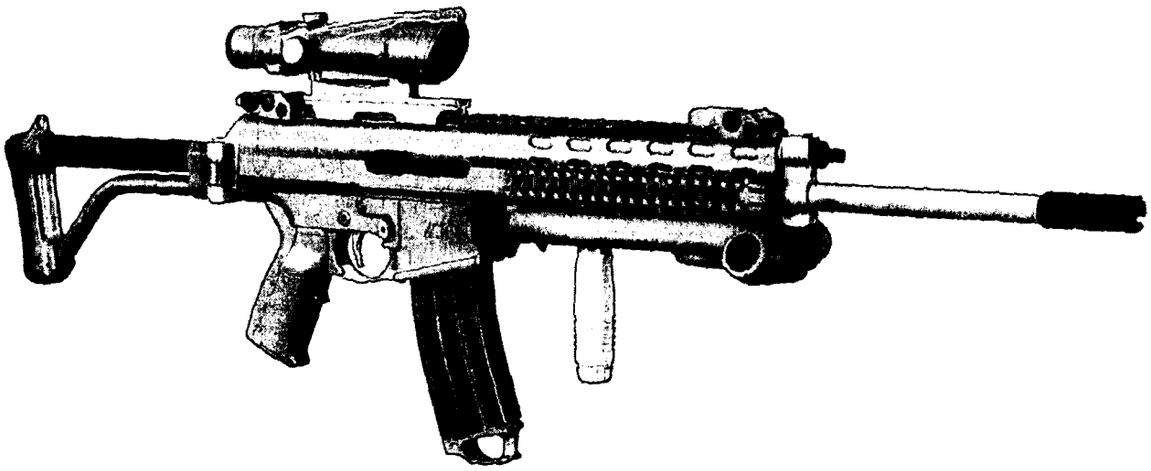

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Murray Smith - Re: Alexis Creek File Update

From: Murray Smith
To: Francis, Geoffrey
Date: 12/8/2011 10:10 AM
Subject: Re: Alexis Creek File Update
Attachments: Riley-Ottawa Citizen-Outlaw shotgun.docx; Ruger Mini-14 FRT_32456.PDF

Thanks Geoff,

It is interesting that the cache would contain so many Ruger Mini-14 variants. The Mini-14 was mentioned in the Susan Riley article in the Ottawa Citizen just last week
]

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Meeting with DG FS&IS tomorrow

From: Murray Smith
To: Francis, Geoffrey
Date: 12/8/2011 11:12 AM
Subject: Meeting with DG FS&IS tomorrow
Attachments: CIBIN statistics.rtf; BREAKDOWNS_2.docx

Geoff,

1. I have had a number of meetings with Dr. Ron Fourney over the past two weeks on the airsoft velocity matter. I have had the opportunity to comment on the briefing document that he will be supplying to the DG FS&IS and which will probably be presented at the meeting. I do not have the final copy. I do not know if FS&IS is aware that I am being consulted. The briefing document casts considerable scientific doubt on the V0/V1 threshold and makes a strong case to adopt the V50 standard. Whether this will be the actual FS&IS position tomorrow is unknown. I recommend supporting V50.

2. Attached are the final statistics for the 2011 PAFR data as it relates to CIBIN testing, prepared by Stephane. Taking the absolute minimalist approach, the total of unregistered handguns and handguns without serial numbers, which are without question suspicious firearms, is (1949 + 602) 2551 firearms for nine months, which annualizes to 3401 handguns. Even assuming the 1500 firearms that CIBIN tests annually (according to Yves Quevillion's estimate) are all handguns of these two types, CIBIN is only analyzing 44% of the potential, and probably far less since the 1500 firearms that are tested are of all categories.

The total of all the unregistered firearms is (2616 + 8549) 11,165 for nine months, which annualizes to 14,887 firearms. This is comfortably within the capacity of 13,500 to 18,000 firearms of the four RCMP IBIS workstations, especially considering that the Montreal and Toronto sites handle several thousand samples per year.

Regards,

Murray

Murray A. Smith
Manager,
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Office: (613) 993-0139

A0074293_1718-002501

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From: Murray Smith
To: Francis, Geoffrey
CC: Rainville, Stephane
Date: 2011-10-14 15:56
Subject: CIBIN statistics

Hi Geoff,

Stephane sent me the CIBIN productivity statistics for August, 2011. Apparently we still receive such statistics albeit sporadic.

For the four RCMP sites a total of 212 firearms were processed in August; Halifax(20), Ottawa(48), Regina(49) and Vancouver(95). Annualizing that figure yields 2544 firearms, which is greater than the estimate of 1500 annually provided by Yves.

Each firearm produces one cartridge case and one bullet. They can be entered concurrently, one in the BulletTrax instrument and the other in the BrassTrax instrument. From FTI, typical productivity is 40 cartridge cases and 15 to 20 bullets per day (one operator, one shift). Thus the entry of bullets is the rate limiter for firearms exhibits.

With four Trax instruments, at the rate of 15 firearms per day per instrument (15 bullets and 15 cartridge cases), and allowing for 225 days per year (365 calendar days less 104 weekend days, 11 statutory holidays and 25 annual leave days) yields an annual throughput of 13,500 firearms. Using the upper figure of 20 firearms per day yields an annual capacity of 18,000 firearms.

This validates our previous estimate of RCMP lab capacity of about 16,000 firearms per year mentioned at the meeting.

Regards,

Murray

Murray A. Smith
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JAN-SEPT 2011	REGISTERED PAFR (PROHIBITED/RESTRICTED)	NON-REGISTERED PAFR (PROHIBITED/RESTRICTED)	TOTAL PAFR (PROHIBITED/RESTRICTED)
MATCHED CIBIN*	30	65	95
NOT MATCHED	1394	1949	3343
NO SERIAL NUMBER**	4	602	606
TOTAL	1428	2616	4044

JAN-SEPT 2011	REGISTERED PAFR (NON-RESTRICTED)	NON-REGISTERED PAFR (NON-RESTRICTED)	TOTAL PAFR (NON-RESTRICTED)
MATCHED CIBIN*	27	58	85
NOT MATCHED	7147	6380	13527
NO SERIAL NUMBER**	629	2111	2740
TOTAL	7803	8549	16352

*Includes firearms within the Public Agents Firearms Regulations (PAFR) information (Jan-Sept 2011) which were matched (by serial number) to 3 months (July-Sept 2011) of CIBIN data. There may be additional matches in the January to June, 2011 CIBIN data.

**Firearms with no serial number are not included within Matched/Unmatched totals.

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Murray Smith - V50 policy

From: Murray Smith
To: Quevillon, Yves
Date: 12/9/2011 12:56 PM
Subject: V50 policy
Attachments: V50 policy statement.wpd

Hi Yves,

Attached is the first pass draft policy. Let me know what you think. Also, you suggested this morning that you wanted to supply sample report wording.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
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DRAFT 2011-12-09

Background
The term "firearm" is defined in Section 2 of the Criminal Code to mean:

"a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm;"

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Murray Smith - V50 policy

From: Murray Smith
To: Francis, Geoffrey
Date: 12/9/2011 12:59 PM
Subject: V50 policy
Attachments: V50 policy statement.wpd

Geoff,

Attached is the first pass at a draft policy. I have forwarded this to Yves Quevillon for FS&IS comments.

Regards,

Murray

Murray A. Smith
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Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
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Pages 2508 to / à 2509

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>>> Murray Smith 12/9/11 12:56 PM >>>
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Regards,

Murray

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Murray Smith - Marksman 1010 pellet/BB gun

From: Murray Smith
To: Glass, Kimberley
Date: 12/14/2011 9:47 AM
Subject: Marksman 1010 pellet/BB gun
CC: Blenkarn, Peter; Etter, William

Kimberley,

From a QC perspective we need to review the FRT record for this firearm. The present velocity listed in the FRT is 64 mps (210 fps) which is well below V50 and on the cusp of V0 (to the extent such a number exists). We need to determine if it is a firearm at all.

I have asked Peter to check the multitude of variants for this gun in case higher velocities are possible (as he is already embroiled in another air gun matter).

I believe the record dates back prior to the whole research initiative concerning low velocity firearms. It may now be time to reflect on the FRT policy for this kind of issue.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
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Office: (613) 993-0139

A0074293_1745-002528

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Murray Smith - Re: Interdepartmental meeting (Firearms)

From: Murray Smith
To: 'Clarke, Paula'; ('brent.patten@cbsa-asfc.gc.ca'), brent. patten; (Stephanie.Walsh2@cbsa-asfc.gc.ca); Bartlett, William; McDougall, Scott; Pimm(David.Pimm@international.gc.ca), David; Sevigny, Linda; Syme, Christina
Date: 12/14/2011 4:17 PM
Subject: Re: Interdepartmental meeting (Firearms)
CC: Carlotti, Constance; Christine.Guenette@ps-sp.gc.ca; Hum, Suzing; Maurice, Sandra; Murdock, Lyndon

Hello Christina,

Sorry I could not stay for the entire conference call yesterday and as a result missed the opportunity to make comments. In response to the request for comments from Public Safety concerning their forecast of legislative activities in the short, medium and long term, I would suggest the following be considered:

Regards,

Murray

Murray A. Smith
Manager,
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Office: (613) 993-0139

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Murray Smith - Fwd: Re: Interdepartmental meeting (Firearms)

From: Murray Smith
To: Francis, Geoffrey
Date: 12/14/2011 4:28 PM
Subject: Fwd: Re: Interdepartmental meeting (Firearms)

Geoff,

Public safety held a teleconference yesterday to discuss their schedule of legislative activities in the near, medium and long term. They were soliciting ideas for discussion within the department. I could not stay for the entire teleconference and thus added my comments today (see below). The Public Safety proposal was as follows:

Short Term (next few months)
Regulatory amendments necessary to support Bill C-19

Medium Term (calendar year 2012)
Gun Show regulations
Marking Regulations
Criminal Code Regulations

Long Term (12 to 18 months)
Firearms Act import and export provisions

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
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Office: (613) 993-0139

>>> Murray Smith 2011-12-14 16:17 >>>
Hello Christina,

Sorry I could not stay for the entire conference call yesterday and as a result missed the opportunity to make comments. In response to the request for comments from Public Safety concerning their forecast of legislative activities in the short, medium and long term, I would suggest the following be considered:

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Regards,

Murray

Murray A. Smith
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Murray Smith - Re: Fwd: Hatsan Airguns

From: Murray Smith
To: Blenkarn, Peter; Etter, William
Date: 12/15/2011 12:02 PM
Subject: Re: Fwd: Hatsan Airguns
CC: Glass, Kimberley; Greenley, Calvin

Thanks Peter,

I presume you will follow up with a call to Bell Hardware for specification documents?

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
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>>> Peter Blenkarn 2011-12-15 07:15 >>>

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Page 2535

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Page 2539

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Murray Smith - Paintball Replicas

From: Murray Smith
To: Jacobson, Bob
Date: 12/16/2011 2:42 PM
Subject: Paintball Replicas

Good afternoon Bob,

It was a pleasure speaking with you this morning. As indicated then, I would be pleased to present on the subject of replica firearms (and other firearms matters) in the event I am required for court in Thunder Bay. By coincidence I received an update from the Crown on that case just after we spoke and it looks like the trial will occur in late March or early April.

There was at one time a firearms bulletin on this subject on the CFP Website but it no longer appears to be listed. I will check into what happened to it.

This is intended to address the classification of low velocity firearms and devices as replica firearms and in particular, the 69 calibre paintball gun.

Executive summary for 69 calibre paintball gun replicas

The most common paintball gun shoots 69 calibre paint balls and does so with sufficient force to qualify as a "firearm" per Section 2 of the Criminal Code. The muzzle velocity of 69 calibre paintball guns is almost always below 152.4 metres per second (500 feet per second) and thus such firearms are exempted by Section 84(3) of the Criminal Code from registration. Likewise the owner is exempted from licencing, and in the case of paintball handguns, also exempted from Authorization to Transport (ATT) requirements. Firearms are excluded from being "replica firearms" and thus few, if any 69 calibre paintball guns would qualify as replica firearms.

Low velocity firearms and devices

There is a complex interplay between the provisions of the Criminal Code which define "firearm" (Section 2), "replica firearm" (Section 84(1)), and "deemed non-firearm" (Section 84(3)).

"firearm" means a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm;

"replica firearm" means any device that is designed or intended to exactly resemble, or to resemble with near precision, a firearm, and that itself is not a firearm, but does not include any such device that is designed or intended to exactly resemble, or to resemble with near precision, an antique firearm;

84(3) For the purposes of sections 91 to 95, 99 to 101, 103 to 107 and 117.03 of this Act and the provisions of the Firearms Act, the following weapons are deemed not to be firearms:
....
(d) any other barrelled weapon, where it is proved that the weapon is not designed or adapted to discharge
(i) a shot, bullet or other projectile at a muzzle velocity exceeding 152.4 m per second or at a muzzle energy exceeding 5.7 Joules, or
(ii) a shot, bullet or other projectile that is designed or adapted to attain a velocity exceeding 152.4 m per second or an energy exceeding 5.7 Joules.

Section 2 ("firearm") defines a firearm in terms of its ability to cause serious bodily injury or death. In general, firearms must be registered and their owners licensed. Firearms are described and classified in the Firearms

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Reference Table (FRT) database which is distributed to police nationwide as a tool for them to consult on such matters.

Section 84(3) ("deemed non-firearm") defines those firearms which are not subject to the administrative provisions of the Criminal Code and Firearms Act. The exemption for low velocity firearms is defined in terms of projectile velocity (152.4 mps) and energy (5.7J). Such firearms are not registered nor do the owners require a license or ATT. However, they remain firearms for all other purposes, such as criminal use. Some commonly encountered deemed non-firearms are included in the FRT database for the sake of clarity.

Section 84(1) ("replica firearm") defines devices that are not firearms (per section 2) but resemble firearms with sufficient precision so as to be mistaken for a firearm. Note that items that qualify as firearms cannot be replica firearms regardless of their appearance. Replicas of antique firearms are also exempted.

There are three broad classes of low velocity "firearms" that interact with these Criminal Code provisions, namely airguns, airsoft guns and paintball guns. Ordinary firearms (22 calibre rifles, centre fire rifles and shotguns) are rarely caught up in this matter as they generally qualify as firearms, not replica firearms, and are not exempted by the deemed non-firearm provision because their velocity and energy are too high.

Airguns, sometimes referred to as pellet guns, BB guns, air rifles or air pistols, are typically operated by spring pressure, compressed air via a pumping mechanism built into the airgun, or by a compressed gas such as carbon dioxide or freon in a pressure vessel attached to the airgun. They generally discharge lead pellets or steel BBs, although other projectile types are available. Airguns almost always qualify as firearms per section 2 and thus almost never fall into the category of replica firearm regardless of their physical appearance. Some air pistols and about half of the air rifle types exceed the velocity and energy requirements of the deemed non-firearms provision and thus must be registered and their owners licenced. The air rifle category would fall out of the requirement to register once the current bill before Parliament on deregulation of registration of non-restricted firearms (C-19) passes. The air pistols and air rifles which have either a velocity or an energy below the limits would not be subject to registration either now or after the bill passes.

Airsoft devices are designed by their manufacturers to not qualify as firearms anywhere in the world and in general they have succeeded in achieving that goal. Most airsoft devices are designed to strongly resemble a specific make and model of genuine firearm and are usually marketed as such. They typically discharge a plastic 6 mm sphere which adds to the simulation of a firearm. Thus most airsoft devices qualify as replica firearms and are prohibited devices. They frequently resemble assault rifles and tactical handguns very accurately, which is of concern to police. While possession of replica firearms is not regulated, transfers to individuals are prohibited. There are however, some airsoft devices on the market that do not qualify as replica firearms either because they imitate antique firearms and are exempted, or they only vaguely resemble a firearm and thus do not meet the definition of replica firearm, which requires an "exact" or "near precision" resemblance. In recent years there has been an emerging trend observed for airsoft devices; new models with a modified operating mechanism have sufficient power to qualify the devices as firearms and thus become disqualified as replica firearms.

Paintball guns are generally large calibre low velocity rifles and handguns which have sufficient power to qualify as firearms but still be exempted as deemed non-firearms. At present they rarely resemble genuine firearms but that is changing. Paintball guns are typically used for sporting matches based on combat simulation. The paintball projectiles are designed to burst on impact, marking the victim with a brightly coloured paint, so as to prevent any dispute over whether a hit is scored or not. Since most paintball guns qualify as firearms they cannot be replica firearms. An emerging trend however, is to migrate to smaller calibres of paintballs, which may not qualify the devices as firearms, and hence be vulnerable to classification as replica firearms, depending on physical appearance.

With the exception of the introduction of the energy factor in the deemed non-firearm provision in section 84(3)(d) of the Criminal Code, which was introduced with the passage by Parliament of Bill C-10A in 2003, the law as it applies to airguns and airsoft devices remains unchanged since the proclamation of Bill C-68 in 1998. What has changed however, is that manufacturers are introducing novel designs with different characteristics. It is

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this reaction to new products in the marketplace which gives the appearance of new or changed regulations.

I trust this helps. If further information is required, do not hesitate to contact me. Also, the FRT unit retains exemplars of firearms and their replicas which can be made available for a "show and tell" if desired. Assistance on investigations involving firearms is also available from other branches of our organization (Firearms Investigative and Enforcement Support Directorate) including firearms tracing, firearms identification and expert advice on firearms searches and conducting firearms investigations.

Regards,

Murray

Murray A. Smith
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Office: (613) 993-0139

A0074293_1759-002542

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Murray Smith - Fwd: Paintball Replicas - Thunder Bay incident

From: Murray Smith
To: Francis, Geoffrey
Date: 12/16/2011 3:04 PM
Subject: Fwd: Paintball Replicas - Thunder Bay incident
CC: Glass, Kimberley

Geoff,

This concerns an incident in Thunder Bay where the Thunder Bay municipal police raided a local business (Paintball Mountain) a few weeks ago and seized a number of 69 calibre paintball guns which resembled real firearms in the belief that the paintball guns qualified as replica firearms. The owner was also charged. The Thunder Bay police also visited a local hardware store which was also selling the same kinds of paintball guns. A conversation with the hardware store owner introduced doubts that the paintball guns were indeed replicas firearm. Further enquiries amplified the doubt which eventually resulted in the return of all goods and the dropping of charges by the Crown. The story was picked up by CBC news for a few days.

-

I was contacted by Cst Bob Jacobson this morning. A verbal explanation was provided followed by the message below. This information will be communicated to the Thunder Bay police by the RCMP detachment. Tentative arrangements have been made to present to both police agencies in the event I am required for Court If so I would like to take Kimberley with me for exposure to the Courts and to an operational police environment.

It may be something to note in the FIESD bulletin as well.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2011-12-16 14:42 >>>
Good afternoon Bob,

It was a pleasure speaking with you this morning. As indicated then, I would be pleased to present on the subject of replica firearms (and other firearms matters) in the event I am required for court in Thunder Bay.

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There was at one time a firearms bulletin on this subject on the CFP Website but it no longer appears to be listed. I will check into what happened to it.

This is intended to address the classification of low velocity firearms and devices as replica firearms and in particular, the 69 calibre paintball gun.

Executive summary for 69 calibre paintball gun replicas

The most common paintball gun shoots 69 calibre paint balls and does so with sufficient force to qualify as a "firearm" per Section 2 of the Criminal Code. The muzzle velocity of 69 calibre paintball guns is almost always below 152.4 metres per second (500 feet per second) and thus such firearms are exempted by Section 84(3) of the Criminal Code from registration. Likewise the owner is exempted from licencing, and in the case of paintball handguns, also exempted from Authorization to Transport (ATT) requirements. Firearms are excluded from being "replica firearms" and thus few, if any 69 calibre paintball guns would qualify as replica firearms.

Low velocity firearms and devices

There is a complex interplay between the provisions of the Criminal Code which define "firearm" (Section 2), "replica firearm" (Section 84(1)), and "deemed non-firearm" (Section 84(3)).

"firearm" means a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm;

"replica firearm" means any device that is designed or intended to exactly resemble, or to resemble with near precision, a firearm, and that itself is not a firearm, but does not include any such device that is designed or intended to exactly resemble, or to resemble with near precision, an antique firearm;

84(3) For the purposes of sections 91 to 95, 99 to 101, 103 to 107 and 117.03 of this Act and the provisions of the Firearms Act, the following weapons are deemed not to be firearms:
....
(d) any other barrelled weapon, where it is proved that the weapon is not designed or adapted to discharge
(i) a shot, bullet or other projectile at a muzzle velocity exceeding 152.4 m per second or at a muzzle energy exceeding 5.7 Joules, or
(ii) a shot, bullet or other projectile that is designed or adapted to attain a velocity exceeding 152.4 m per second or an energy exceeding 5.7 Joules.

Section 2 ("firearm") defines a firearm in terms of its ability to cause serious bodily injury or death. In general, firearms must be registered and their owners licensed. Firearms are described and classified in the Firearms Reference Table (FRT) database which is distributed to police nationwide as a tool for them to consult on such matters.

Section 84(3) ("deemed non-firearm") defines those firearms which are not subject to the administrative provisions of the Criminal Code and Firearms Act. The exemption for low velocity firearms is defined in terms of projectile velocity (152.4 mps) and energy (5.7J). Such firearms are not registered nor do the owners require a license or ATT. However, they remain firearms for all other purposes, such as criminal use. Some commonly encountered deemed non-firearms are included in the FRT database for the sake of clarity.

Section 84(1) ("replica firearm") defines devices that are not firearms (per section 2) but resemble firearms with sufficient precision so as to be mistaken for a firearm. Note that items that qualify as firearms cannot be replica firearms regardless of their appearance. Replicas of antique firearms are also exempted.

There are three broad classes of low velocity "firearms" that interact with these Criminal Code provisions, namely airguns, airsoft guns and paintball guns. Ordinary firearms (22 calibre rifles, centre fire rifles and shotguns) are rarely caught up in this matter as they generally qualify as firearms, not replica firearms, and are not exempted by the deemed non-firearm provision because their velocity and energy are too high.

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Airguns, sometimes referred to as pellet guns, BB guns, air rifles or air pistols, are typically operated by spring pressure, compressed air via a pumping mechanism built into the airgun, or by a compressed gas such as carbon dioxide or freon in a pressure vessel attached to the airgun. They generally discharge lead pellets or steel BBs, although other projectile types are available. Airguns almost always qualify as firearms per section 2 and thus almost never fall into the category of replica firearm regardless of their physical appearance. Some air pistols and about half of the air rifle types exceed the velocity and energy requirements of the deemed non-firearms provision and thus must be registered and their owners licenced. The air rifle category would fall out of the requirement to register once the current bill before Parliament on deregulation of registration of non-restricted firearms (C-19) passes. The air pistols and air rifles which have either a velocity or an energy below the limits would not be subject to registration either now or after the bill passes.

Airsoft devices are designed by their manufacturers to not qualify as firearms anywhere in the world and in general they have succeeded in achieving that goal. Most airsoft devices are designed to strongly resemble a specific make and model of genuine firearm and are usually marketed as such. They typically discharge a plastic 6 mm sphere which adds to the simulation of a firearm. Thus most airsoft devices qualify as replica firearms and are prohibited devices. They frequently resemble assault rifles and tactical handguns very accurately, which is of concern to police. While possession of replica firearms is not regulated, transfers to individuals are prohibited. There are however, some airsoft devices on the market that do not qualify as replica firearms either because they imitate antique firearms and are exempted, or they only vaguely resemble a firearm and thus do not meet the definition of replica firearm, which requires an "exact" or "near precision" resemblance. In recent years there has been an emerging trend observed for airsoft devices; new models with a modified operating mechanism have sufficient power to qualify the devices as firearms and thus become disqualified as replica firearms.

Paintball guns are generally large calibre low velocity rifles and handguns which have sufficient power to qualify as firearms but still be exempted as deemed non-firearms. At present they rarely resemble genuine firearms but that is changing. Paintball guns are typically used for sporting matches based on combat simulation. The paintball projectiles are designed to burst on impact, marking the victim with a brightly coloured paint, so as to prevent any dispute over whether a hit is scored or not. Since most paintball guns qualify as firearms they cannot be replica firearms. An emerging trend however, is to migrate to smaller calibres of paintballs, which may not qualify the devices as firearms, and hence be vulnerable to classification as replica firearms, depending on physical appearance.

With the exception of the introduction of the energy factor in the deemed non-firearm provision in section 84(3) (d) of the Criminal Code, which was introduced with the passage by Parliament of Bill C-10A in 2003, the law as it applies to airguns and airsoft devices remains unchanged since the proclamation of Bill C-68 in 1998. What has changed however, is that manufacturers are introducing novel designs with different characteristics. It is this reaction to new products in the marketplace which gives the appearance of new or changed regulations.

I trust this helps. If further information is required, do not hesitate to contact me. Also, the FRT unit retains exemplars of firearms and their replicas which can be made available for a "show and tell" if desired. Assistance on investigations involving firearms is also available from other branches of our organization (Firearms Investigative and Enforcement Support Directorate) including firearms tracing, firearms identification and expert advice on firearms searches and conducting firearms investigations.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate

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Page 2547

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Pages 2548 to / à 2550

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Murray Smith - Re: Fwd: Revocation of AP80 rifles registered as NR or RF

From: Murray Smith
To: Francis, Geoffrey; Glass, Kimberley
Date: 12/22/2011 10:26 AM
Subject: Re: Fwd: Revocation of AP80 rifles registered as NR or RF

Thanks Geoff,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 2011-12-21 22:37 >>>
FYI as I didn't see you on the distribution list.

Thanks,

Geoff

Geoffrey Francis, C\Supt.
Director, Firearms Investigative & Enforcement Services Directorate/
La Direction des services d'enquête et d'application de la loi en matière d'armes à feu
RCMP/Policing Support Services
GRC/Soutien aux services de police
Canadian Firearms Program
Programme canadien des armes à feu
1450 Meyerside Drive, Suite 415
Mississauga, Ontario
Canada
L5T 2N5
Office: 905-795-5205
Fax: 905-795-5224

Email: geoffrey.francis@rcmpgrc.gc.ca
>>> Grace Zhang 2011-12-21 12:54 >>>
Hi colleagues,

Please note that the Registry just issued 102 Revocation Notices to individuals who had their Armi Jager AP80 rifles incorrectly registered, in the past, either as Non-Restricted or Restricted firearms.

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Page 2552

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Page 2554

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Murray Smith - Re: Low velocity firearms policy

From: Murray Smith
To: Quevillon, Yves
Date: 1/12/2012 11:48 AM
Subject: Re: Low velocity firearms policy

Hi Yves,

Based on your previous correspondence I was of the understanding that the "example" section was OK.

However, I am open to further changes if desired. Note though that the wording in the example section is not prescriptive, and does not tie your hands with respect to FS&IS report writing policy. Also, examples are in my view a useful illustration of a policy for greater clarity.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 2012-01-12 11:26 >>>
Thanks Murray,

I see that you kept the Example section (second page).

Yves

>>> Murray Smith 1/12/12 11:14 AM >>>
Hi Yves,

Likewise, Happy New Year and I hope you had a good rest during the Christmas break.

I have modified the draft policy as requested: (1) the sample wording section has been deleted; and (2) the velocity was corrected to 111.6 mps/366 fps.

I am forwarding this version to the DG CFP for publication.

Regards,

Murray

Murray A. Smith
Manager,

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Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 2012-01-09 13:42 >>>
Hi Murray,

Happy New Year!! I hope you enjoyed the Holidays.

Just checking on the status of the above.

Thanks,
Yves

Yves Quevillon
Program Manager, Firearms and Toolmark Identification
Acting Program Manager, Trace Evidence Services
Forensic Science & Identification Services

Gestionaire du programme d'identification des armes à feu et de marques d'outils
Gestionaire par intérime, Analyse de traces
Services des sciences judiciaires et de l'identité,

Tel: (613) 993-4145

Fax / Télec.: (613) 952-0156
yves.quevillon@rcmp-grc.gc.ca

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Murray Smith - Re: Low velocity firearms policy

From: Murray Smith
To: Quevillon, Yves
Date: 1/12/2012 12:24 PM
Subject: Re: Low velocity firearms policy

OK, will do.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 2012-01-12 11:57 >>>
Previous correspondence is attached. Specifically:

We like the policy the way it is written, up to and including the Application. We would suggest not to include the Example Section.

I do agree that examples are a useful illustration of a policy, as long as it is not prescriptive as you say.

If it is not part of the policy and does not ties our hands I am OK with it.

Yves

>>> Murray Smith 1/12/12 11:48 AM >>>
Hi Yves,

Based on your previous correspondence I was of the understanding that the "example" section was OK.

However, I am open to further changes if desired. Note though that the wording in the example section is not prescriptive, and does not tie your hands with respect to FS&IS report writing policy. Also, examples are in my view a useful illustration of a policy for greater clarity.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Yves Quevillon 2012-01-12 11:26 >>>

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Murray Smith - Re: Minor Adjustment to CBSA Letter

From: Murray Smith
To: Lee, Hwan
Date: 1/12/2012 12:31 PM
Subject: Re: Minor Adjustment to CBSA Letter
CC: Etter, William; Francis, Geoffrey; Glass, Kimberley
Attachments: Low Velocity Firearms Policy V2.wpd

Hwan,

FS&IS would like the example section disconnected from the actual policy. I do not object to the notion. Hence, the example should not be part of the actual policy. We can however, employ the example in illustrative material distributed with the policy.

Revised policy attached.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-01-12 11:24 >>>
Hi Kim,

The letter attached includes our discussion just now.

Thanks for all your help (and Murray and Geoff too)

Hwan

>>> On 1/12/2012 at 11:03 AM, Kimberley Glass wrote:

> Greetings Hwan
>
> Upon another review of the letter a minor syntax error was observed. See attached for the correction.
>
> Thanks.
> Kim

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Pages 2574 to / à 2577

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Page 2578

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Murray Smith - Re: potential prohibited firearms

From: Murray Smith
To: Zhang, Grace
Date: 1/17/2012 4:04 PM
Subject: Re: potential prohibited firearms

Hi Grace,

I view the Armscor M AK47/22 rifle as a prohibited variant of the AK47. However, the classification of the firearm is before the Courts at present, specifically the "Heera" case in Thunder Bay, and is the subject of a constitutional challenge concerning the Criminal Code regulations. Other aspects of the case are in contention as well, for example, the legitimacy of the search warrant under which the firearm was seized. The trial is expected to be wrapped up by April, 2012. There will likely be some delay in the issuance of the Court decision, and regardless of the outcome, an appeal is likely. Thus there is equally good reason to either await the decision (for greater certainty), or proceed immediately (the delay might otherwise be considerable).
As for the Benelli shotguns, research was started today and is still underway to determine if there is sufficient information in the registration data to make a determination whether any of the shotguns are prohibited or not. It is not looking good and may require individual inspections to make the determination. The reason for this situation is that the regulations prohibit some configurations of the Benelli M1 and M3 shotguns and specifically exempt others, but t

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Grace Zhang 2012-01-17 12:12 >>>
Hi Murray,

Further to our phone conversation earlier, here are the two models that I would like to have more information on:

First, I found that there are over 200 rifles (currently registered as NRs) with the model AK47(/22) or with 22 cal. Most of them were made by Arms Corp. Philippines and imported by Ruko Canada. If this is a variant of the AK47 rifle, then it should be an un-named variant under PFR, Part I, para 64 - just like the AP80. Am I right? Also, could you give me more information on the current case where you are testifying for the classification of one such firearm?

Second, I found about 200 shotguns (currently registered as NRs) - Benelli M1 Super 90 with 12 gauge. Should these be prohibited firearms under PFR, Part I, para 7?

Please get back to me.

Thanks,

Grace

A0074293_1798-002581

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Murray Smith - Re: potential prohibited firearms

From: Murray Smith
To: Zhang, Grace
Date: 1/18/2012 11:01 AM
Subject: Re: potential prohibited firearms

Hi Grace,

It was overlooked when the lists were prepared.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Grace Zhang 2012-01-18 09:01 >>>
Thanks Murray. I still have one question: the FRT indicates that this model (AK47 with .22 cal) was introduced in 1985, why then the OIC13 didn't include it in the AK47 variants list in 1994?

Grace

>>> Murray Smith 1/17/2012 4:04 PM >>>
Hi Grace,

I view the Armscor M AK47/22 rifle as a prohibited variant of the AK47. However, the classification of the firearm is before the Courts at present, specifically the "Heera" case in Thunder Bay, and is the subject of a constitutional challenge concerning the Criminal Code regulations. Other aspects of the case are in contention as well, for example, the legitimacy of the search warrant under which the firearm was seized. The trial is expected to be wrapped up by April, 2012. There will likely be some delay in the issuance of the Court decision, and regardless of the outcome, an appeal is likely. Thus there is equally good reason to either await the decision (for greater certainty), or proceed immediately (the delay might otherwise be considerable).
As for the Benelli shotguns, research was started today and is still underway to determine if there is sufficient information in the registration data to make a determination whether any of the shotguns are prohibited or not. It is not looking good and may require individual inspections to make the determination. The reason for this situation is that the regulations prohibit some configurations of the Benelli M1 and M3 shotguns and specifically exempt others,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program

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Policing Support Services
Office: (613) 993-0139

>>> Grace Zhang 2012-01-17 12:12 >>>
Hi Murray,

Further to our phone conversation earlier, here are the two models that I would like to have more information on:

First, I found that there are over 200 rifles (currently registered as NRs) with the model AK47(/22) or with 22 cal. Most of them were made by Arms Corp. Philippines and imported by Ruko Canada. If this is a variant of the AK47 rifle, then it should be an un-named variant under PFR, Part I, para 64 - just like the AP80. Am I right? Also, could you give me more information on the current case where you are testifying for the classification of one such firearm?

Second, I found about 200 shotguns (currently registered as NRs) - Benelli M1 Super 90 with 12 gauge. Should these be prohibited firearms under PFR, Part I, para 7?

Please get back to me.

Thanks,

Grace

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Murray Smith - Criteria specific to the Armscor M AK47/22 rifle

From: Murray Smith
To: Zhang, Grace
Date: 1/18/2012 3:48 PM
Subject: Criteria specific to the Armscor M AK47/22 rifle

Criteria specific to the Armscor M AK47/22 rifle

The M AK47/22 semiautomatic rifle is manufactured by the Arms Corporation of the Philippines (Armscor) and is produced in 22 LR calibre with a variety of barrel lengths and magazine sizes. The Armscor M AK47/22 rifle is a prohibited variant of the AK-47 assault rifle as described in paragraph 64 of the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted.

In the case of the M AK47/22 model, the manufacturer (Armscor) has described the firearm as their copy of the AK-47 and has linked their design to that of the AK-47 assault rifle. For instance, the M AK47/22 is described in the "military style semi-auto rifles" section of the 1999 Armscor catalog as being an "exact replica" of the famous "Russian Kalashnikov AK47 assault rifle". The manufacturer goes on to say that the M AK47/22 rifle is "chambered in less expensive .22LR High Velocity ammunition" and is "excellent for military training and troop markmanship (sic)".

The overall appearance of the M AK47/22 is similar to the AK-47 assault rifle. The firing controls are in similar locations and operate in a similar fashion. It is very clear that the M AK47/22 would never have existed were it not for the prior invention of the AK-47 assault rifle and the marketing desire to capitalize on the fame and notoriety of the original AK-47 assault rifle.

The M AK47/22 rifle is equipped with components which serve no mechanical function, such as the gas tube which appears to fulfill no purpose other than to more closely simulate the appearance of the AK-47 assault rifle.

The M AK47/22 rifle has a blowback operating mechanism which differs from the original AK-47 assault rifle. This is of little consequence as it is common for variations of fully automatic military assault rifles that are intended for sale to the general public to be produced with a semiautomatic action and to be chambered for 22LR calibre. The use of a blowback mechanism is a logical and necessary technical consequence of the choice to chamber the firearm in 22 LR calibre, which lacks the power for a gas operated mechanism, and falls well within the scope of a variant firearm.

Murray A. Smith

Page 2585

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Murray Smith - Re: Umarex UZI 22 copies

From: Murray Smith
To: Etter, William
Date: 1/18/2012 4:52 PM
Subject: Re: Umarex UZI 22 copies
CC: Glass, Kimberley

Thanks Bill.

Lets await the data collection for this firearm to be completed at SHOT. Note also that para 63 may apply in addition to para 60 depending on the characteristics of the firearms.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 2012-01-18 07:17 >>>
Hi Murray:

This is not a new development. Kimberley and I have discussed matter this late last week or early this week at some length and decided to wait until the SHOT Show marketing material is available for perusal. The firearms are not yet on the market.

It is my current feeling that Prohibited para 60 will cover both "handgun" version and "rifle" version nicely. The only "fly" in the ointment might be whether the "handgun" is the same receiver as the "rifle", just minus the stock. More research required.

Depending upon whether there are two different models we may have a magazine issue - however it might be moot if they are both prohibited.

Good morning.

Bill

William (Bill) ETTER C5011
Senior Firearms Technologist
Specialized Firearms Support Services Section
Firearms Investigative and Enforcement Services Directorate
RCMP – Canadian Firearms Program
Policing Support Services
613-993-6684

>>> Murray Smith 2012-01-17 4:22 PM >>>

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Bill,

I cannot find these new firearms on the FRT. Looked in the Web FRT under Umarex, Walther & UZI. No luck. Of course all that means is that I could not find it, they may in fact be there.

The reason I ask is that with both handgun and carbine models, there may be another magazine issue lurking.
Murray

Umarex USA Expands its Tactical .22 Offering with UZI

Umarex USA is adding to its line-up of replica firearms chambered in .22 LR with the "tacticool" UZI! Made by Carl Walther in Germany, there are two variants of the Israel Weapon Industries licensed UZI .22-a rifle with a mock suppressor and a pistol.

True to physical form, these two dedicated .22s feed economical rimfire cartridges from 20-round magazines. The rifle has an authentic folding stock, a detachable sling swivel, and the traditional UZI handguard that can be removed to reveal a Picatinny rail. Complete with grip safeties and adjustable sights, these well-recognized semi-auto arms are another great addition to the growing field of tactical .22s.

"The demand for .22 caliber guns continues to be strong," said Richard Turner, Vice President of Sales & Marketing for Umarex USA. "The addition of a .22 caliber UZI is a 'natural' add for us. It's one of the most-recognized guns on the planet, yet few people have actually fired rounds through one. Shooting the UZI pistol is just pure, economical recreation with a ton of fun thrown in."

The first shipment of UZI .22s are expected in the U.S.A. in mid-February with additional inventory arriving during the summer. The UZI pistol will retail in the neighborhood of $480 while the rifle will be near $645.

Umarex USA is one of North America's fastest growing sport and recreation gun companies. Umarex USA markets firearms and non-powder guns under licensed brands such as Walther®, RWS®, Smith & Wesson®, Browning®, Heckler & Koch®, Ruger®, Beretta, Colt®, Elite Force, Magnum Research®, Regent, UZI, and others. For additional information regarding Umarex USA visit www.UmarexARMS.com and www.UmarexUSA.com.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Fwd: EKOL Jackal Dual compact

From: Murray Smith
To: Glass, Kimberley
Date: 1/19/2012 4:41 PM
Subject: Re: Fwd: EKOL Jackal Dual compact

Hi Kim,

Just going through old messages. Has this issue been resolved?

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Kimberley Glass 2012-01-05 15:25 >>>
Hey Bill

This was sent to Murray. I know this is one of the items Mike is looking at from CBSA and I believe I saw a message from you about the conclusion that was reached. Is the inspection concluded? If so, can you pass this decision on to Jay?

Thanks.
Kim

>>> Jay Henderson 2012-01-05 12:43 PM >>>
Greetings Murray,
I have a question for you regarding a EKOL Jackal Dual compact "Flare gun". We seized one of these items from a male individual in Moncton, NB. This male has a current firearm's prohibition on him issued by the courts. He stated he purchased one of these from Doctor Deals (firearm dealer) in Moncton. I looked on their website and sure enough they are advertised for $199.99. www.doctordeals.ca
Murray my question to you would be:
Is this a prohibited device? I see it has the same physical address that Zoraki has in Istanbul, Turkey. when I look at the picture on this particular firearm it resembles a Beretta 92Fs. I am wondering if the lower frame would accommodate the upper side and make it a workable firearm like the Zoraki? The members are asking me if this would fall under the prohibition order that he is on with respect to firearms.

Thanks Murray.

Jay

Jay Henderson
NWEST/RCMP-FIIU
Canadian Firearms Program

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Page 2589

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est non pertinente

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Murray Smith - Benelli M1 and M3 shotguns

From: Murray Smith
To: Zhang, Grace
Date: 1/20/2012 11:04 AM
Subject: Benelli M1 and M3 shotguns
CC: Etter, William; Glass, Kimberley

Hi Grace,

The classifications of some of the Benelli shotguns can be determined from the registration information, provided of course that the registration information is accurate.

1. If the Benelli shotgun is marked "M3 Super 90" then it is always prohibited.

2. If the shotgun is marked with any of the brands listed in paragraph 7(c) through 7(o), (Montefeltro, Black eagle etc.), it is either non-restricted or restricted, depending on barrel length.

3. The classifications of Benelli shotguns marked with "M1 Super 90"
An accurate assessment requires an inspection.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx

From: Murray Smith
To: Lee, Hwan
Date: 1/20/2012 11:46 AM
Subject: Re: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx
CC: Francis, Geoffrey; Glass, Kimberley
Attachments: Low Velocity Firearms Policy V2.wpd

Thanks Hwan,

Please send a scan of the final letter when signed. As for the final policy, you have it already. It is also attached to this e-mail for your convenience. The policy needs to be approved by the DG as well.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-01-20 11:33 >>>
thanks Murray. minor changes made to the letter to the effect suggested.

let me know when the policy will be revised, if necessary.

Hwan

>>> On 1/19/2012 at 3:32 PM, Murray Smith wrote:

> Hwan,
>
> The second paragraph of the letter is a general statement about the capacity of firearms to cause injury and the factors that affect same. Thus the use of the word "firearm" is more appropriate. Moreover, the new policy covers all classes of low velocity firearms, not just airsoft guns. Having said that, if you think limiting the focus in the covering letter to "airsoft guns" makes it flow better, so be it.
> In the same paragraph, and in the spirit of making the language flow better, there is a conjunction missing in the second last sentence. I suggest the word "that" be placed between "certainty" and "penetration" in the terminal phrase. As an alternative, the language can be reformulated to omit the word "that" as avoidance of that word appears to be an imperative of the letter writing unit.
>
> The third paragraph is OK as we indeed have a new standard and it is based on new research.
>
> Paragraph four needs to be reworded to delink the published research from the V50 standard that the RCMP has adopted. The V50 standard is based on the same data but not directly related to the paper as the paper recommended adoption of V0 as a standard, not V50.

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Paragraph five OK as well. Common standards are a good idea.

I believe that if we stick to exactly what was agreed to at the meeting with FS&IS there is no need to consult FS&IS. My recollection is that the three key items for us were (1) universal adoption of the V50 standard by the RCMP, (2) drafting of related policy by the CFP, and (3) response to CBSA by the CFP. The policy has been agreed to by the FS&IS technical authority so if you attach that policy to the letter and do not contradict its contents, we are operating within our agreement with FS&IS.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-01-19 12:42 >>>
Hi Kim,

The CBSA is coming back for your final review. The Legal Services unit has reviewed and made some inputs. It was also reviewed by Scott's shop for the purpose of making the letter flow better.

Also, should this letter be shared with FS&IS first? If so, with whom?

Thanks,

Hwan

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Murray Smith - Re: Classification

From: Murray Smith
To: Knezevic, Vesna
Date: 1/20/2012 12:51 PM
Subject: Re: Classification
Attachments: Henderson decision re Armi Jager AP80 Sept 2010.pdf; Henderson decision re Armi Jager AP80 Nov 2011.pdf

Hi Vesna,

Best of the new year to you too.

I presume you are looking for the numbers of firearms registered in Canada by classification. If so, that is available in the annual firearms report to Parliament. I do not have a copy of the report at my fingertips; perhaps you do. In any case I will obtain a copy.

There is no jurisprudence on the meaning of "variant" as an abstract concept. There are however cases dealing with individual firearms which establish variant status or not. One that comes to mind is the Henderson case that was appealed twice and the firearm in question, an Armi Jaeger AP80, found to be a variant. I will have a look for others. Paula may have better luck. The two Henderson appeals are attached.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> "Knezevic, Vesna" <Vesna.Knezevic@ps-sp.gc.ca> 2012-01-20 12:12 >>>
Hello Murray,
Belated best wishes for 2012! Hope you are well.
I am just getting up to speed on broader issues related to the firearms classification regime. I am wondering you would have available any current metrics by type (i.e., classification) of firearm; and any existing jurisprudence on the term "variant". On the latter I have also posed the question to Paula Clarke.
Your feedback on this would be appreciated.
Vesna
Vesna Knezevic
Manager / Gestionnaire
Firearms and Operational Policing Policy Division /
Division des armes à feu et des politiques opérationnelles
Policing Policy Directorate/ Direction générale des politiques en matière de police
Public Safety Canada/ Sécurité publique Canada
Tel/Tél: (613) 949-3173 Fax (613) 990-3984
E-mail/Courriel: Vesna.Knezevic@ps-sp.gc.ca

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Superior Court of Justice

Justices' Office
Central West Region

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DATE: September 21, 2010

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COMMENTS:

Re: A.G. (Canada) v. Henderson

Please find attached Justice Tulloch's Judgment in the above matter dated September 21, 2010

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CITATION: R. v. William Henderson, 2010 ONSC 5168
COURT FILE NO.: 147/09
DATE: 20100921

ONTARIO

SUPERIOR COURT OF JUSTICE

In the matter of a reference pursuant to section 74 of the

***Firearms Act*, S.C. 1995 c. 39**

B E T W E E N:	
Attorney General (Canada)	Phillip Alma, for the Appellant
Appellant	
- and -	
William Henderson	Lorne Honickman and Adam Dunlop, for the Respondent
Respondent	

REASONS FOR JUDGMENT

[On appeal from Cooper J. dated July 30, 2009]

TULLOCH J.

Background

[1] This is an appeal brought by the Attorney General (Canada) against the order of the Honourable Justice Cooper of the Ontario Court of Justice directing

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the Registrar of Firearms to issue a registration certificate to William Henderson, the respondent, for his Armi Jager AP80, as an unrestricted firearm.

[1] The following background facts are uncontested. In 1984, the respondent purchased an Armi Jager AP80 semiautomatic .22 calibre rifle from a gun shop in Brampton, Ontario. When the respondent purchased his Armi Jager, the firearm was non-restricted, and the respondent was entitled to use it for target practice and hunting. The law at the time did not require that the firearm be registered with the government. Rather, as of 1979, the only legal requirement was that Mr. Henderson possesses a Firearms Acquisition Certificate (FAC) in order to purchase the rifle. Mr. Henderson possessed such a valid certificate at the time of purchase.

[2] In 1995 the *Firearms Act, S.C. 1995, c. 39* (the "Act") was introduced. The Act required that individuals become licensed in order to possess firearms. The Act also required that individual firearms be registered. As observed by Justice Cooper, as a result of this Act, commencing in 1998, non-restricted long guns were required to be registered for the first time.

[3] The respondent made a written application to register his Armi Jager AP80 rifle as a non-restricted weapon on December 28, 2000. On June 2, 2008, over seven years after the application was made, the respondent received a Notice of

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Refusal to Issue a Registration Certificate. According to the Registrar, the RCMP's Canadian Firearms Registry office was facing a significant backlog as a result of the influx of registration applications following the introduction of the Act and its registration requirements. The reasons for the Registrar's refusal are set out below.

Decisions Below

I. Decision of the Registrar

[4] The respondent was notified that his application to register his Armi Jager was refused on or around June 2, 2008. The Registrar refused to issue a registration certificate for the firearm on the grounds that the Armi Jager is a "prohibited firearm" within the meaning of s. 84(1)(d) of the *Criminal Code, R.S.C. 1984, c. C-46* (the "Code").

[5] Section 84(1)(d) of the Code defines "prohibited firearm" as, among other firearms, "any firearm that is prescribed to be a prohibited firearm."

[6] Part 1 of the Schedule to the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*, SOR/98-462 (the "Regulations") prescribes prohibited weapons for the purposes of s. 84(1)(d) of the Code.

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[7] In his reasons the Registrar held that the firearm was a prescribed prohibited firearm pursuant to paragraph 64 of Part 1 of the Schedule, also known as "Former Prohibited Weapons Order, No. 13."

[8] Paragraph 64 states that the AK-47 rifle is a prohibited weapon, as is "any variant or modified version of" the AK-47. A number of firearms are itemized under the Schedule as "variants" of the AK-47. The Armi Jager AP80 is not among them.

[9] In short, the Registrar was of the view that the respondent's Armi Jager AP80 was an unnamed variant of the AK-47 rifle and was therefore prohibited.

[10] The Registrar further advised the respondent that:

> Your [Possession Only Licence] POL does not contain the privilege to acquire firearms. Furthermore, your POL does not contain the privilege referred to in s. 12(5) of the Firearms Act, to possess or acquire prohibited firearms referred to in s. 12(5) of the Act. Finally, this firearm was not registered as a restricted weapon under the former Act and was not the subject of an application for a registration certificate under the former Act on January 1, 1995. Therefore, it does not meet the requirement of s. 12(5). Pursuant to section 13 of the Firearms Act, you are not eligible to hold a registration certificate for a firearm unless you hold a licence authorizing you to possess that kind of firearm.

[11] As a result of the Registrar's refusal, the respondent was ordered to deliver his firearm to a peace officer or to lawfully dispose of the firearm within 30 days.

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II. Decision of the Ontario Court of Justice

[12] The respondent appealed the decision of the Registrar to the Ontario Court of Justice, which was heard on March 3 and June 4, 2009. Reasons for Judgment were delivered on July 30, 2009. In his reasons, the reviewing justice found that the AP80 is not a variant of the AK-47, and that, unlike the AK-47, the AP80 is not a threat to public safety. Accordingly, he overturned the decision below and directed the Registrar of Firearms to issue a registration certificate to the respondent for his Armi Jager AP80, as an unrestricted firearm.

[13] It appears that Cooper J.'s primary reason for concluding that the AP80 is not a variant of the AK-47 is that the AP80 is a semiautomatic rifle; the AK-47, by contrast, is a fully automatic weapon. The judge explained that while the AP80 is similar in appearance to the AK-47, the AP80 is altogether a different firearm. He noted that "apart from its similarity in appearance to the AK-47, the AP80 is but a semiautomatic .22 calibre rifle, the majority of which are, even today, considered to be unrestricted firearms."

[14] The reviewing justice found that in order for the AP80 to be an unnamed variant of the AK-47 it must be "capable of fully automatic fire," and that this "would be the case even if the variant was not of the same calibre as the AK-47,

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because it is the fully automatic feature which represents the real threat to public safety."

The Evidence before the Ontario Court of Justice

[15] The principal evidence before the Ontario Court of Justice was an affidavit from Michael Perry, a Refusal and Revocation Analyst with the Canada Firearms Centre (CAFC) of the RCMP. Mr. Perry is responsible for administering the Act and its regulations. He has the authority to issue, refuse and revoke registration certificates for firearms. In his affidavit, Mr. Perry deposed that the respondent's firearm is a prohibited firearm. He also outlined the history of the classification of the AK-47 and variations of it, which, according to Mr. Perry, includes the Armi Jager AP80.

[16] Mr. Perry explained that the AK-47 military assault rifle and its named and unnamed variants were non-restricted weapons prior to September 30, 1992. As such, the respondent was not required to register his Armi Jager AP80 when he purchased it in 1984. Between October 1, 1992 and 1994, the AK-47 and its named and unnamed variants were designated a "restricted weapon" pursuant to the Restricted Weapons Order, SOR/92-467.

[17] Beginning on January 1, 1995 and to the present day, the AK-47 and its named and unnamed variants became designated a "prohibited weapon." The

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designation was first made pursuant to an Order in Council, *Prohibited Weapons Order, No. 13,* on November 29, 1994. Later, beginning December 1, 1998, the weapon was described as a prohibited weapon in the current regulation, namely paragraph 64 of the *Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*, SOR/98-462, which itemizes various prohibited weapons for the purposes of s. 84(1)(d) of the Criminal Code.

[18] At trial Mr. Perry deposed that the AP80 is an "unnamed variant" of the AK-47. This assertion was based primarily on the RCMP's Firearms Reference Table (the "FRT"). Mr. Perry explained as follows, in paragraphs 22 to 31 of his affidavit:

> The Firearms Reference Table (FRT) is a computer database tool developed by the Royal Canadian Mounted Police (RCMP) - Firearms Support Services Directorate as a component of the Canadian Firearms Program. The FRT is updated annually by FRT staff and the data and images contained in the database are passed through a vigorous quality assurance process to ensure standards and data integrity are maintained. The FRT is used across Canada by law enforcement officials, customs enforcement officials, and officials responsible for the regulation of firearms, identification, and classification of firearms. It is also used internationally by INTERPOL to identify firearms and standardize firearms descriptions for the international exchange of firearms descriptors for the purposes of international firearms tracing, and is in place in the INTERPOL National Central Bureau in 182 countries. The United Nations also makes use of the FRT database in connection with its Program of Action on Small Arms and Light Weapons. Through the normal course of processing an Application to Register a Firearm, an analyst will refer to the FRT. Attached as Exhibit "E" is the reference table and notes for FRT entry number 16276. On July 21, 2008, Murray Smith ("Mr. Smith"), Manager of the Firearms Reference Table at the RCMP, provided the Registrar of Firearms with a memorandum entitled "Re: FRT Description" (the "memo"). This memo is based on the information contained in the FRT and articulates the rationale behind the decision to regard the [respondent's] firearm as variant of an AK-47 assault rifle and thus a prohibited weapon. Attached as Exhibit "F" to this affidavit is the memo from Smith as

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> well as reference tables and notes for FRT entry numbers 16276, 86358, 28902, 82973, 113417, and 113135.
>
> In the memo, Mr. Smith states that the Armi Jager AP80 is designed to imitate the AK-47 military assault rifle in both appearance and function. Mr. Smith concludes that the Armi Jager AP80 is a commercially produced variant of the AK-47 rifle made for the civilian market. Mr. Smith also concludes that the Armi Jager AP80 is the same firearm as a Mitchell Arms AK22. The Mitchell Arms AK22 is a named variant of the AK-47 pursuant to the Restricted Weapons Order, SOR/92-467.
>
> I am informed by Mr. Smith, and I verily believe it to be true, that there was substantial publicity at the time that Restricted Weapons Order, SOR/92-467 was enacted. Attached to this affidavit as Exhibit "G" is a copy of the pamphlet which describes the Restricted Weapons Order was published by authority of the Minister of Justice and Attorney General of Canada by Communications and Consultation Branch, Department of Justice, in 1992. The Mitchell Arms AK22 is a named variant of the AK-47, pursuant to the Prohibited Weapons Order, No. 13, made by Order in Council P.C. 1994-1974 of November 29, 1994, and registered as SOR/94-741.

[19] Currently, pursuant to s. 64(z.22) of the Regulations, the Mitchell Arms AK-22 is a named variant of the AK-47. In short, the evidence before the reviewing justice, as deposed by Mr. Perry, was that the Armi Jager AP80 is the same weapon as the Mitchell Arms AK-22, and that the Mitchell Arms AK-22 is a named variant of the AK-47.

[20] For ease of reference, the following excerpt of the letter from Murray A. Smith, Manger of the Firearms Reference Table, was referred to in the affidavit of Mr. Perry:

> Armi Jager AP80
>
> The Armi Jager model AP80 firearm is a semiautomatic 22 Long Rifle (22LR) calibre rifle designed to imitate the AK-47 military assault rifle in both appearance and function. It is unlikely that the AP80 rifle would have been created in its present form if theAK-47 rifle that preceded it had never existed. Although theAP80 has a different operating mechanism than the original AK-47 (semiautomatic blowback versus selective fire gas operated) due to the smaller calibre of the AP80 (22 Long Rifle versus 7.62 x 39 mm), the changes are similar to those employed in the design of military issue 22 Long Rifle calibre rifles such as the East German KK-MPi69 and Bulgarian AKAT-74 rifles, both of which are selective fire 22 Long Rifle calibre training versions of the AK-47 assault rifle.

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> The Armi Jager AP80 rifle otherwise operates in a similar fashion and is a commercially produced variant of the AK-47 rifle made for the civilian market. The largest civilian markets are in countries where ownership of fully automatic firearms is extremely restricted or prohibited, and thus the manufacture of the AP80 rifle with a semiautomatic mechanism is a reasonable measure to expand the potential market for the firearm. Furthermore, it is not uncommon for the 22 Long Rifle calibre variations of military rifles to be produced as this dramatically reduces ammunition costs, another feature which appeals to the civilian buyer.
>
> The Armi Jager AP80 rifle was manufactured in Italy under at least three trade names: the Armi Jager AP80 rifle, the Adler Jager AP80 rifle and the Mitchell Arms AK22 rifle. All three firearms share the same Italian proof house catalog number, #2344, which specifies and seals the design of the firearm Apart from markings and minor cosmetic features, the three known variations represent the same firearm. The Mitchell Arms AK22 version is named in paragraph 64 (z. 22) of Part 1 of the Schedule of the Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted. There is at least one known specimen which bears both the Armi Jager AP80 and the Mitchell Arms Ak22 markings. [Emphasis added]

[21] In his affidavit Mr. Perry further explained the reason why the respondent was not eligible to register his Armi Jager AP80 pursuant to the grandfathering provisions of the Firearms Act.

Section 12 of the Act provides:

> 12. (1) An individual who is otherwise eligible to hold a licence is not eligible to hold a licence authorizing the individual to possess prohibited firearms except as provided in this section.
>
> 12. (5) An individual is eligible to hold a licence authorizing the individual to possess firearms that were declared to be prohibited weapons under the former *Act* by the Prohibited Weapons Order, No. 13, made by Order in Council P.C. 1994-1974 of November 29, 1994 and registered as SOR/94-741 and that, on January 1, 1995, either were registered as restricted weapons under the former Act or were the subject of an application for a registration certificate under the former *Act* if the individual
>
> (a) before January 1, 1995 possessed one or more firearms that were so declared;
>
> (b) on the commencement day held a registration certificate under the former Act for one or more firearms that were so declared; and
>
> (c) beginning on the commencement day was continuously the holder of a registration certificate for one or more firearms that were so declared.

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[22] Mr. Perry explained, at paragraphs 33 to 37 of his affidavit:

> ...individuals who meet the conditions noted in the paragraph above are "grandfathered" under the Act. They are eligible to lawfully retain their prohibited firearm(s).
>
> At the time of the decision, the Registrar of Firearms had no record of the [respondent] having ever owned an Armi Jager AP80 prior to January 1, 1995.
> The Registrar of Firearms has no record of the [respondent] having ever applied for or held a registration certificate of any kind (including under the "former Act") for his Armi Jager AP80.
>
> Thus the [respondent] fails to meet conditions (b) and (c) of section 12(5) of the Firearms Act because on the commencement day he did not hold a registration certificate under the former Act for his prohibited firearm, and because beginning on the commencement day he was not continuously the holder of a registration certificate for his firearm.
>
> The [respondent] is therefore not entitled to hold a licence for his firearm. Being ineligible to hold a licence for his firearm, he is consequently ineligible to hold a registration certificate for that firearm.

The Reasons of the Reviewing Justice:

[23] As is evident from the review of the evidence, the position of the appellant before the Ontario Court of Justice was that the respondent's weapon is the same weapon as the Mitchell Arms AK22, a named variant of the AK-47, and further, that the respondent did not meet the requirements to validly possess the prohibited weapon pursuant to s.12, the grandfathering provisions of the *Firearms Act*. The respondent's position, in turn, was that although the Armi Jager AP80 resembles the AK-47, it is not a named or unnamed "variant" of it.

[24] In his reasons, the judge noted that the issue before him was whether the Armi Jager AP80 is an "unnamed variant" of the AK-47. He reviewed the October 1, 1992 *Restricted Weapons Order*, SOR/92-467, the November 29, 1994 *Prohibited Weapons Order, No. 13*, SOR/94-741, and the current

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Regulations and noted that the Armi Jager AP80 is not named as a prohibited weapon in any of these regulations.

[25] The judge also observed that the parties could not tell him whether the Firearms Reference Table, on which the Registrar was relying, was available to the public, and as such whether the respondent would have been able to determine whether the Armi Jager AP80 is a prohibited weapon. He noted that the FRT is "not the same as the Canada Gazette," which is made available to the public. The judge also agreed, however, that ignorance of the law is no excuse and reviewed the relevant jurisprudence which has addressed that proposition.

[26] Justice Cooper explained that the Code and the Regulations do not define the term "variant." He therefore relied on the dictionary definition which defines variant as "differing in form or details from the main one."

[27] The reviewing judge also observed that the Code, the Act and the Regulations do not delegate to any person or body the power to designate which firearms are unnamed variants. He explained that as there has been no delegation by Parliament to the Canadian Firearms Centre, which maintains the FRT, to determine which firearms are unnamed variants of the AK-47, the FRT is not binding on the court. As Cooper J. explained at para. 46 of his reasons:

> The fact that at some point in time, perhaps even very recently, the Armi Jager AP80 data was added to the FRT, does not provide it with any legal effect. The courts have

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> been left with the responsibility to decide, in cases such as Mr. Henderson's, what is a variant and what is not.

[28] Accordingly, the reviewing judge was of the view that the Armi Jager AP80 was not a variant of the AK-47. He reasoned that the purpose of the firearms regulations is to control weapons and weapon components which represent a threat to public. The AK-47, he explained, is a fully automatic weapon and so represents a threat to public safety. The Armi Jager AP80 is a semiautomatic weapon and is a long gun rifle which is similar in appearance to the AK-47, but not capable of fully automatic fire. At paragraph 48 of his reasons he held that:

> "[w]hether or not the construction of the gun and internal parts are similar is not important in my view. What is important is whether the AP80 represents a threat to public safety. Merely resembling the AK-47 in appearance is not enough to make it such a threat, in my opinion."

Further, Cooper J. agreed with the submission of Mr. Henderson that the regulations require a firearm to be a variant of the AK-47, not of the Mitchell Arms AK22, or of any other replica of the AK-47.

[29] The reviewing judge also held that,

> "[e]ven if that were not the case, I am not sure that the average gun owner would know that the Armi Jager AP80 and the Mitchell Arms AK22 are basically the same firearm, and were made in Italy by the same manufacturer...[If] that is so then it would have been a simple matter to add the AP80 to the same list on the relevant regulations and thereby remove any uncertainty."

[30] In the result, the reviewing judge held that the AP80 is not a variant of the AK-47. He concluded, at paragraph 52 to 53:

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> .. the AP80 is not a variant of the Ak-47 nor is it a threat to public safety like the AK-47 is. It is a fact that any firearm can be dangerous but apart from its similarity in appearance to the AK-47, the AP80 is but a semi-automatic .22 calibre rifle, the majority of which are, even today, considered to be unrestricted firearms.
>
> To summarize, an unnamed variant of an AK-47 must be similar in appearance and capable of fully automatic fire. This would be the case even if the variant was not of the same calibre as the AK-47, because it is the fully automatic feature which represents the real threat to public safety.

[31] Finally, the reviewing judge observed that Parliament "has the power to make whatever it wants to be a restricted or prohibited weapon," and that the Regulations could have prohibited "any firearm which has an appearance similar to an AK-47." "Better still," he held, "it could specifically name the Armi Jager AP80 to be a restricted or prohibited weapon."

Nature of the Review

[32] Pursuant to s. 74 of the *Firearms Act*, where the Registrar refuses to issue a registration certificate, the matter may be appealed to a Provincial Court Judge for a reference within 30 days after the notice of refusal is received.

[33] Section 75 of the Act provides that, at the reference, the applicant bears the burden of establishing that the refusal to issue a registration certificate was not justified. On hearing the reference, the Provincial Court judge may confirm the decision of the registrar, direct the registrar to issue a registration certificate, or cancel the certificate that was issued by the registrar.

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[34] The order of the Provincial Court Judge may be further appealed to a Superior Court Justice, pursuant to s. 79 of the Act. Upon hearing the appeal, the Superior Court may dismiss the appeal, or either allows the appeal and direct that the registrar issue a registration certificate, or cancel the registration certificate.

[35] Section 79(2) of the Act provides that the Superior court "shall dispose of an appeal against an order" of the Provincial Court Judge "by dismissing it," unless the appellant, the Attorney General of Canada in this case, "establishes to the satisfaction of the court that a disposition" other than a dismissal is justified. The Act provides for a further right of appeal to the Ontario Court of Appeal, with leave, on questions of law alone.

[36] The parties agree that the appellant will succeed only where it is demonstrated that the decision of the Provincial Court justice was not justified. It is submitted that this court may only intervene if the Provincial Court judge's decision was "clearly wrong": *R. v. Caruso*, [2005] O.J. No. 3771 (S.C.J.) at para. 36.

[37] I agree that the task before me is a form of judicial review and that I must determine whether the decision of the reference justice was reasonable. This standard of review requires that some deference be afforded to the reference

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justice. It is not my task to substitute my opinion for that of the justice below; rather, the decision of the reference justice must be reviewed to determine whether the reasons are reasonable and intelligible and the outcome was justified based on the record before him. In short, I must only interfere where the applicant demonstrates that the decision of the reference judge was "clearly wrong": see *Messina v. Ontario (Attorney General)*, [2000] O.J. No. 417 (S.C.J.) at para. 6; *R. v. Wellheiser*, [2005] O.J. No. 585 (S.C.J.) at paras. 57-58; *Akiwenzie v. Ontario (Chief Firearms Officer)*, [2001] O.J. No. 3943 (S.C.J.) at para. 17. As explained by Low J.A. in *British Columbia (Chief Firearms Officer) v. Fahlman*, *supra* at para. 23, "because the judge must determine whether the decision under review was justified based on the record as amplified by relevant evidence heard on review, the test is one of reasonableness."

[38] Likewise, the reference justice was required to afford some degree of deference to the decision of the Registrar. The task of the reference justice was not to conduct a hearing *de novo*, but to determine whether the decision of the registrar was "justified", and to only interfere where the decision was "clearly wrong": *British Columbia (Chief Firearms Officer) v. Fahlman*, [2004] B.C.J. No. 1246 (C.A.) at para. 22; *R. v. Spadidakis*, [2008] O.J. No. 102 (Ct. J.) at paras. 24, 26; *R. v. Fischer*, [2004] O.J. No. 3890 (S.C.J.) at paras. 43-44.

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Positions of the Parties

I. Appellant

[39] The appellant, the Attorney General, takes the position that the reasons of the reference justice are clearly wrong. It is submitted that the reference justice misinterpreted the facts and the law and, in particular, made the following errors:

1. The reference justice failed to give weight to the unchallenged evidence before him which was that the AP80 is the same firearm as the Mitchell AK-22. As the Mitchell Arms is a named variant of the AK-47, the AP80 is necessarily a variant of the AK-47. The reference justice erred in his determination of what is a variant of the AK-47 under the Regulations.

2. The reference justice failed to analyze the decision of the Registrar in terms of reasonableness, failed to show deference to the Registrar's decision, and failed to consider all the evidence before him.

3. The reviewing justice erred in suggesting that ignorance of firearms law is an excuse and grounds for granting a registration certificate.

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[40] In oral argument the appellant conceded that the reference justice's comments on ignorance of the law were made in obiter and did not necessarily impact the reference justice's conclusion.

II. Respondent

[41] The respondent takes the position that the decision of the reference justice must be upheld and that the justice made no errors in fact or law. The respondent submits that the appeal should be dismissed and Mr. Henderson should be entitled to retain the registration certificate for his AP-80 as an unrestricted weapon.

[42] In particular, the respondent submits that the Regulations require that the AP-80 be found to be a "variant or modified version" of the AK-47. That the AP-80 may be a variant of the Mitchell AK-22 does not, and should not, automatically categorize the AP-80 as a variant of the AK-47.

[43] The respondent further submits that it is the proper role of the courts, not an administrative decision-maker such as the Registrar, to define and interpret the meaning of the term "variant", as used in the context and purpose of the legislation and regulations. The dispute over the classification and regulation of firearms is an issue of central importance. The thrust of the respondent's

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argument is that the decision of the Registrar should be afforded limited deference.

[44] Finally, the respondent takes the position that it was reasonable for the reference justice to find that the AP-80 does not present a threat to public safety. Unlike the AK-47, the AP-80 is a semiautomatic firearm. The respondent submits that it was reasonable for the reference justice to rely on the fact that the calibre and specifications of the AP-80 are similar to long gun rifles that are unrestricted firearms.

1. Did the reference justice demonstrate a clear error in finding that the AP80 is not an unnamed variant of the AK-47?

[45] Having regards to the legal principles as outlined above and the stated role of a Reference judge within the context of this review, I am of the view that the reference judge erred in his findings. In my view the reference judge should have found that the AP80 is a variant of the AK-47. His reasons were clearly wrong in this regard.

[46] I do agree, as stated by the reference judge that the Firearms Reference Table ("FRT") is not binding as it is not incorporated by reference in the regulations. However, the RCMP's FRT was obviously developed by those with some experience and expertise, and should be given some weight and deference. The FRT, as explained by Mr. Michael Perry in his affidavit, is a tool

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developed by the RCMP and is used across Canada by law enforcement officials, customs officers, and those responsible for the regulation, classification and identification of firearms. The FRT is also used by INTERPOL and the United Nations in its Program of Action on Small Arms and Light Weapons.

[47] According to the FRT, the AP80 and the Mitchell Arms AK 22 are essentially the same weapon. The Registrar's reliance on the FRT was reasonable, and should not be interfered with or set aside. On the other hand, I find the reference judge, in his reasons, erred by failing to explain why the FRT should not be relied upon.

[48] I also agree with the submissions of the appellant that the reference judge erred in finding that because the AP80 is semi-automatic and .22 calibre, it is not a variant of the AK-47, which is an automatic weapon, considering the fact that the Mitchell Arms AK22 is a named variant of the AK-47 in the Regulations and like the AP80 is a .22 calibre and semi-automatic, and has almost the same barrel length as the AP80 (See FRT Report, Amended Appeal Book, Tab 3, Exhibit E). It is clear that Parliament has chosen to put semi-automatic rifles that are .22 calibre on the list of named restricted weapons, and in my view, this choice should be respected by the Courts. This therefore leads me to conclude that the reference justice erred in placing too much emphasis on the specifications of the firearm, and did not address the fact that semi-automatic

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weapons that are the same specifications as the AP80 are identified as restricted variants of the AK-47.

2. Did the reference justice err in failing to inquire into the reasonableness of the Registrar's decision?

[49] As stated earlier, this was a statutory appeal, which is a form of judicial review. The *Firearms Act* requires that the reference justice determine whether the decision of the registrar was "not justified." Section 75(3) of the Firearms Act provides as follows:

> Burden of proof:
>
> 75(3) At the hearing of the reference, the burden of proof is on the applicant or holder to satisfy the provincial court judge that the refusal to issue or revocation of the licence, registration certificate or authorization, the decision or the refusal to approve or revocation of the approval was not justified.

[50] Although there is a broad statutory right of appeal, which suggests, according to *Dunsmuir*, that less deference is owed to the Registrar, the *Act* clearly intended to provide some deference to the decision of the registrar. The relative expertise of the registrar, the fact that we are dealing with a question of mixed fact and law, and the fact that the goals of the statute and the regulation of firearms is a policy-driven exercise, all militate in favour of affording some deference to the Registrar.

[51] This also leads this court to conclude that the reference justice erred by conducting the statutory appeal as a hearing de novo. The task before him was

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to determine if the reasons of the Registrar were reasonable. He did not do this and erred as a result. He should not have substituted his views for that of the Registrar. Rather, his task was to determine whether the Registrar's conclusion was reasonable and within the range of acceptable and rational solutions in light of the evidence that was before him.

[52] The Supreme Court's reasoning in *Dunsmuir v. New Brunswick*, [2008] 1 S.C.R. 190 at paras 47-50 is instructive on the reasonableness standard and how it is to be applied:

> [47] Reasonableness is a deferential standard animated by the principle that underlies the development of the two previous standards of reasonableness: certain questions that come before administrative tribunals do not lend themselves to one specific, particular result. Instead, they may give rise to a number of possible, reasonable conclusions. Tribunals have a margin of appreciation within the range of acceptable and rational solutions. A court conducting a review for reasonableness inquires into the qualities that make a decision reasonable, referring both to the process of articulating the reasons and to outcomes. In judicial review, reasonableness is concerned mostly with the existence of justification, transparency and intelligibility within the decision-making process. But it is also concerned with whether the decision falls within a range of possible, acceptable outcomes which are defensible in respect of the facts and law.
>
> [48] The move towards a single reasonableness standard does not pave the way for a more intrusive review by courts and does not represent a return to pre-Southam formalism. In this respect, the concept of deference, so central to judicial review in administrative law, has perhaps been insufficiently explored in the case law. What does deference mean in this context? Deference is both an attitude of the court and a requirement of the law of judicial review. It does not mean that courts are subservient to the determinations of decision makers, or that courts must show blind reverence to their interpretations, or that they may be content to pay lip service to the concept of reasonableness review while in fact imposing their own view. Rather, deference imports respect for the decision-making process of adjudicative bodies with regard to both the facts and the law. The notion of deference "is rooted in part in a respect for governmental decisions to create administrative bodies with delegated powers" (Canada (Attorney General) v. Mossop, 1993 CanLII 164 (S.C.C.), [1993] 1 S.C.R. 554, at p. 596, per L'Heureux-Dubé J., dissenting). We agree with David Dyzenhaus where he states that the concept of "deference as respect" requires of the courts "not submission but a respectful attention to the reasons offered or which could be offered in support of a decision": "The Politics of Deference: Judicial Review and Democracy", in M. Taggart,

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ed., The Province of Administrative Law (1997), 279, at p. 286 (quoted with approval in Baker, at para. 65, per L'Heureux-Dubé J.; Ryan, at para. 49).

[49] Deference in the context of the reasonableness standard therefore implies that courts will give due consideration to the determinations of decision makers. As Mullan explains, a policy of deference "recognizes the reality that, in many instances, those working day to day in the implementation of frequently complex administrative schemes have or will develop a considerable degree of expertise or field sensitivity to the imperatives and nuances of the legislative regime": D. J. Mullan, "Establishing the Standard of Review: The Struggle for Complexity?" (2004), 17 C.J.A.L.P. 59, at p. 93. In short, deference requires respect for the legislative choices to leave some matters in the hands of administrative decision makers, for the processes and determinations that draw on particular expertise and experiences, and for the different roles of the courts and administrative bodies within the Canadian constitutional system.

[50] As important as it is that courts have a proper understanding of reasonableness review as a deferential standard, it is also without question that the standard of correctness must be maintained in respect of jurisdictional and some other questions of law. This promotes just decisions and avoids inconsistent and unauthorized application of law. When applying the correctness standard, a reviewing court will not show deference to the decision maker's reasoning process; it will rather undertake its own analysis of the question. The analysis will bring the court to decide whether it agrees with the determination of the decision maker; if not, the court will substitute its own view and provide the correct answer. From the outset, the court must ask whether the tribunal's decision was correct.

3. Is the respondent entitled to a registration certificate under the grandfathering provisions of s. 12 of the *Act*?

[53] In my view, the respondent clearly is not entitled to a registration certificate as he does not fall within the grandfathering provisions. There was no error in the Registrar's finding in this regard.

[54] Although the matter was not argued before me, I do have some serious concerns about the length of time it took the Registrar to render its original decision. This strikes me as a clear violation of the procedural fairness requirements to which the Registrar is subject as a statutory decision maker. Unfortunately, there is no specific remedy for a violation of procedural fairness,

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other than sending the matter back to the Registrar for a re-hearing, which clearly neither would be practical nor warranted in the circumstances of this case.

[55] In all the circumstances, the appeal is granted, and the decision of the Registrar is hereby restore.

TULLOCH J.

Released: September 21, 2010

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CITATION: R. v. William Henderson, 2010 ONSC 5168
COURT FILE NO.: 147/09
DATE: 20100921

ONTARIO

SUPERIOR COURT OF JUSTICE

B E T W E E N:

THE ATTORNEY GENERAL OF CANADA

Appellant

- and –

WILLIAM HENDERSON

Respondent

REASONS FOR JUDGMENT

TULLOCH J.

Released: September 21, 2010

A0074293_1836-002619

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

CITATION: Henderson v. Canada (Attorney General), 2011 ONCA 696
DATE: 20111109
DOCKET: C52819

COURT OF APPEAL FOR ONTARIO

Goudge, Juriansz and MacFarland JJ.A.

BETWEEN

William Henderson

Appellant

and

The Attorney General of Canada

Respondent

Lorne Honickman and Michael Blinick, for the appellant

Philippe Alma, for the respondent

Heard: June 20, 2011

On appeal from the judgment of Justice Michael H. Tulloch of the Superior Court of Justice dated September 21, 2010, with reasons reported at 2010 ONSC 5168, [2010] O.J. No. 4522.

Goudge J.A.:

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INTRODUCTION

[1] Canada has a detailed legislative scheme designed to protect the public against the misuse of firearms. If a weapon is designated as a prohibited firearm by an Order in Council, its owner can lawfully possess the weapon only by obtaining a registration certificate from the Registrar of Firearms (the Registrar). If the Registrar refuses, the owner can refer the matter to the particular provincial court. The provincial court's decision can then be appealed to the superior court of that province. The superior court's decision can be further appealed to the province's court of appeal, but only with leave on a question of law alone.

[2] Mr. Henderson's application for a registration certificate for his Armi Jager AP80 firearm (AP80) was refused by the Registrar. That decision was reversed by the Ontario Court of Justice, Ontario's provincial court. The Attorney General of Canada appealed to the Superior Court of Ontario, which restored the Registrar's refusal.

[3] In his appeal to this court, Mr. Henderson seeks to raise the following questions of law: whether the Ontario Court of Justice and the Superior Court each erred by applying an incorrect standard of review to the decision before it; and whether the proper interpretation of the relevant Order in Council would render the AP80 a prohibited firearm.

[4] For the reasons that follow, I conclude that the Ontario Court of Justice incorrectly applied the standard of reasonableness the Registrar's decision. Secondly, while the

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Superior Court applied a standard of review to the Ontario Court of Justice decision that in my view was incorrect, ultimately the Superior Court was correct in finding that the Registrar interpreted the relevant Order in Council properly and in restoring the Registrar's decision to refuse the application. The Superior Court therefore reached the right result. Consequently I would dismiss the appeal.

THE FACTS

The Registrar's Decision

[5] Mr. Henderson purchased his AP80 in 1984 from a gun shop in Brampton. It is a .22 calibre rifle that is semi-automatic, meaning that a bullet can be fired with each separate pull of the trigger and the gun automatically reloads after each discharge. At the time, it did not have to be registered with the government and Mr. Henderson was entitled to acquire it.

[6] The *Firearms Act*, S.C. 1995, c. 39 (the Act) was enacted in 1995 as part of the tightening of government control of the possession of firearms. Its purpose is to provide for the issuance of licences, registration certificates and authorizations to permit the possession of firearms in circumstances that would otherwise constitute an offence under the *Criminal Code*, R.S.C. 1985, c. C-46. A license allows an individual to possess firearms of particular kinds. A registration certificate allows the individual to possess a specific firearm. An authorization allows the individual to do certain things with a firearm, such as importing. In this case we are concerned with a registration certificate.

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[7] On December 28, 2000, Mr. Henderson applied to the Registrar for a registration certificate for his AP80. The application form required only the model number, serial number, calibre and barrel length of his firearm. He had no further correspondence with the Registrar until he received notice of the Registrar's refusal to issue the registration certificate on June 2, 2008. This long delay was apparently caused by the volume of registration applications following the introduction of the Act.

[8] Several sections of the Act are germane to the Registrar's decision.

[9] Section 13 provides:

> 13. A person is not eligible to hold a registration certificate for a firearm unless the person holds a licence authorizing the person to possess that kind of firearm.

[10] Section 69 provides:

> 69. The Registrar may refuse to issue a registration certificate, authorization to export or authorization to import for any good and sufficient reason including, in the case of an application for a registration certificate, where the applicant is not eligible to hold a registration certificate.

[11] Section 72(1) provides for notice to an applicant of refusal to issue a registration certificate. Section 72(2) provides:

> 72. (2) A notice given under subsection (1) must include reasons for the decision disclosing the nature of the information relied on for the decision and must be accompanied by a copy of sections 74 to 81.

[12] The notice of refusal received by Mr. Henderson indicated that his AP80 is a prohibited firearm for the purposes of the *Criminal Code* because it is declared to be a

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prohibited firearm by s. 64 of Part I of the Schedule to *The Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*, S.O.R./98-462, an Order in Council made on September 16, 1998 pursuant to s. 84(1) of the *Criminal Code*. Section 2 of the Order in Council provides that the firearms listed in Part 1 of the Schedule to S.O.R./98-462 are prohibited firearms for the purposes of the *Criminal Code*. The relevant part of s. 64 of Part 1 reads:

> 64. The firearm of the design commonly known as the AK-47 rifle, and any variant or modified version of it except for the Valmet Hunter, the Valmet Hunter Auto and the Valmet M78 rifles, but including the
>
> :
>
> (*z.22*) Mitchell AK-22 ...

[13] The notice of refusal then went on to explain that because Mr. Henderson's licence to possess firearms did not allow him to possess prohibited firearms, he was therefore ineligible to hold a registration certificate for his AP80, since it was a prohibited firearm. His application was therefore refused.

The Reference to the Ontario Court of Justice

[14] Section 74(1) of the Act allows the applicant whose application is refused to "refer the matter to a provincial court judge in the territorial division in which the applicant ... resides." However, if the application is allowed and the registration certificate is granted by the Registrar, the Attorney General of Canada has no counterpart right of referral.

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[15] On receiving the reference, the provincial court must direct that notice of the hearing be given to the Registrar and to the applicant. Section 75 of the Act requires that the applicant be accorded a hearing by the provincial court, something not contemplated at the Registrar stage.

[16] Sections 75(2) and (3) then provide for the hearing of all relevant evidence by the provincial court, with the burden resting on the applicant in the reference:

> 75. (2) At the hearing of the reference, the provincial court judge shall hear all relevant evidence presented by or on behalf of the chief firearms officer, Registrar or provincial minister and the applicant or holder.
>
> (3) At the hearing of the reference, the burden of proof is on the applicant or holder to satisfy the provincial court judge that the refusal to issue or revocation of the licence, registration certificate or authorization, the decision or the refusal to approve or revocation of the approval was not justified.

[17] Section 76 says that the provincial court may confirm the Registrar's decision or direct the Registrar to issue a registration certificate.

[18] At the hearing of Mr. Henderson's reference, the Ontario Provincial Court received evidence called by the Registrar about the AK-47 rifle and the Mitchell AK-22, and, most importantly, evidence that the AP80 and the AK-22 are the same firearm made under two different trade names by an Italian manufacturer. Mr. Henderson called no evidence, but the Registrar agreed that Mr. Henderson's assertion that no parts of the AP80 are interchangeable with the AK-47 was one that could be treated as evidence.

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[19] The Ontario Court of Justice identified the issue in these terms: is the AP80 an "unnamed variant" of the AK-47 for the purpose of s. 64 of Part I of the Schedule to S.O.R./98-462. The court held that the burden placed on the applicant by s. 75(3) is to show that the Registrar's decision was not reasonable, in other words, that the standard of review the court should apply is reasonableness.

[20] However, the court incorrectly applied the standard of reasonableness by resting its decision on the fact that the AK-47 is an automatic weapon (that is, one pull of the trigger discharges a burst of bullets) and the AP80 is a semi-automatic weapon. In its view, that prevented the AP80 from being an unnamed variant of the AK-47. The court came to this conclusion without considering that the AP80 is the same firearm as the AK-22, which is a named variant of the AK-47 in s. 64. In the result, the Ontario Court of Justice concluded that the Registrar's decision was unreasonable, and therefore directed the Registrar to issue a registration certificate to Mr. Henderson for his AP80 firearm.

The Appeal to the Superior Court

[21] Section 77(1) of the Act gives the applicant the right to appeal to the superior court from an order by the provincial court under s. 76(a) confirming the decision of the Registrar.

[22] Section 77(2) of the Act gives the Attorney General of Canada a counterpart right of appeal from an order by the provincial court under s. 76(b) (or s. 76(c), which is not

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relevant to this case). Here the order was made under s. 76(b) and directed the Registrar to issue a registration certificate that he had previously refused to issue.

[23] Section 79(1) sets out how the superior court may dispose of an appeal. The pertinent part reads:

> Disposition of appeal
>
> 79. (1) On the hearing of an appeal, the superior court may
>
> (a) dismiss the appeal; or
>
> (b) allow the appeal and, in the case of an appeal against an order made under paragraph 76(a),
>
> (i) direct the chief firearms officer or Registrar to issue a licence, registration certificate or authorization or direct the provincial minister to approve a shooting club or shooting range...

[24] When the applicant appeals from a provincial court order under s. 76(a), s. 79(2) defines the burden on the applicant:

> Burden on applicant
>
> (2) A superior court shall dispose of an appeal against an order made under paragraph 76(a) by dismissing it, unless the appellant establishes to the satisfaction of the court that a disposition referred to in paragraph (1)(b) is justified.

[25] On the other hand, when the Attorney General appeals, there is no counterpart provision setting out a specific burden on the appellant.

[26] In Mr. Henderson's case, on receipt of the Ontario Court of Justice decision, the Attorney General appealed to the Superior Court of Ontario. In its reasons for judgment,

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the Superior Court first considered the standard of review it should apply to the decision appealed. It agreed with the parties that under s. 79(2), the appellant, whether the applicant or the Attorney General, had the burden of demonstrating that the decision under appeal was not justified. It therefore concluded that it should apply a standard of reasonableness to the decision under appeal.

[27] The Superior Court found that the decision was clearly wrong and unreasonable in finding that the applicant's firearm is not a variant of the AK-47, given that it is the same weapon as the AK-22, which is a declared variant of the AK-47. It went on to find that the Ontario Court of Justice also erred in the standard of review it applied to the Registrar's decision and should not have substituted its own views for the decision of the Registrar. Rather, it should have determined if the Registrar's decision was reasonable. In the end, the Superior Court found no error in the Registrar's decision to refuse the application. It allowed the appeal and restored that decision.

[28] The applicant then took the final step in the process as provided in s. 80 of the Act by seeking to appeal to this court on grounds that involve a question of law alone.

ANALYSIS

[29] This appeal raises four issues for disposition. I will deal with each in turn.

Leave to Appeal

[30] Mr. Henderson seeks to raise three issues in this court:

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a) Whether the Superior Court erred in finding that the Ontario Court of Justice applied an erroneous standard of review to the decision of the Registrar;

b) Whether the Superior Court erred in applying an erroneous standard of review to the decision of the Ontario Court of Justice;

c) Whether the Superior Court erred in finding that the Provincial Court rendered an incorrect interpretation of "variant" in s. 64 of Part I of the Schedule to S.O.R./98-462.

[31] In my view these are all questions of law alone. Moreover, they are of some significance to the general administration of justice. I say this in light of the volume of applications made pursuant to the Act and, more importantly, the large number of reported cases, many of which reflect inconsistent approaches to these issues. I would therefore grant leave to appeal.

The Standard of Review of the Registrar's Decision

[32] In my view, the approach to be taken by a provincial court to a decision of the Registrar depends on the rather unique scheme set up by the Act and the legislative intention it reflects.

[33] A number of aspects of the scheme are relevant. The application to the Registrar is simply a form containing basic information about the firearm. The Registrar is not required to hold a hearing, nor offer the applicant any other way to provide information or make submissions, before deciding to issue the registration certificate or refuse the

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application. If the application is refused, the Registrar is required to provide the applicant with both the decision and reasons that include the nature of the information relied on. The applicant can then refer the matter to the provincial court.

[34] The Act obliges the provincial court to hear all relevant evidence presented by both the applicant and the Registrar. It is clear that the provincial court is to engage in its own fact finding process. That is why it is described as a reference and not an appeal from the Registrar's decision. Nor is it a hearing *de novo*, since the Registrar has not held a hearing. Clearly the legislative intent is that the provincial court is to find its own facts and need give no deference to any facts recited in the reasons of the Registrar.

[35] However, having done that, s. 75(3) of the Act directs the provincial court to decide, in light of the facts it has found, if the applicant has satisfied it that the Registrar's refusal was "not justified". That is, the applicant must do more than show that, given the facts found, the decision was wrong. Rather, the provincial court must be satisfied that the refusal was not justified. In my view this reflects the legislative intent that the provincial court accord deference to the Registrar's decision. I say this for several reasons.

[36] The first is the particular language of the Act. The pertinent definition of "justification" in *Black's Law Dictionary*, 8th ed., is "a lawful or sufficient reason for one's acts or omissions." That is, a decision is not justified if there is no sufficient reason for it. As well, the Supreme Court of Canada has linked the deferential standard of

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reasonableness to the concept of justification. In *Dunsmuir v. New Brunswick*, 2008 SCC 9, [2008] 1 S.C.R. 190 at para. 47, the court describes the qualities that make a decision reasonable and makes clear that justification is a key aspect of reasonableness. Thus I think the language of s. 75(3) of the Act directs the provincial court to apply a deferential standard of review to the Registrar's decision itself. The provincial court is to test that decision against the facts it has found. It is not to determine if it agrees with the decision, but whether it has been satisfied by the applicant that the decision is not reasonably defenceable. This mandates deference.

[37] A deferential approach is also supported by the undoubted specialized expertise of the Registrar in administering the complex firearms registration regime. That regime encompasses both the legislation and the relevant subordinate legislation, including S.O.R./98-462. In addition, the nature of the questions of law that arise for the Registrar is compatible with a standard of deference. As in this case, where the question is the meaning of "variant" in the relevant Order in Council, these questions are within a very specialized area of the legal system and have limited general application.

[38] In my view, the deferential standard of review to be applied by the provincial court to the Registrar's refusal is best described as one of reasonableness. That notion is well known in judicial review of administrative decisions, and that is, of course, what is going on here. A new label would simply complicate an area of law which the Supreme Court in *Dunsmuir* has said should be simplified. The provincial court's task is not to assess the process used by the Registrar about which it may know very little. Rather it is

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to evaluate the Registrar's decision in the context of the facts it has found to decide if the applicant has satisfied it that the decision does not fall "within a range of possible, acceptable outcomes which are defenceable in respect of the facts and law": *Dunsmuir*, at para. 47. It is in this sense that the provincial court should apply a standard of reasonableness.

[39] Turning to this case, I agree with the Superior Court that the Ontario Court of Justice did not apply this standard of review to the Registrar's refusal. It concluded that the applicant's firearm, the AP80, could not be a variant of the AK-47 because it was a semi-automatic weapon, not an automatic one. The court did not evaluate whether, in light of the fact that the AP80 is the same weapon as the AK-22 (which is expressly declared by the regulation to be a variant of the AK-47), the decision that the AP80 is a variant of the AK-47 is within the range of defenceable outcomes. In my view, had the Ontario Court of Justice done so, it would have confirmed the Registrar's decision.

The Standard of Review of the Provincial Court Decision

[40] This issue also turns on the wording of the Act. Section 77(1) gives the applicant a right of appeal from a provincial court order under s. 76(a) confirming the decision of the Registrar to refuse to issue a registration certificate. Section 77(2) gives a right of appeal to the Attorney General from a provincial court order under s. 76(b) directing the Registrar to issue a registration certificate that has previously been refused.

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[41] In my view the proper standard of review to be applied by the superior court depends on whether it is an appeal by the applicant of an order under s. 76(a) or an appeal by the Attorney General of an order under s. 76(b).

[42] If it is the former, the applicant, to succeed, must discharge the burden set out in s. 79(2) of the Act. Unless the applicant satisfies the superior court that a disposition under s. 79(1)(b) directing the Registrar to issue the registration certificate is justified, the appeal must be dismissed. To be satisfied of this, the superior court must find that the provincial court erred in finding that the Registrar's refusal is reasonable. In other words, only if the superior court determines that, contrary to the provincial court's finding, the Registrar's decision is unreasonable will the applicant's appeal be allowed and the Registrar directed to issue the registration certificate. The superior court does not accord deference to the provincial court decision, but determines whether it was wrong in finding the Registrar's decision to be reasonable. This approach is true to the legislative intent that the Registrar's decision prevails unless it is unreasonable in the sense I have described.

[43] In this case, the appeal is by the Attorney General from an order made under s. 76(b). The Act provides no special burden on the Attorney General as appellant. It simply empowers the superior court to dismiss or allow the appeal. I see no reason why the superior court should approach this task any differently than any appellate court considering an appeal from a lower court. The normal standard of review described in the seminal case of *Housen v. Nikolaisen*, 2002 SCC 33, [2002] 2 S.C.R. 235 should be

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applied with respect to the questions of fact, questions of law and questions of mixed fact and law.

[44] Here the Superior Court applied a standard of reasonableness to the decision of the Ontario Court of Justice. It found that decision to be clearly wrong, and therefore unreasonable, in failing to find that the AP80 is a variant of the AK-47.

[45] While in my view this mistakes the standard of review to be applied, it is of no moment. Scrutinizing the Ontario Court of Justice decision properly, pursuant to the normal appellate standard of review, it is evident that the court was incorrect in its interpretation of the Order in Council in failing to find that a weapon (the AP80) that is the same as a weapon (the AK-22) named expressly as a variant of the AK-47 must itself be a variant of the AK-47 and is therefore a prohibited weapon. This incorrect interpretation constitutes an error of law by the court to be reviewed on a standard of correctness. Had the Superior Court done so, the result would have been the same as it in fact reached. The appeal would have been allowed and the Registrar's decision restored.

Interpretation of S.O.R./98-462

[46] This Order in Council prescribes in its Schedule firearms that are prohibited for the purposes of the *Criminal Code*. Section 64 of the Schedule prescribes the AK-47 rifle and "any variant or modified version of it", including the Mitchell AK-22. In other words, the Governor General in Council has declared the AK-22 to be a variant of the AK-47. If, as is clear, the legislative intent is that the AK-22 is a variant of the AK-47,

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the same must be true of a weapon which is the same as the AK-22, namely the AP80. The correct interpretation of the Order in Council is therefore that the AP80 is a variant of the AK-47. In finding otherwise, the Provincial Court erred in law.

CONCLUSION

[47] In summary, I conclude that Mr. Henderson's weapon is a prohibited firearm pursuant to S.O.R./98-462. Because of this, the Registrar's decision to refuse his application was not unreasonable and should have been confirmed by the Ontario Court of Justice. That court's decision to do otherwise was based on an error of law, namely a misinterpretation of the governing Order in Council. The Superior Court therefore reached the correct result in allowing the appeal and restoring the Registrar's decision.

[48] I would grant leave to appeal, but dismiss the appeal.

RELEASED: November 9, 2011 ("S.T.G.")

"S.T. Goudge J.A."
"I agree R.G. Juriansz J.A."
"I agree J. MacFarland J.A."

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Murray Smith - RE: Classification

From: Murray Smith
To: Knezevic, Vesna
Date: 1/20/2012 2:19 PM
Subject: RE: Classification

Vesna,

Here is the breakdown of registered firearms by classification taken from the 2010 Commissioner of Firearms report tabled in Parliament this week.

Non-restricted 6,943,621
Restricted 501,079
Prohibited 201,999
Total 7,646,699

There is no training course that focuses solely on firearm classification. However, we do have an online course (in collaboration with CPKN) that teaches firearms identification and classification. It covers the basics and takes about four hours to complete. Let me know if you are interested.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> "Knezevic, Vesna" <Vesna.Knezevic@ps-sp.gc.ca> 2012-01-20 12:56 >>>
Thanks very much Murray; greatly appreciate this.

I did want to ask whether CFP(or other organizations) offers any courses in classification of firearms (as opposed to the safety related courses). I would find that to be of interest and use.
If you are aware of, or can recommend any, please do let me know.

If I hear anything further from Paula on the variant issue – will share with you.
Best,
Vesna

From: Murray Smith [mailto:Murray.A.Smith@rcmp-grc.gc.ca]
Sent: January-20-12 12:52 PM
To: Knezevic, Vesna
Subject: Re: Classification

Hi Vesna,

A0074293_1853-002636

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Best of the new year to you too.

I presume you are looking for the numbers of firearms registered in Canada by classification. If so, that is available in the annual firearms report to Parliament. I do not have a copy of the report at my fingertips; perhaps you do. In any case I will obtain a copy.

There is no jurisprudence on the meaning of "variant" as an abstract concept. There are however cases dealing with individual firearms which establish variant status or not. One that comes to mind is the Henderson case that was appealed twice and the firearm in question, an Armi Jaeger AP80, found to be a variant. I will have a look for others. Paula may have better luck. The two Henderson appeals are attached.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> "Knezevic, Vesna" <Vesna.Knezevic@ps-sp.gc.ca> 2012-01-20 12:12 >>>
Hello Murray,
Belated best wishes for 2012! Hope you are well.
I am just getting up to speed on broader issues related to the firearms classification regime. I am wondering you would have available any current metrics by type (i.e., classification) of firearm; and any existing jurisprudence on the term "variant". On the latter I have also posed the question to Paula Clarke.
Your feedback on this would be appreciated.
Vesna

Vesna Knezevic
Manager / Gestionnaire
Firearms and Operational Policing Policy Division /
Division des armes à feu et des politiques opérationnelles
Policing Policy Directorate/ Direction générale des politiques en matière de police
Public Safety Canada/ Sécurité publique Canada
Tel/Tél: (613) 949-3173 Fax (613) 990-3984
E-mail/Courriel: Vesna.Knezevic@ps-sp.gc.ca

A0074293_1854-002637

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Re: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx

From: Murray Smith
To: Francis, Geoffrey
Date: 1/20/2012 4:55 PM
Subject: Fwd: Re: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-01-20 16:50 >>>
Hi Hwan,

You have a good weekend too.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-01-20 16:27 >>>

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

>>> On 1/20/2012 at 11:46 AM, Murray Smith wrote:

Thanks Hwan,

Please send a scan of the final letter when signed. As for the final policy, you have it already. It is also attached to this e-mail for your convenience. The policy needs to be approved by the DG as well.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-01-20 11:33 >>>
thanks Murray. minor changes made to the letter to the effect suggested.

let me know when the policy will be revised, if necessary.

Hwan

>>> On 1/19/2012 at 3:32 PM, Murray Smith wrote:

Hwan,

The second paragraph of the letter is a general statement about the capacity of firearms to cause injury and the factors that affect same. Thus the use of the word "firearm" is more appropriate. Moreover, the new policy covers all classes of low velocity firearms, not just airsoft guns. Having said that, if you think limiting the focus in the covering letter to "airsoft guns" makes it flow better, so be it. In the same paragraph, and in the spirit of making the language flow better, there is a conjunction missing in the second last sentence. I suggest the word "that" be placed between "certainty" and "penetration" in the terminal phrase. As an alternative, the language can be reformulated to omit the word "that" as avoidance of that word appears to be an imperative of the letter writing unit.

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The third paragraph is OK as we indeed have a new standard and it is based on new research.

Paragraph four needs to be reworded to delink the published research from the V50 standard that the RCMP has adopted. The V50 standard is based on the same data but not directly related to the paper as the paper recommended adoption of V0 as a standard, not V50.

Paragraph five OK as well. Common standards are a good idea.

I believe that if we stick to exactly what was agreed to at the meeting with FS&IS there is no need to consult FS&IS. My recollection is that the three key items for us were (1) universal adoption of the V50 standard by the RCMP, (2) drafting of related policy by the CFP, and (3) response to CBSA by the CFP. The policy has been agreed to by the FS&IS technical authority so if you attach that policy to the letter and do not contradict its contents, we are operating within our agreement with FS&IS.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-01-19 12:42 >>>
Hi Kim,

The CBSA is coming back for your final review. The Legal Services unit has reviewed and made some inputs. It was also reviewed by Scott's shop for the purpose of making the letter flow better.

Also, should this letter be shared with FS&IS first? If so, with whom?

Thanks,

Hwan

A0074293_1857-002640

Page 2641

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of the Access to Information Act

de la Loi sur l'accès à l'information

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when it actually happens, if it is of concern at the time.

Bear in mind that we presently have an agreement in hand with FS&IS that V50 will be the new standard for all of the RCMP, which is what we want. You cannot send the letter if you want to revise the policy because consultations with FS&IS might result in a change from V50. If you released the letter stating V50 without the policy being solidified and it subsequently changed as a result of discussions over what to do with a test result equaling V50, you would have to retract the letter. Best to proceed now with what we have in hand and worry about improbable circumstances later, especially since the requirement for a fix is doubtful anyway.

You have a good weekend too.

Murray

Murray A. Smith
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Policing Support Services
Office: (613) 993-0139

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>
> Regards,
>
> Murray
>
> Murray A. Smith
> Manager,

A0074293_1859-002642

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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let me know when the policy will be revised, if necessary.

Hwan

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>
> Regards,
>
> Murray
>
> Murray A. Smith
> Manager,
> Specialized Firearms Support Services
> Firearms Investigative and Enforcement Support Services Directorate
> Canadian Firearms Program
> Policing Support Services
> Office: (613) 993-0139
>
> >>> Hwan Lee 2012-01-19 12:42 >>>

A0074293_1860-002643

Page 2644

is not relevant

est non pertinente

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Murray Smith - Fwd: Re: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx

From: Murray Smith
To: Francis, Geoffrey
Date: 1/24/2012 11:35 AM
Subject: Fwd: Re: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx
CC: Glass, Kimberley
Attachments: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx

Geoff,

At this point I will wait for wait changes Legal suggests and adjust accordingly.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-01-24 11:23 >>>
Hi Hwan,

Thanks for your reply. I am open to changes in the policy that are based on substantive technical inaccuracy. I am not open to changes in wording related to stylistic preferences or alternative wording that makes no improvement or fixes phantom issues.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1862-002645

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

>>> Hwan Lee<Hwan.Lee@rcmp-grc.gc.ca> (Hwan Lee) 2012-01-24 10:59 >>>
Hi Murray,

Thank you for your response. I apologize for my delay.

I understand your point, however, the point of discussion is about fortifying the policy document rather than detracting from the main objective of the policy. It's the same logic as the letter itself; the policy is adopting a universal standard V50 for the RCMP and the CFP has the pen on the policy. There is no change to the objective of the policy. It would be preferred that the CFP send a final, legal reviewed policy to the CBSA. There are few comments from the legal that should also be taken into consideration.

thanks,

Hwan

>>> On 1/20/2012 at 4:50 PM, Murray Smith wrote:

> Hi Hwan,
>
> Notwithstanding the improbability of the test velocity falling exactly on the V50 value, your assumption is correct. A test velocity equal to V50 or higher will qualify the device as a firearm. Note that the wording of the actual policy which specifies V50 (section 1) implies a test result equal to V50 would qualify the item as a firearm. It is sufficiently clear so as to not require a fix.
>
> I strongly suggest you let this sleeping dog lie since we have sign-off from FS&IS on the current wording and I do not want to risk a drafting war with FS&IS over an unlikely circumstance. It can be fixed if and when it actually happens, if it is of concern at the time.
>
> Bear in mind that we presently have an agreement in hand with FS&IS that V50 will be the new standard for all of the RCMP, which is what we want. You cannot send the letter if you want to revise the policy because consultations with FS&IS might result in a change from V50. If you released the letter stating V50 without the policy being solidified and it subsequently changed as a result of discussions over what to do with a test result equaling V50, you would have to retract the letter. Best to proceed now with what we have in hand and worry about improbable circumstances later, especially since the requirement for a fix is doubtful anyway.
>
> You have a good weekend too.
>
> Murray
>
> Murray A. Smith
> Manager,
> Specialized Firearms Support Services
> Firearms Investigative and Enforcement Support Services Directorate
> Canadian Firearms Program
> Policing Support Services
> Office: (613) 993-0139
>
> >>> Hwan Lee 2012-01-20 16:27 >>>
> Just realized this is unclear.
>
> Is an airsoftgun with a velocity of V50 considered a firearm? (velocity = V50)
>
> I had to read it again, but the policy states:

A0074293_1863-002646

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v < V50 therefore not a firearm
v > V50 therefore firearm
v = V50 ????

I'm assuming

v >= V50 therefore firearm.

cheers and have a great weekend!

Hwan

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> Murray A. Smith
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> Specialized Firearms Support Services
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> >>> Hwan Lee 2012-01-20 11:33 >>>
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Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
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Office: (613) 993-0139

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Hi Kim,

The CBSA is coming back for your final review. The Legal Services unit has reviewed and made some inputs. It was also reviewed by Scott's shop for the purpose of making the letter flow better.

Also, should this letter be shared with FS&IS first? If so, with whom?

Thanks,

Hwan

A0074293_1865-002648

Pages 2649 to / à 2650

are not relevant

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Murray Smith - Re: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx

From: Murray Smith
To: Lee, Hwan
Date: 1/25/2012 10:55 AM
Subject: Re: Letter to CBSA DG Maureen Tracy_5 (January 18 2012 draft).docx
CC: Glass, Kimberley

Hwan,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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A0074293_1868-002651

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Bear in mind that we presently have an agreement in hand with FS&IS that V50 will be the new standard for all of the RCMP, which is what we want. You cannot send the letter if you want to revise the policy because consultations with FS&IS might result in a change from V50. If you released the letter stating V50 without the policy being solidified and it subsequently changed as a result of discussions over what to do with a test result equaling V50, you would have to retract the letter. Best to proceed now with what we have in hand and worry about improbable circumstances later, especially since the requirement for a fix is doubtful anyway.

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Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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> Murray A. Smith
> Manager,
> Specialized Firearms Support Services

A0074293_1869-002652

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Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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> Policing Support Services
> Office: (613) 993-0139
>
> >>> Hwan Lee 2012-01-19 12:42 >>>
> Hi Kim,

A0074293_1870-002653

Page 2654

is not relevant

est non pertinente

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - V50 policy

From: Murray Smith
To: Lee, Hwan
Date: 1/26/2012 11:40 AM
Subject: V50 policy
CC: Glass, Kimberley

Hwan,

Is there any update on the issuance of the V50 policy.

Please advise,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1872-002655

Page 2656

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of the Access to Information Act

de la Loi sur l'accès à l'information

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

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Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1874-002657

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Rép. : Re: Marksman Repeater 1010 (TRAF#70333)

From: Murray Smith
To: Francis, Geoffrey
Date: 1/26/2012 3:53 PM
Subject: Fwd: Rép. : Re: Marksman Repeater 1010 (TRAF#70333)

Geoff,

FYI, The Marksman 1010 airgun has a maximum observed velocity of 210 fps. The V0 for the 177 pellet is 207 fps whereas the V50 is 243 fps. The airgun also fires BBs but the velocity is lower than both critical values. The airgun is well below the V50 threshold and so close to the V0 limit that it would be very difficult to argue it as a firearm, especially if BBs were the type of projectile implicated in the case. Chance of eye penetration (with a 177 pellet) would be a few percent at most.

This is a direct application of the new policy.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Nadine Renaud 2012-01-26 13:22 >>>
Bonjour Sébastien,

Une nouvelle politique sur l'adoption de la règle "v50" est sur le point d'être signé par le Directeur Général du PCAF qui stipulera cette règle :
La règle v50 pour le projectile BB est de 246 p/sec, vitesse minimale à 214 p/sec.
La règle v50 pour le projectile 177 PELLET est de 243 p/sec, vitesse minimale à 207 p/sec.

La vélocité du projectile libéré pour le Marksman modèle 1010 (TRAF 70333) est de 210 p/sec. Par conséquent, comme la vélocité du projectile est sous la vitesse minimale pour crever l'oeil de la règle v50, la fiche 70333 sera supprimé du TRAF.

Il sera difficile que cette arme soit reconnue pour causer certaines lésions corporelles graves et une très faible chance de pénétration.

En espérant le tout conforme à ta demande,
Nadine

>>> Sébastien Cormier 2012-01-26 9:29 AM >>>
Pas besoin d'une étude détaillée, juste me dire si c'est parce qu'il font leur publicité sur le fait que l'arme peut tirer des fléchettes comme projectile et qu'il est "advertisé" ainsi sur le site du fabricant... À 200 p/sec avec une fléchette par de trouble pour dire que tu perds l'oeil même sans étude publiée.

Page 2659

is not relevant

est non pertinente

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Murray Smith - Re: ZORAKI M906

From: Murray Smith
To: STILLER, Dietmar
Date: 1/27/2012 1:16 PM
Subject: Re: ZORAKI M906

Hi Dietmar,

We are really close to the answer. Perhaps a day or two.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Dietmar STILLER 2012-01-27 09:49 >>>
Good morning Murray !

Hope all is well at your end, no doubt as usual not enough hours in the day for you. Re our e mail / conversation on the 2011-12-16, has the **ZORAKI M906** been deemed a prohibited firearm/weapon as of yet ?

tks

Dietmar

Dietmar A STILLER Cpl.
National Weapons Enforcement Support Team

dietmar.stiller@rcmp-grc.gc.ca

A0074293_1877-002660

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Fwd: Re: Signed policy and letter

From: Murray Smith
To: Glass, Kimberley
Date: 1/27/2012 4:41 PM
Subject: Fwd: Re: Signed policy and letter

Kimberley,

Go ahead and provide a copy to Stephanie Walsh. I have provided a copy to Yves Quevillon.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-01-27 16:16 >>>
It has been faxed. Had lots of technical issues with the fax.

>>> On 1/27/2012 at 2:27 PM, Murray Smith wrote:

> Thanks.
>
> Murray
>
> Murray A. Smith
> Manager,
> Specialized Firearms Support Services
> Firearms Investigative and Enforcement Support Services Directorate
> Canadian Firearms Program
> Policing Support Services
> Office: (613) 993-0139
>
> >>> Hwan Lee 2012-01-27 11:45 >>>
> It's going to be mailed but perhaps it can also be faxed. I will let you know when it does get mailed.
>
> cheers,
>
> Hwan
>
> >>> On 1/27/2012 at 11:34 AM, Murray Smith wrote:
>
> > Thanks Hwan, for taking care of that. I presume also that the letter has been faxed to CBSA. I further presume that I am free to communicate the policy to operational counterparts.
> >
> > Regards,

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Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-01-27 11:06 >>>
Hi Murray, I will forward the letter to A/Commr Peter Hanschel, or whoever is replacing him while he's acting D/C.

Hwan

>>> On 1/27/2012 at 9:58 AM, Murray Smith wrote:

> Thank-you Hwan,
>
> Are you planning on forwarding a copy of the signed correspondence to the DG FS&IS on behalf of our DG, or shall I send a copy to my counterpart in FS&IS and let it circulate from there?
>
> Regards,
>
> Murray
>
> Murray A. Smith
> Manager,
> Specialized Firearms Support Services
> Firearms Investigative and Enforcement Support Services Directorate
> Canadian Firearms Program
> Policing Support Services
> Office: (613) 993-0139
>
> >>> Hwan Lee 2012-01-26 16:25 >>>
> Good afternoon folks,
>
> Please see attached the letter to CBSA and a signed policy on low velocity firearms.
>
> Thank you everyone.
>
> Hwan

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Page 2663

is withheld pursuant to section

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of the Access to Information Act

de la Loi sur l'accès à l'information

Pages 2664 to / à 2665

are not relevant

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Page 2666

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of the Access to Information Act

de la Loi sur l'accès à l'information

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Murray Smith - Heera trial (Thunder Bay)

From: Murray Smith
To: Francis, Geoffrey
Date: 1/31/2012 3:09 PM
Subject: Heera trial (Thunder Bay)
CC: Glass, Kimberley
Attachments: R v Heera (CR-08-0130-MO) Charter App_1.pdf

Geoff,

See attached judgement. This concerns the classification of the Armscor M AK47/22 as a prohibited variant of an AK-47. It looks like that argument is moot for this trial as the Court ruled the search warrant unconstitutional, and the Armscor rifle was recovered as a result of the search. The Court did not issue a ruling on the classification of the firearm.

Note the Armscor M AK47/22 matter is still open as the Registry intends to track down all such firearms and revoke where not grandfathered. To that end, do you wish to advise the Director FOSD so this rifle is added to the list to be reviewed by the Registry, or shall I contact the Registrar directly?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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CITATION: R. v. Heera, 2012 ONSC 407
COURT FILE NO.: CR-08-0130-MO
DATE: 2012-01-17

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:	)	
	)	
HER MAJESTY THE QUEEN	)	*Elaine Burton* for the Crown
	)	
	)	
	)	
	)	
- and -	)	
	)	
	)	
MOHANLALL HEERA	)	*D. Scott Murray* for the Accused
	)	
	)	
Accused	)	
	)	
	)	
	)	HEARD: December 12 & 13, 2011
	)	at Thunder Bay, Ontario

Mr. Justice J.S. Fregeau

DECISION ON CHARTER APPLICATION

Introduction

[1] The accused has brought an application seeking an order quashing a search warrant (the "warrant") issued September 15, 2008, in Thunder Bay, Ontario pursuant to s. 487 of the *Criminal Code of Canada* (the "Code"). The warrant authorized the search of the accused's residence at 86 Machar Avenue, Thunder Bay, Ontario and of the accused's motor vehicle. The items to be searched for were a "9 mm handgun, other firearms, ammunition, firearms license".

[2] Should the warrant be quashed, the accused seeks a declaration that the search conducted pursuant to the warrant was unreasonable and in violation of s. 8 of the *Canadian Charter of Rights and Freedoms* (the "*Charter*").

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[3] Finally, the accused seeks an order for the exclusion of all evidence obtained as a result of the search, pursuant to s. 24(2) of the *Charter*.

Factual Background

[4] At approximately 4:30 p.m. September 14, 2008, officers from the Thunder Bay Police Services attended at a video shop located at 79 Machar Avenue, Thunder Bay, Ontario. The police were responding to a call alleging that a firearm had been discharged in the vicinity approximately three days previously and that the video shop had been hit with bullets.

[5] As a result of discussions with the owner of the video shop and other area residents, the police concluded that shots had been fired on September 11, 2008 and that three shots had struck the video shop. Police were told about gunshots being heard and people being seen in the street in the early morning hours of September 11, 2008. One witness advised police that he heard gunshots and saw a man on the street with an object in his hand go into the rear door of 86 Machar Ave, across the street from the video shop at 79 Machar Ave. Another witness heard and saw gunshots being fired in the area outside 86 Machar Ave. The witnesses were only able to say that the gun was a handgun of some sort.

[6] The police were aware that the accused had reported a break and enter to his residence during the early morning hours of September 11, 2008. A police CPIC inquiry confirmed that the accused was the registered owner of 86 Machar Ave. The police also confirmed that the accused had a valid firearms license and owned seven registered firearms, including three handguns, one being a Beretta 9 mm handgun.

[7] Later that afternoon, at approximately 5:30 p.m., while the police were canvassing the neighbourhood, the accused drove into a parking space adjacent to his home at 86 Machar Ave. Upon exiting his vehicle, the accused was immediately arrested. After his arrest, one police officer heard the accused say that he had chased away intruders on September 11, 2008 while brandishing his 9 mm handgun. The accused further advised this officer that he had fired shots at the intruders from outside his home. The accused told this officer, when asked where his guns were, that the 9 mm handgun was loaded and unlocked under the driver's seat of his car.

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[8] The police confirmed the residence at 86 Machar Ave. was unoccupied. The residence and the car were then secured. A search of the area resulted in the police finding two empty 9 mm cartridges in a grassy area adjacent to 86 Machar Ave., in the area where the accused indicated he had shot from on September 11, 2008.

[9] The accused was taken to the police detachment. Subsequent to consultation with the Crown Attorney's office, the accused was charged with careless use of a firearm, contrary to s. 86(1) of the Code, pointing a firearm without lawful excuse, contrary to s. 87 of the Code and unauthorized possession of a loaded firearm in a motor vehicle to wit a 9 mm handgun, contrary to s. 94 of the Code. The accused remained in custody until released following a bail hearing.

[10] On September 15, 2008, Detective Constable Rybak of the Thunder Bay Police Services prepared materials to obtain a search warrant for the vehicle of the accused and his home at 86 Machar Ave. The details of the information gathered by Rybak from statements and reports taken by other officers involved in the investigation were presented to the Justice of the Peace (the "Justice") as Appendix "A" to the Information to Obtain a Search Warrant pursuant to s. 487 of the Code, dated September 15, 2008. The Information to Obtain and Appendix "A" are reproduced and attached to this decision.

[11] The search warrant was executed upon the accused's vehicle and residence at 86 Machar Ave. during the afternoon of September 15, 2008. The police seized a loaded .357 calibre handgun from beneath the driver's seat of the car. The police seized all of the accused's registered firearms from inside the home, together with all ammunition. These firearms were properly stored inside a firearms vault.

[12] The police also located and seized, from inside the firearms vault, an Armscor AK 47/22, a semi-automatic .22 calibre rifle which is alleged to be a prohibited weapon. The searches and seizures resulted in several additional charges being laid against the accused, one being possession of a prohibited firearm with readily accessible ammunition, contrary to s. 95 of the Code.

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Position of the Applicant

[13] The accused acknowledges that the information before the Justice included confirmation that the accused had a valid firearms license and was the owner of seven registered firearms, including three handguns, one being a 9 mm Beretta. The accused also acknowledges that the information before the Justice adequately connects the 9 mm handgun owned by the accused and his car to the alleged offences set out in the Information to Obtain, such that the warrant was properly issued in regard to the car. The accused submits that the Information to Obtain failed to disclose adequate grounds upon which the Justice could have issued the warrant in regard to the residence of the accused at 86 Machar Ave.

[14] The accused submits that the information before the Justice included statements of the accused that he had scared off the intruders on September 11, 2008 with his 9 mm handgun, that he had fired shots at or in the direction of the intruders with the 9mm handgun and that the 9 mm handgun was under the driver's seat of his car. The information also stated that the police had located two empty 9 mm cartridges at the location where the accused said he had shot from.

[15] The accused notes the three offences listed on the Information to Obtain – careless use of a firearm, point a firearm, and unlawful possession of a firearm in a motor vehicle, to wit a 9 mm handgun. It is submitted that there were not reasonable grounds to believe that a search of the house could have afforded evidence with respect to these offences. It is submitted that information before the Justice could establish that evidence with respect to the commission of these offences was in the car of the accused but that there was not sufficient information to suggest that a search of the house would afford evidence of these specific offences. The accused submits that the portion of the warrant authorizing the search of the house should be struck.

[16] The accused submits that the warrantless search of the house was *prima facie* unreasonable and in breach of s. 8 of the *Charter*. The accused submits that the Crown has failed to establish the reasonableness of the search of the house of the accused in the circumstances.

[17] The accused submits that all evidence obtained as a result of the search of the house should be excluded, having regard to all of the circumstances, because the admission of it would

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bring the administration of justice into disrepute. In support of this submission, the accused refers to the Information to Obtain - wherein the officer requested authorization for the search and seizure of "9mm handgun, other firearms, ammunition, firearms license" - in conjunction with paragraph 33 of Appendix "A" of the Information which reads as follows: "D/C Rybak believes it is in the public's interest to enter this residence and vehicle to seize all firearms that are registered to (the accused)...".

[18] The accused submits that the search of his residence was nothing more than a "fishing expedition" accompanied by an express intention to seize all firearms registered to him, whether or not they provided evidence with respect to the commission of the offences listed on the Information to Obtain. The accused submits that the information presented to the Justice, which was based on the accused's admissions at the time of arrest and corroborated by the finding of two empty 9 mm cartridges, point to a 9 mm handgun being used by the accused during the commission of the offences noted on the Information to Obtain and that this 9 mm handgun was in his vehicle.

[19] Considering all of these circumstances, the accused submits that the search of his residence was a serious breach of section 8 of the *Charter* and that the breach had a significant impact on him due to the high expectation of privacy in his home. The accused concedes that the exclusion of the evidence obtained as a result of the search of the residence will seriously impact the Crown's case in regard to two counts on the indictment, namely possess a prohibited firearm together with readily accessible ammunition contrary to s. 95 of the Code and possess a firearm without a license, contrary to s. 91(1) of the Code. However, the accused submits that exclusion of this evidence will not impact the Crown's case on the remaining five counts on the indictment. The accused submits that a balancing of the nature and seriousness of the breach against the effect of exclusion of the evidence should result in exclusion.

Position of the Crown

[20] The Crown submits that the warrant issued September 15, 2008 is presumed to be valid and that the burden rests on the accused to satisfy this court that it was improperly issued. The

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Crown suggests that the accused has failed to establish that the warrant could not have issued to authorize the search of the house of the accused as well as his car.

[21] The Crown acknowledges that the Information to Obtain included the utterances of the accused that he had used his 9 mm handgun to scare off intruders on September 11, 2008 and that the 9 mm handgun was in his car at the time of the arrest. It was also acknowledged that the information provided by the accused was corroborated by the police finding two empty 9 mm cartridges at the location from where the accused indicated he discharged the 9 mm handgun.

[22] However, the Crown notes that the Information to Obtain confirmed that the accused owned seven registered firearms, including three handguns. It is submitted that the police and the Justice were not required to consider the utterances of the accused in isolation. It is also suggested that these utterances could be viewed with skepticism and could not be believed in their entirety. In support of this suggestion, the Crown points to paragraph 17 of Appendix "A" of the Information to Obtain, wherein it is noted that the accused failed to mention to the officers investigating the September 11, 2008 break and enter that he had fired shots at the intruders.

[23] The Crown submits that the warrant was applied for and obtained early in the investigation and that it was open to the police to assume that it may not have been the accused's 9 mm handgun that was used on September 11, 2008. Given the fact that the accused owned two other handguns, the Crown submits that there was some evidence to suggest to the Justice that a search of the house could afford evidence with respect to the offences listed on the Information to Obtain.

[24] The Crown submits, based on all of the information presented to the Justice, and the reasonable inferences which could be drawn from that information, that it was appropriate that the warrant be broad enough to authorize a search of the house as well as the car.

[25] Should the warrant authorizing the search of the house be quashed, the Crown concedes that the warrantless search of the house was *prima facie* unreasonable and in breach of the accused's s. 8 *Charter* rights. The Crown submits that the evidence obtained as a result of the search is nonetheless *prima facie* admissible and that the onus is on the accused to establish on a

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balance of probabilities that the admission of the evidence would bring the administration of justice into disrepute. The Crown suggests that the accused has failed to discharge this onus.

[26] The Crown submits, in assessing the seriousness of the breach, that the police acted in good faith, having obtained judicial authorization for the search of the house. It is submitted that this authorization was granted on the basis of a complete and fair Information to Obtain. The Crown notes that there is no suggestion of misconduct in the execution of the warrant.

[27] In addressing the impact of this alleged breach on the accused, the Crown concedes that there is a high expectation of privacy attached to a person's residence. However, the Crown submits that when the warrant was obtained and the search executed, the police knew that the accused was alleged to have been discharging a handgun late at night on a public street and that the accused owned seven registered firearms, including three handguns.

[28] The Crown also submits that a search of the house was inevitable because the search of the car resulted in the seizure of a .357 calibre handgun, not the 9 mm handgun the accused told police he had used on September 11, 2008. Thus, even if the warrant had been restricted to the car in the first instance, there would have been a further request for a search of the house when the 9 mm handgun was not located in the car. This, in the Crown's submission, mitigates the seriousness of the breach.

[29] In regard to society's interest in a trial on the merits, the Crown submits that the evidence obtained as a result of the search of the house is real, highly reliable and crucial to the prosecution of two serious charges against the accused. The Crown submits that, in all of the circumstances, the exclusion of the evidence would have a negative impact on the repute of the administration of justice.

The Issues on this Application

1. In reviewing the information provided to the Justice in support of the search warrant application, was there some evidence that might reasonably be believed on the basis of which the Justice could have issued the warrant authorizing the search of the house?

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2. If there was not, was the warrantless and prima facie unreasonable search of the house of the accused reasonable?

3. If the search of the residence is found to be unreasonable and it is found that there has been a breach of the accused's right to be secure against unreasonable search and seizure, should the evidence obtained as a result of that search be excluded?

Analysis

The Law

[30] Section 8 of the *Charter* provides that "everyone has the right to be secure against unreasonable search and seizure." A search will be reasonable if it is authorized by law, if the law itself is reasonable and if the search is carried out in a reasonable manner. *R. v. Collins,* [1987] 1 S.C.R. 265 at p. 278.

[31] In this case, s. 487 of the Code gave the Justice authority to issue the search warrant. The argument before me is that the search of the house was not lawful because the Justice should not have issued the warrant authorizing the search of the house in addition to the search of the car. An unlawful search is presumptively unreasonable.

[32] Section 487 of the Code requires that the police have reasonable grounds to believe that an offence has been committed and that there is evidence of the offence to be found in the place of search. *R. v. Morris,* [1998] N.S.J. No. 492 (CA) at para. 28. Section 487 of the Code provides:

> 487. (1) Information for search warrant – A justice who is satisfied by information on oath in Form 1 that there are reasonable grounds to believe that there is in a building, receptacle or place
>
> a) anything on or in respect of which any offence against this Act or any other Act of Parliament has been or is suspected to have been committed,
>
> b) anything that there are reasonable grounds to believe will afford evidence with respect to the commission of an offence, or will reveal the whereabouts of a person who is believed to have committed an offence, against this Act or any other Act of Parliament,

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c) anything that there are reasonable grounds to believe is intended to be used for the purpose of committing any offence against the person for which a person may be arrested without warrant, or

(c.1) any offence-related property,

may at any time issue a warrant authorizing a peace officer or a public officer who has been appointed or designated to administer or enforce a federal or provincial law and whose duties include the enforcement of this Act or any other Act of Parliament and who is named in the warrant

d) to search the building, receptacle or place for any such thing and to seize it, and

e) subject to any other Act of Parliament, to, as soon as practicable, bring the thing seized before, or make a report in respect thereof to, the justice or some other justice for the same territorial division in accordance with section 489.1

[33] The existence of reasonable grounds is therefore critical to the balancing of the values of privacy and effective crime detection. To repeat often used words:

"The state's interest in detecting and preventing crime begins to prevail over the individual's interest in being left alone at the point where credibly based probability replaces suspicion". *Canada (Combines Investigation Acts, Director of Investigation and Research) v. Southam Inc,* (1984) CanLII 33 at page 15.

[34] The test to be applied by a judge reviewing the sufficiency of information underlying a search warrant is set out by the Supreme Court of Canada in *R. v. Garofoli,* [1990] 2 S.C.R. 1421

"The reviewing judge does not substitute his or her view for that of the authorizing judge. If, based on the record which was before the authorizing judge as amplified on the review, the reviewing judge concludes that the authorizing judge could have granted the authorization, then he or she should not interfere".

[35] The correct approach for a reviewing judge has also been described as follows:

"If the trial judge concludes that, on the material before the authorizing judge, there was no basis upon which he could be satisfied that the pre-conditions for the granting of the authorization exist, then, it seems to me that the trial judge is required to find that the search or seizure contravened s. 8 of the Charter". See *Garofoli* para. 55.

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Issue 1:

Was there some evidence which might reasonably have been believed on the basis of which the Justice could have issued the warrant authorizing the search of the house?

[36] In reviewing the totality of the information provided to the Justice in the Information to Obtain, and in considering all inferences which might reasonably be drawn from this explicitly stated information, I have concluded that there was not sufficient evidence before the Justice such that he could have issued the warrant authorizing the search of the residence of the accused at 86 Machar Ave. on September 15, 2008.

[37] The Justice was made aware that the break and enter complaint made by the accused on September 11, 2008 omitted any mention by the accused of having displayed and/or used any firearm. The Justice also had evidence that shots were fired on the night of September 11, 2008 and that witnesses saw a male with a handgun standing in front of and then entering 86 Machar Ave.

[38] The information before the Justice included the utterances made by the accused upon his arrest on September 14, 2008, wherein he elaborated on his actions at the time of the September 11, 2008. The accused specifically stated that he chased the intruders out of his house after grabbing his 9 mm handgun and that he had fired shots both in the air and at the intruders. The accused also indicated where he had shot the 9 mm handgun from. Upon being asked, the accused told officers that his 9 mm handgun was at that point in time loaded and in his car.

[39] The Justice was further made aware that two spent 9 mm casings had been recovered by the police as a result of the information obtained from the accused. In addition, the Justice was made aware that the accused had a valid firearms license and owned seven registered firearms, including three handguns, one being a 9 mm Beretta.

[40] The Information to Obtain suggests that there were reasonable grounds to believe that a search of both the house and residence for a "9mm handgun, other firearms, ammunition, firearms license" would provide evidence with respect to the offences of careless use of a firearm, unlawfully pointing a firearm, and unlawful possession of a 9 mm handgun in a motor

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vehicle. However, the evidence before the Justice suggests that only a handgun was allegedly used in the commission of these offences, and that handgun was the accused's 9 mm handgun which was in his car at the time of his arrest.

[41] In support of the warrant extending to the house, the Crown submits that neither the police nor the Justice was required to believe everything the accused said. This argument does not bear scrutiny. The police had reasonable and probable grounds to believe the accused when he stated that he had fired shots at the intruders because they laid the first two charges noted on the Information to Obtain. The police had reasonable and probable grounds to believe the accused when he stated that the 9 mm handgun was in the car, because they laid the third charge noted on the Information to Obtain. The accused's statements as to where he had shot from and with what firearm were corroborated when the police found two spent 9 mm cartridges at that location. To then suggest that the accused should not be believed and that a search of the house for other firearms could provide evidence as to the offences listed on the Information to Obtain is illogical.

[42] I do not accept the Crown's submission that the warrant could validly have been broad enough to include the house because the accused owned three handguns and that it is reasonable to conclude that he could have used one of his other handguns in the commission of these offences. This conclusion was not expressly provided to the Justice for his consideration. In my opinion, it is not a reasonable inference for the Justice to have drawn based on the totality of the evidence in the Information to Obtain.

[43] Of significant concern to me, in reviewing the totality of Appendix "A", is the statement of D/C Rybak that he "believes it is in the public's interest to enter this residence...and to seize all firearms that are registered to (the accused)."

[44] The offences noted on the Information to Obtain, two by implication and the third directly, relate to the alleged use by the accused of a 9 mm handgun on September 11, 2008 and the presence of that 9 mm handgun in his car at the time of his arrest on September 14, 2008. The police were aware that the accused had a valid firearms license and owned seven registered firearms. The police expressly stated that it was their desire to enter his home to seize all of his

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firearms, ammunition and firearms license, in pursuit of the "public interest", regardless of the fact that no other firearms, and certainly no rifles or "firearms license" were allegedly used in the commission of the three offences listed in the Information to Obtain.

[45] I am persuaded that, while the police appropriately sought a warrant to search the car for the 9 mm handgun they had reason to believe the accused used on September 11, 2008, they also sought a warrant to enable them to enter the accused's home and seize all of his firearms and his firearms license, despite the fact that these firearms were not connected to the offences listed on the Information to Obtain.

I find that there was insufficient evidence for the Justice to have issued the warrant authorizing the search of the residence of the accused at 86 Machar Ave. on September 15, 2008. The portion of the warrant authorizing the search of the residence was improperly issued and invalid.

Issue 2:

Was the warrantless and *prima facie* unreasonable search of the house of the accused reasonable?

[46] Section 8 of the *Charter* provides that "everyone has the right to be secure from unreasonable search and seizure." The search of the accused's home on September 15, 2008 was not authorized by law because I have found that the warrant authorizing this search was improperly issued. The warrantless and therefore unlawful search of the residence is presumptively unreasonable and has not been shown to be reasonable in the particular circumstances of this case.

[47] There was no urgency alleged in regard to the search of the home of the accused, for which he had a high reasonable expectation of privacy. The accused was in custody and his residence had been secured. In the first instance, the application for the warrant, or the warrant that in fact issued, could have been restricted to the car. If the search of the car had failed to reveal the 9 mm handgun the police were seeking, they could then have validly applied for authorization to search the house.

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[48] The search of the house was a warrantless search of a private residence, at least partially motivated by an expressed intention to seize the registered firearms of an accused person who had a valid firearms license, in pursuit of what the police believed to be the "public interest". I find this search, in these particular circumstances, to have been unreasonable and a violation of the accused's s. 8 *Charter* rights.

Issue 3:

Should the evidence obtained as a result of the search of the house be excluded?

[49] Section 24(2) of the *Charter* provides that evidence obtained in a manner that infringed or denied any rights or freedoms guaranteed by the *Charter* shall be excluded if it is established that, having regard to all of the circumstances, the admission of it in the proceedings would bring the administration of justice into disrepute.

[50] The Supreme Court of Canada, in *R. v. Grant,* [2009] S.C.J. No. 32, provided trial courts with a revised approach to s. 24(2) of the *Charter*. In noting that the term "administration of justice" goes beyond just criminal investigation and trial to include the maintenance of the rule of law and the defence of *Charter* rights in the justice system as a whole, the majority placed the phrase "bring the administration of justice into disrepute" within the long-term sense of maintaining the integrity of, and public confidence in, the justice system. Taking a long-term view, the inquiry objectively asks whether a reasonable person, informed of all relevant circumstances and the values underlying the *Charter*, would conclude that the admission of the evidence would bring the administration of justice into disrepute. The focus is both prospective (seeking to ensure that evidence obtained through that breach does not do further damage to the repute of the justice system) and societal (aimed not at punishing police but at systemic concerns). See *The Law of Search and Seizure in Canada,* Eighth Edition, page 992.

[51] When faced with an application for exclusion under s. 24(2), *Grant* held that a court must assess and balance the effect of admitting the evidence on society's confidence in the justice system having regard to;

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1. The seriousness of the Charter-infringing state conduct (admission may send the message that the justice system condones serious state misconduct);

2. The impact of the breach on the Charter-protected interests of the accused (admission may send the message that individual rights count for little); and

3. Society's interest in the adjudication of the case on the merits.

[52] The Supreme Court's analysis in *Grant* creates a new decision tree on a section 24(2) application. A trial court's role is to balance the assessments under each of these lines of inquiry to determine whether, considering all of the circumstances, admission of the evidence would bring the administration of justice into disrepute: see *Grant*, at para. 71.

A. Seriousness of the Breach

[53] The first consideration under *Grant* necessitates an evaluation of the seriousness of the state conduct that led to the breach:

> "The first line of inquiry relevant to the s.24(2) analysis requires a court to assess whether the admission of the evidence would bring the administration of justice into disrepute by sending a message to the public that the courts, as institutions responsible for the administration of justice, effectively condone state deviation from the rule of law by failing to dissociate themselves from the fruits of that unlawful conduct. The more severe or deliberate the state conduct that led to the Charter violation, the greater the need for the courts to dissociate themselves from that conduct, excluding evidence linked to that conduct, in order to preserve public confidence in and ensure state adherence to the rule of law".
>
> see *Grant*, at para. 72

[54] I am of the opinion that the breach of the accused's s. 8 *Charter* rights was neither minor nor inadvertent. Based on the results of their investigation to the point in time when the warrant was applied for, the police had adequate reasonable and probable grounds to lay the charges listed on the Information to Obtain the search warrant. There were also adequate grounds for the Justice's issuance of the search warrant for the car.

[55] The police, being aware that the accused owned a total of seven registered firearms, including the 9 mm handgun, sought and obtained judicial authorization to enter and search the accused's home. They sought this authorization having expressed an intention to seize all of the

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accused's firearms, ammunition and firearms license, presumably knowing they could not afford evidence of the offences listed on the Information to Obtain. This course of action was expressly stated to be in pursuit of the "public interest".

[56] Had the police wanted to revoke the accused's firearms license and seize his registered firearms due to the nature of the allegations against him, the Code provides them with the authority to do so and outlines the procedure which is to be followed. The police were either aware of this or should have been aware of it. In either case, their chosen course of conduct resulted in a serious breach of the accused's Charter rights. As stated in *Grant* at para. 75,

> "...ignorance of Charter standards must not be rewarded or encouraged and negligence or willful blindness cannot be equated with good faith."

B. Impact of the Breach on the Accused's *Charter* Rights

[57] This second consideration requires an assessment of the extent to which the breach undermined the interests protected by the right infringed. As set out in *Grant*:

> "This inquiry focuses on the seriousness of the impact of the Charter breach on the Charter-protected interests of the accused. It calls for an evaluation of the extent to which the breach actually undermined the interests protected by the right infringed. The impact of a Charter breach may range from fleeting and technical to profoundly intrusive. The more serious the impact on the accused's protected interests, the greater the risk that admission of the evidence may signal to the public that Charter rights, however high-sounding, are of little actual avail to the citizen, breeding public cynicism and bringing the administration of justice into disrepute.": see *Grant,* at para. 76.

> "Similarly, an unreasonable search contrary to s.8 of the Charter may impact on the protected interests of privacy, and more broadly, human dignity. An unreasonable search that intrudes on an area in which the individual reasonably enjoys a high expectation of privacy, or that demeans his or her dignity, is more serious than one that does not.": see *Grant,* at para. 78

[58] All citizens, including those accused of serious criminal offences, reasonably enjoy a high expectation of privacy in their homes. The search of the home of the accused which occurred on September 15, 2008 was thorough and therefore profoundly intrusive. The search included entry into, and photographing of, all rooms in his home.

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[59] The Crown submits that, because the 9 mm handgun the accused said he used on September 11, 2008 was not found in the car, a search of the house was inevitable, presumably pursuant to a second warrant. This, it was suggested, mitigates the seriousness of the breach. However, it can also be argued that the availability of a second, valid warrant to search the house when the search of the car failed to disclose the 9 mm handgun aggravates the seriousness of the breach. The decision of the police not to pursue this method of investigation in the first instance suggests to me that the primary motivation for seeking authorization to search the house was simply to seize all of the accused's registered firearms and his firearms license.

[60] This was an unreasonable search into a private residence in which the accused enjoyed a high expectation of privacy, resulting in a serious impact on his *Charter* rights.

C. Society's Interest in an Adjudication of the Merits

[61] The third line of inquiry on a s. 24(2) analysis examines whether the truth seeking function of the criminal justice process would be better served by admission of the evidence or by its exclusion:

> "Society generally expects that a criminal allegation will be adjudicated on its merits. Accordingly, the third line of inquiry relevant to the s. 24(2) analysis asks whether the truth-seeking function of the criminal trial process would be better served by admission of the evidence, or by its exclusion. This inquiry reflects society's "collective interest in ensuring that those who transgress the law are brought to trial and dealt with according to the law". *R. v. Askov,* [1990] 2 S.C.R. 1199, at pp. 1219-20. Thus the Court suggested in Collins that a judge on a s. 24(2) application should consider not only the negative impact of admission of the evidence on the repute of the administration of justice, but the impact of failing to admit the evidence": see *Grant,* at para. 79.

[62] As a result of the search of the accused's home, the police found, in the firearms vault with the registered firearms, a non-registered, semi-automatic, .22 calibre rifle and ammunition. Due to its particular characteristics, this rifle is alleged to be a prohibited firearm. This firearm is the subject of two counts in the seven count indictment the accused faces.

[63] This evidence is real, reliable and essential to the Crown's case on these two counts. The exclusion of relevant and reliable evidence important to the Crown's case may undermine the truth seeking function of the justice system and thereby bring the administration of justice

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into disrepute. However, the view that reliable evidence is admissible regardless of how it was obtained is inconsistent with the *Charter's* affirmation of rights and inconsistent with the wording of s. 24(2), which mandates a broad inquiry into all of the circumstances, not just the reliability of the evidence: See *Grant* at para. 80.

[64] The seriousness of the alleged offence is another valid consideration under this third line of inquiry, but the court in *Grant* suggests that this factor has the potential to "cut both ways":

> "Failure to effectively prosecute a serious charge due to excluded evidence may have an immediate impact on how people view the justice system. Yet, as discussed, it is the long-term repute of the justice system that is s. 24(2)'s focus....Moreover, while the public has a heightened interest in seeing a determination on the merits where the offence charged is serious, it also has a vital interest in having a justice system that is above reproach, particularly where the penal stakes for the accused are high.": see *Grant*, at para. 84.

[65] The long-term repute of the justice system is the focus of a s. 24(2) analysis. Bearing in mind that the evidence is reliable and important to the Crown's case, in all of the circumstances of this case would the long-term repute of the justice system be negatively affected more by the admission or the exclusion of this evidence?

[66] Having balanced the seriousness of the breach, the impact of this breach on the accused's s. 8 *Charter* rights and society's interest in a trial on the merits, I am satisfied that the accused has discharged the onus of establishing that the admission of the evidence obtained as a result of the search of the accused's home on September 15, 2008 would bring the administration of justice into disrepute. This evidence is therefore inadmissible in the trial of the accused.

"original signed by"
The Hon. Mr. Justice J.S. Fregeau

Released: January 17, 2012

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

CITATION: R. v. Heera, 2012 ONSC 407
COURT FILE NO.: CR-08-0130-MO
DATE: 2012-01-17

ONTARIO

SUPERIOR COURT OF JUSTICE

B E T W E E N:

HER MAJESTY THE QUEEN

- and –

MOHANLALL HEERA

DECISION ON CHARTER APPLICATION

Fregeau J.

Released: January 17, 2012

/mls

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Murray Smith - Heera case (Armscor M AK47/22)

From: Murray Smith
To: Boucher, Nicole
Date: 1/31/2012 3:53 PM
Subject: Heera case (Armscor M AK47/22)
CC: Etter, William; Glass, Kimberley

Hello Nicole,

I was just advised of the Court ruling on the Heera case. This is a criminal trial which involves charges of careless use of a firearm and storage of ammunition with a prohibited firearm.

I had previously provided testimony concerning the Armscor M AK47/22 rifle as a prohibited variant of the AK 47 assault rifle. That part went well. In parallel however, was the question of the constitutionality of the search warrant under which the Armscor M AK47/22 rifle was seized. The Court ruled the search unconstitutional and excluded the rifle from the trial. Other aspects of the trial involving other firearms will continue. The Court did not rule on the classification of the Armscor M AK47/22 rifle.

My understanding is that the CFR is presently examining the population of Armscor M AK47/22 rifles to determine if they are properly grandfathered. If so, this one ought to be added to the list as my understanding is that the firearm was not grandfathered, perhaps not even registered. I do not have all the particulars so you may wish to consult the Thunder Bay police. The owner's name and address are:

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_1903-002686

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Murray Smith - Re: SCAR Status

From: Murray Smith
To: GROSSPIETSCH, Frank
Date: 2/3/2012 10:21 AM
Subject: Re: SCAR Status

Hi Frank,

We have a sample of the supposed semiautomatic version of the SCAR, the SCAR 16S, in for inspection. The inspection has taken an enormous amount of time, over a year, and it is still not done. The reason for this is complicated and multifaceted but suffice

The issue has also been raised with the ATF.

We are very suspicious that the semiautomatic version of the firearm is simply the fully automatic version with a few parts removed. The SCAR 16S is flagged as prohibited and will remain that way until proven otherwise. To the best of our knowledge no one is importing them to Canada in quantity. We are attempting to purchase a sample of the automatic version as a point of comparison but suspect some interference on that initiative as well.

Be careful with this issue as we have already had several Ministerial enquiries on this subject. Do you have a particular reason for asking?
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 2012-02-02 12:26 >>>
Hi Murray,

Quick question - What is the status on the SCAR (SA) for the civilian market in Canada?

Thanks

A.Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

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Murray Smith - Re: SCAR Status

From: Murray Smith
To: GROSSPIETSCH, Frank
Date: 2/3/2012 1:39 PM
Subject: Re: SCAR Status

Thanks Frank.

We are doing our best to move the SCAR 16S matter forward. However, I am not going to issue a classification before all the relevant facts are established, and I have no basis on which to forecast a date.

Things are busy here getting the 2012 FRT out the door this month, supporting overseas training, a couple of reference hearing to attend this month, and sorting out the information obtained at the SHOT show for inclusion in the 2013 FRT edition.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Frank GROSSPIETSCH 2012-02-03 10:58 >>>
Thank You for the brief / education Murray,

Yesterday I received a phone call from a mbr on behalf of "another mbr" as to why he could not take delivery of his SCAR. I have learned to be very suspicious of this type of inquiry and responded accordingly, without any comment or fanfare. I will simply tell him that the firearm is in the classification process and that can sometimes take time.

Other than that, how are you? Thanks for looking over my competencies

A.Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax
>>> Murray Smith 2012-02-03 07:21 >>>
Hi Frank,

We have a sample of the supposed semiautomatic version of the SCAR, the SCAR 16S, in for inspection. The inspection has taken an enormous amount of time, over a year, and it is still not done. The reason for this is

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been raised with the ATF.

We are very suspicious that the semiautomatic version of the firearm is simply the fully automatic version with a few parts removed. The SCAR 16S is flagged as prohibited and will remain that way until proven otherwise. To the best of our knowledge no one is importing them to Canada in quantity. We are attempting to purchase a sample of the automatic version as a point of comparison |

Be careful with this issue as we have already had several Ministerial enquiries on this subject. Do you have a particular reason for asking?
Regards,

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Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Hi Murray,

Quick question - What is the status on the SCAR (SA) for the civilian market in Canada?

Thanks

A.Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax

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Murray Smith - OIC 11

From: Murray Smith
To: Arvanetes, Ulla
Date: 2/15/2012 10:43 AM
Subject: OIC 11
Attachments: 1992 Order in Council No 11_1.PDF; November 1994 Amendment to Order in Council No 11_1.PDF; December 1994 Amendment to Order in Council No 11_1.PDF

Hi Ulla,

Attached are the following documents:

1. 1992 Order in Council No.11
This order created OIC 11. The named firearms became prohibited weapons and no grandfathering was instituted. There was a separate OIC for the related amnesty which I can supply if needed.

2. November 1994 Amendment to Order in Council No.11
This order amended the existing OIC 11 by adding new firearms. This is the first mention of the Benelli M1 and M3 shotguns.

3. December 1994 Amendment to Order in Council No.11
This order further amended OIC 11 by excluding certain Benelli shotguns from the effect of the November, 1994 amendment, as well as adding an amnesty provision which permitted export or destruction of the named firearms.

Also relevant are the current Criminal Code Regulations (Canada Gazette) which continue the prohibition (as prohibited firearms) to the present day.; and Sec 12 of the Firearms Act, which does not provide for grandfathering of any of the former OIC 11 firearms.

Hope this helps. Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Pages 2692 to / à 2702

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Murray Smith - OIC 11

From: Murray Smith
To: Zhang, Grace
Date: 2/15/2012 11:22 AM
Subject: OIC 11
Attachments: 1992 Order in Council No 11_1.PDF; November 1994 Amendment to Order in Council No 11_1.PDF; December 1994 Amendment to Order in Council No 11_1.PDF

Hi Grace,

Attached is the information per our discussion this morning.

Attached are the following documents:

1. 1992 Order in Council No.11
This order created OIC 11. The named firearms became prohibited weapons and no grandfathering was instituted. There was a separate OIC for the related amnesty which I can supply if needed.

2. November 1994 Amendment to Order in Council No.11
This order amended the existing OIC 11 by adding new firearms. This is the first mention of the Benelli M1 and M3 shotguns.

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Also relevant are the current Criminal Code Regulations (Canada Gazette) which continue the prohibition (as prohibited firearms) to the present day.; and Sec 12 of the Firearms Act, which does not provide for grandfathering of any of the former OIC 11 firearms.

Hope this helps. Regards,

Murray

Murray A. Smith
Manager,
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Office: (613) 993-0139

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CANADA

PRIVY COUNCIL ● CONSEIL PRIVÉ

P.C. 1992-1668
16 July, 1992

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Justice, pursuant to paragraph (*e*) of the definition "prohibited weapon" in subsection 84(1) of the Criminal Code, is pleased hereby to make the annexed Order declaring certain weapons to be prohibited weapons, effective October 1, 1992.

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CLERK OF THE PRIVY COUNCIL - LE GREFFIER DU CONSEIL PRIVÉ

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JUS-92-567-01
(SOR/DORS)

ORDER DECLARING CERTAIN WEAPONS TO BE PROHIBITED WEAPONS

Short Title

1. This Order may be cited as the *Prohibited Weapons Order, No 11*.

Declaration

2. The following firearms, other than those described in paragraph (*c*) of the definition "prohibited weapon" and paragraphs (*c*) and (*c*.1) of the definition "restricted weapon" in subsection 84(1) of the *Criminal Code*, are hereby declared to be prohibited weapons:

(*a*) the firearm of the design commonly known as the Franchi SPAS 12 shotgun, and any variant or modified version thereof, including the Franchi LAW 12 shotgun;

(*b*) the firearm of the design commonly known as the Striker shotgun, and any variant or modified version thereof, including the Striker 12 shotgun and the Streetsweeper shotgun; and

(*c*) the firearm of the design commonly known as the USAS-12 Auto Shotgun, and any variant or modified version thereof.

3. The following firearms, other than those described in paragraph (*c*) of the definition "prohibited weapon" and paragraphs (*c*) and (*c*.1) of the definition "restricted weapon" in subsection 84(1) of the *Criminal Code*, are hereby declared to be prohibited weapons:

(*a*) the firearm of the design commonly known as the American 180 Auto Carbine, and any variant or modified version thereof, including the AM-180 Auto Carbine and the Illinois Arms Company Model 180 Auto Carbine;

(*b*) the firearms of the designs commonly known as the Barrett "Light Fifty" Model 82A1 rifle and the Barrett Model 90 rifle, and any variants or modified versions thereof;

(*c*) the firearm of the design commonly known as the Calico M-900 rifle, and any variant or modified version thereof, including the M-951 carbine, M-100 carbine and M-105 carbine;

(*d*) the firearm of the design commonly known as the Iver Johnson AMAC long-range rifle, and any variant or modified version thereof;

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(*e*) the firearm of the design commonly known as the McMillan M87 rifle, and any variant or modified version thereof, including the McMillan M87R and McMillan M88;

(*f*) the firearms of the designs commonly known as the Pauza Specialties P50 rifle and P50 carbine, and any variants or modified versions thereof;

(*g*) the firearm of the design commonly known as the Encom MK-IV carbine, and any variant or modified version thereof;

(*h*) the firearms of the designs commonly known as the Encom MP-9 and MP-45 carbines, and any variants or modified versions thereof;

(*i*) the firearm of the design commonly known as the FAMAS rifle, and any variant or modified version thereof, including the MAS 223, FAMAS Export, FAMAS Civil and Mitchell MAS/22;

(*j*) the firearm of the design commonly known as the Feather AT-9 Semi-Auto Carbine, and any variant or modified version thereof, including the Feather AT-22 Auto Carbine;

(*k*) the firearm of the design commonly known as the Federal XC-450 Auto Rifle, and any variant or modified version thereof, including the Federal XC-900 rifle and Federal XC-220 rifle;

(*l*) the firearm of the design commonly known as the Gepard long-range sniper rifle, and any variant or modified version thereof;

(*m*) the firearm of the design commonly known as the Heckler and Koch (HK) Model G11 rifle, and any variant or modified version thereof;

(*n*) the firearm of the design commonly known as the Research Armament Industries (RAI) Model 500 rifle, and any variant or modified version thereof;

(*o*) the firearm of the design commonly known as the Spectre Auto Carbine, and any variant or modified version thereof;

(*p*) the firearm of the design commonly known as the US Arms PMAI "Assault" 22 rifle, and any variant or modified version thereof; and

(*q*) the firearm of the design commonly known as the Weaver Arms Nighthawk Carbine, and any variant or modified version thereof.

4. The following firearms, other than those described in paragraph (*c*) of the definition "prohibited weapon" and paragraphs (*c*) and (*c*.1) of the definition "restricted weapon" in

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subsection 84(1) of the *Criminal Code*, are hereby declared to be prohibited weapons:

(*a*) the firearm of the design commonly known as the Bushmaster Auto Pistol, and any variant or modified version thereof;

(*b*) the firearm of the design commonly known as the Calico M-950 Auto Pistol, and any variant or modified version thereof, including the M-110 pistol;

(*c*) the firearm of the design commonly known as the Encom MK-IV assault pistol, and any variant or modified version thereof;

(*d*) the firearms of the designs commonly known as the Encom MP-9 and MP-45 assault pistols, and any variants or modified versions thereof, including the Encom MP-9 and MP-45 mini pistols;

(*e*) the firearm of the design commonly known as the Federal XP-450 Auto Pistol, and any variant or modified version thereof, including the XP-900 Auto Pistol;

(*f*) the firearm of the design commonly known as the Heckler and Koch (HK) SP89 Auto Pistol, and any variant or modified version thereof;

(*g*) the firearm of the design commonly known as the Intratec TEC-9 Auto Pistol, and any variant or modified version thereof, including the TEC-9S, TEC-9M and TEC-9MS, and all semi-automatic variants, including the TEC-22T and TEC-22TN;

(*h*) the firearms of the designs commonly known as the Iver Johnson Enforcer Model 3000 Auto Pistol and the Iver Johnson Plainfield Super Enforcer Carbine, and any variants or modified versions thereof;

(*i*) the firearm of the design commonly known as the Skorpion Auto Pistol, and any variant or modified version thereof;

(*j*) the firearm of the design commonly known as the Spectre Auto Pistol, and any variant or modified version thereof;

(*k*) the firearm of the design commonly known as the Sterling Mk 7 pistol, and any variant or modified version thereof, including the Sterling Mk 7C4 and Sterling Mk 7C8;

(*l*) the firearm of the design commonly known as the Universal Enforcer Model 3000 Auto Carbine, and any variant or modified version thereof, including the Universal Enforcer Model 3010N, Model 3015G, Model 3020TRB and Model 3025TCO Carbines; and

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(*m*) the firearm of the design commonly known as the US Arms PMAIP "Assault" 22 pistol, and any variant or modified version thereof.

(*n*) the firearm of the design commonly known as the Goncz High-Tech Long Pistol, and any variant or modified version thereof; and

(*o*) the firearm of the design commonly known as the Leader Mark 5 Auto Pistol, and any variant or modified version thereof.

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CANADA

PRIVY COUNCIL • CONSEIL PRIVÉ

P.C. 1994-1977
November 29, 1994

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Justice, pursuant to paragraph (e) of the definition "prohibited weapon" in subsection 84(1) of the Criminal Code, is pleased hereby to amend the Prohibited Weapons Order, No. 11, made by Order in Council P.C. 1992-1668 of July 16, 1992, in accordance with the schedule hereto, effective January 1, 1995.

REGISTRATION - ENREGISTREMENT
No. SOR/94-744 DATE 29 November 1994
REGISTRAR OF STATUTORY INSTRUMENTS
CANADA
REGISTRAIRE DES TEXTES RÉGLEMENTAIRES

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CLERK OF THE PRIVY COUNCIL - LE GREFFIER DU CONSEIL PRIVÉ

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JUS-94-840-01
(SOR/DORS)

SCHEDULE

1. Section 2 of the *Prohibited Weapons Order, No. 11* is amended by striking out the word "and" at the end of paragraph (*b*) and by adding the following after paragraph (*c*):

(*d*) the firearm of the design commonly known as the Franchi SPAS-15 shotgun, and any variant or modified version thereof;

(*e*) the firearms of the designs commonly known as the Benelli M1 Super 90 shotgun and the Benelli M3 Super 90 shotgun, and any variants or modified versions thereof; and

(*f*) the firearms of the designs commonly known as the Bernadelli B4 shotgun and the Bernadelli B4/B shotgun, and any variants or modified versions thereof.

2. Section 3 of the Order is amended by striking out the word "and" at the end of paragraph (*p*) and by adding the following after paragraph (*q*):

(*r*) the firearm of the design commonly known as the A.A. Arms AR9 Semi-Automatic Rifle, and any variant or modified version thereof;

(*s*) the firearms of the designs commonly known as the Claridge HI-TEC C, LEC-9 and ZLEC-9 carbines, and any variants or modified versions thereof;

(*t*) the firearm of the design commonly known as the Kimel Industries AR-9 rifle or carbine, and any variant or modified version thereof;

(*u*) the firearm of the design commonly known as the Grendel R-31 Auto Carbine, and any variant or modified version thereof;

(*v*) the firearms of the designs commonly known as the Maadi Griffin Rifle and the Maadi Griffin Carbine, and any variants or modified versions thereof; and

(*w*) the firearm of the design commonly known as the AA Arms Model AR-9 carbine, and any variant or modified version thereof.

3. (1) Paragraph 4(*g*) of the Order is replaced by the following:

(*g*) the firearm of the design commonly known as the Intratec Tec-9 Auto Pistol, and any variant or modified version thereof,

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+ NOV 23 1994 +

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including the Tec-9S, Tec-9M, Tec-9MS, and any semi-automatic variants thereof, including the Tec-DC9, Tec-DC9M, Tec-9A, Tec-Scorpion, Tec-22T and Tec-22TN;

(2) Paragraph 4(*n*) of the Order is replaced by the following:

(*n*) the firearm of the design commonly known as the Goncz High-Tech Long Pistol, and any variant or modified version thereof, including the Claridge Hi-Tec Model S, L, T, ZL-9 and ZT-9 Pistols;

(3) Section 4 of the Order is amended by adding the following after paragraph (*o*):

(*p*) the firearm of the design commonly known as the OA-93 assault pistol, and any variant or modified version thereof;

(*q*) the firearm of the design commonly known as the A.A. Arms AP9 Auto Pistol, and any variant or modified version thereof;

(*r*) the firearm of the design commonly known as the Patriot pistol, and any variant or modified version thereof;

(*s*) the firearm of the design commonly known as the XM 231S pistol, and any variant or modified version thereof, including the A1, A2 and A3 Flattop pistols;

(*t*) the firearm of the design commonly known as the AA Arms Model AP-9 pistol, and any variant or modified version thereof, including the Target AP-9 and the Mini AP-9 pistols;

(*u*) the firearm of the design commonly known as the Kimel Industries AP-9 pistol, and any variant or modified version thereof;

(*v*) the firearms of the designs commonly known as the Grendel P-30, P-30 M, P-30 L and P-31 pistols, and any variants or modified versions thereof;

(*w*) the firearms of the designs commonly known as the Claridge HI-TEC ZL-9, HI-TEC S, HI-TEC L, HI-TEC T, HI-TEC ZT-9 and HI-TEC ZL-9 pistols, and any variants or modified versions thereof;

(*x*) the firearm of the design commonly known as the Steyr SPP Assault Pistol, and any variant or modified version thereof; and

(*y*) the firearm of the design commonly known as the Maadi Griffin Pistol, and any variant or modified version thereof.

PCO (J)
+ NOV 23 1994 +
SCP (J)

A0074293_1928-002711

CANADA

PRIVY COUNCIL ● CONSEIL PRIVÉ

P.C. 1994-2137
December 20, 1994

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL, on the recommendation of the Minister of Justice, pursuant to paragraph (a) of the definition "prohibited weapon" in subsection 84(1) and subsection 91.1(1) of the Criminal Code, is pleased hereby to amend the Prohibited Weapons Order, No. 11, made by Order in Council P.C. 1992-1668 of July 16, 1992, in accordance with the schedule hereto, effective January 1, 1995.

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JUS-94-926-01
(BOR/DORS)

SCHEDULE

1. Paragraph 2(e)[1] of the *Prohibited Weapons Order, No. II* is replaced by the following:

(e) the firearms of the designs commonly known as the Benelli M1 Super 90 shotgun and the Benelli M3 Super 90 shotgun, and any variants or modified versions thereof, with the exception of

(i) M1 Super 90 Field,

(ii) M1 Super 90 Sporting Special,

(iii) Montefeltro Super 90,

(iv) Montefeltro Super 90 Standard Hunter,

(v) Montefeltro Super 90 Left Hand,

(vi) Montefeltro Super 90 Turkey,

(vii) Montefeltro Super 90 Uplander,

(viii) Montefeltro Super 90 Slug,

(ix) Montefeltro Super 90 20 Gauge,

(x) Black Eagle,

(xi) Black Eagle Limited Edition,

(xii) Black Eagle Competition,

(xiii) Black Eagle Slug Gun,

(xiv) Super Black Eagle, and

(xv) Super Black Eagle Custom Slug; and

2. Section 4[1] of the Order is amended by striking out the word "and" at the end of paragraph (x), by adding the word "and" at the end of paragraph (y) and by adding the following after paragraph (y):

[1] SOR/94-744, 1994 *Canada Gazette* Part II, p. 4000

PCO (J)
DEC 15 1994
BCP (J)

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(*z*) the firearm of the design commonly known as the Interdynamics KG-99 Assault Pistol, and any variant or modified version thereof.

3. The Order is amended by adding the following after section 4:

Amnesty Period

5. The period beginning on January 1, 1995 and ending on April 1, 1995 is hereby specified as an amnesty period with respect to any prohibited weapon that is referred to in paragraphs 2(*d*) to (*f*), 3(*r*) to (*w*) and 4(*g*), (*n*) and (*p*) to (*z*) and that is delivered to a peace officer, local registrar of firearms or firearms officer

(*a*) for destruction or export, in the case of a person who carries on a business referred to in paragraph 105(1)(*a*) of the *Criminal Code*; or

(*b*) for destruction, in any other case.

PCO (J)
DEC 15 1994
BCP (J)

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Murray Smith - Gatling Guns

From: Murray Smith
To: MacDonald, Jennifer
Date: 2/15/2012 12:33 PM
Subject: Gatling Guns

Jennifer,

We are experiencing an uptick in queries concerning the modern reproduction of the model 1874 Gatling gun demonstrated at the SHOT Show a few weeks ago. The original and reproduction Gatling guns are hand cranked. Modern versions of the Gatling gun are operated by an electric motor and are deployed onboard armoured vehicles, aircraft and ships.

The question of the prohibited classification of the Gatling gun may soon be the subject of a reference hearing or a complaint to the Minister. In preparation for court, it would be useful to have videos depicting fully automatic fire from the following Gatling guns:

1, original 1870s era Gatling gun (typically 45-70 cal);
2. reproduction of an 1870s era Gatling gun;
3. a Maxim machine gun;
4. a modern electric Gatling gun (GAU 30 mm Avenger, 20 mm Vulcan, 50 cal Minigun, 7.62 mm Minigun, or 5.56 mm Minitat).

No rush at this time. Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - BD38 submachine gun copy

From: Murray Smith
To: Francis, Geoffrey
Date: 2/17/2012 4:08 PM
Subject: BD38 submachine gun copy

Geoff,

This is an update on the Sport Systems Dittrich (SSD) model BD38 copy of the World War II era German MP38 submachine gun. You may recall at least two exchanges with the Minister's office on this firearm, one initiated by an RCMP member, who was invited to send the firearm for inspection (via the Minister's reply, which has not been confirmed). You received an enquiry from the DG a month or so ago on the same firearm.

In the past week or so we have received further enquiries from the RCMP member (we are presently verifying that it is the same person). Additionally, we are receiving exemplars of two new models from Wolverine (Manitoba), one open bolt, the other closed bolt operated.

This should put to rest the classification of the firearms.

It is interesting that Wolverine, who recently took shipment of five SSD BD38 firearms, expressed doubt that either model would pass inspection at any level other than prohibited and was prepared to sell his entire lot to us at cost. (We declined by the way, although I would seriously consider buying one of each to have on hand as this might well be a controversial issue involving the Minister's office. It would be handy to have versions to demonstrate or prepare for a reference hearing).

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
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Policing Support Services
Office: (613) 993-0139

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Murray Smith - Fwd: Re: Application

From: Murray Smith
To: Francis, Geoffrey
Date: 2/21/2012 11:34 AM
Subject: Fwd: Re: Application BARNES, Henry Paul Lic. 11783469

Geoff,

FYI, in the continuing saga of registry operations. We received an enquiry (with a hint of complaint attached) from the firearms registry concerning the inspection of a fully automatic FN-FAL C2 rifle received on 2009-09-24, asking why the inspection had not been completed. The registry was informed that the inspection had indeed been completed on 2010-03-12. It is interesting that the file is still open in 2012, almost two years later. See below for the entire e-mail chain.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William Etter 2012-02-20 10:21 >>>
Hi Dan:

There is a one year discrepancy in your e-mail to Helene Daigle.

My report to the various Registry personages (Helene, Nicole & CFO Office Staff) was dated **2010-03-1**2 and not **2011-03-12** as stated by you in the below message. Don't know whether it makes any difference but it should make the original easier to find.

Bill Etter

F.A. William (Bill) ETTER
Royal Canadian Mounted Police
Senior Firearms Technologist
Specialized Firearms Support Services
Firearms Investigative & Enforcement Services Directorate
Canadian Firearms Program
Policing Support Services
613-993-6684

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Murray Smith - Re: Webley & Scott Alecto/Zoraki HP-01

From: Murray Smith
To: Blenkarn, Peter
Date: 2/21/2012 4:46 PM
Subject: Re: Webley & Scott Alecto/Zoraki HP-01
CC: Etter, William; Glass, Kimberley; Greenley, Calvin

Thanks Peter,

I watched the video. It looks like a detuned airgun, easily reversible through adjustment. Get the velocity figures from the Zoraki website mentioned in the video. We can create the restricted FRT record with that information. If there truly is a sub-500 fps Canadian version, let the importer establish same.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Peter Blenkarn 2012-02-21 09:09 >>>
Hi Murray,
Just a heads up on this interesting air pistol-attached is a YOUTUBE link that describes the modifications to increase the power/velocity-is this something that meets our definition of "not readily adapted/returned to full power"?
http://www.youtube.com/watch?v=JQbSJufqKWQ
There are believed to be some in Canada at present.
Thanks,
Peter

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Pages 2723 to / à 2724

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Murray Smith - Re: Blank firing pistols

From: Murray Smith
To: Etter, William; Greenley, Calvin
Date: 2/24/2012 3:30 PM
Subject: Re: Blank firing pistols

Bill & Cal,

Would you reply to this next week. Thanks.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jay Henderson 2012-02-24 13:24 >>>
Murray and Calvin,
I was contacted today by a male who is inquiring on purchasing a few blank firing pistols for training purposes.
I asked him which items he is looking at and he stated the EKOL's. I advised him that some of these blank guns are now re-classified as Prohibited and restricted firearms and gave him a brief explanation on the reasons for these changes.
I asked him which model(s) he is looking at acquiring and he gave me the following models:

(1) EKOL Jackol Dual by Voltran
(2) EKOL Dicle by Voltran
(3) EKOL Firat by Voltran
(4) EKOL Viper by Voltran

I found the EKOL Viper on the on-line FRT and see it has been classified as a Prohibited(barrel length) and restricted 114mm barrel firearm. I was wondering if you might have the other legal classifications for the others that I can tell him.

Thanks Jay Henderson

Jay Henderson
NWEST/RCMP-FIIU
Canadian Firearms Program
PO BOX 1971, 15 Market Square,
Saint John, NB
E2L-4L1

OFFICE DIRECT:506-636-4768
jay.henderson@rcmp-grc.gc.ca

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Murray Smith - Re: Killam

From: Murray Smith
To: REDSHAW, John
Date: 2/28/2012 11:45 AM
Subject: Re: Killam

Hello John,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> John REDSHAW 2012-02-27 15:49 >>>

Just thinking.

Thanks for your time on this.

John Redshaw
Regional Firearms Intelligence Coordinator
Alberta - Saskatchewan - NWT
Edmonton Integrated Intelligence Unit
18807 Stony Plain Road
Edmonton, Alberta
T5S 0C1
780-509-3193 (Desk)
780-495-0052 (Fax)

Stay Safe

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Page 2731

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Murray Smith - RE: Norinco 97a

From: Murray Smith
To: Murray, Lynne
Date: 2/28/2012 11:53 AM
Subject: RE: Norinco 97a
CC: Francis, Geoffrey; Steele, Debra

Hi Lynne,

Next week (the week of March 6) is open for me. The proposed time is OK. The following week (of March 12) I am away all week and not available.

The last trial concerning the Type 97A rifle was set to proceed tomorrow. However, the owner has decided to surrender the firearm instead. Details are being negotiated. Nonetheless this represents the end of the Type 97A issue. I will be able to discuss in more detail at the teleconference.

Do you have an update for the Type 97A rifles held by Lever Arms?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray, Lynne <Lynne.Murray@cbsa-asfc.gc.ca> 2012-02-28 09:23 >>>
Good morning gentlemen,

Deb had mentioned a quick conference call with our RIFLO network to provide an update, etc. on the Norinco seizure. My apologies for the delay in reaching out to you, I've been caught up in a few things.

Can you tell me what your availability is like for either next week, or the week after? Also, is a call between the hours of 11:30am and 1:00pm convenient for both of you? This seems to be the best time to for us to ensure all of our Regions are represented during the call.

As Deb also mentioned, I'm away on vacation for the next three weeks but would like book something, even if only a tentative date.

Thank you in advance Geoff and Murray. I look forward to hearing from you.

Regards,

Lynne

Lynne Murray

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Pages 2733 to / à 2734

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Murray Smith - Re: Killam

From: Murray Smith
To: REDSHAW, John
Date: 2/28/2012 12:16 PM
Subject: Re: Killam

We have been the technical focal point for the Regulations for over 20 years now.

As for the magazines, the issue is more complicated. At the time the magazine capacity limitations were introduced there was a requirement to deal with all the oversize magazines in Canada on the implementation date. Since the oversize magazines had been acquired lawfully there was a need to provide for a way to modify them to be compliant under the new regime. In addition there exists a continuing need to legalize the magazines that were modified and are still in possession by a Canadian resident. So the modification of magazines is not something that will go away in the short term.

Also, there is a continuing requirement for a way to modify magazines either for new firearms for which a lesser capacity is not manufactured, or for replacement magazines for existing firearms.
This does create loopholes for grey market enterprises but I do not know of any way to get around it. The fortunate development is that the California legal requirements are coaxing manufacturers to supply 10 round magazines that can also be adopted into the Canadian market as applicable.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> John REDSHAW 2012-02-28 11:56 >>>
Thanks for your reply Murray. I've just always wondered if someone takes these battles up. I don't hear about it and always have concerns about things not being addressed.

We have a new file here were 700 high capacity Glock Magazines are destined to Alberta. 33 & 17 rounders which appear pinned at 10. Someone needs to get the CC modified in this regards (which I understand California did correctly using our experiences).

>>> Murray Smith 2012-02-28 09:45 >>>
Hello John,

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Regards,

Murray

Murray A. Smith
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>>> John REDSHAW 2012-02-27 15:49 >>>

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Murray Smith - Re: Killam

From: Murray Smith
To: REDSHAW, John
Date: 2/28/2012 1:06 PM
Subject: Re: Killam

Correct. The standards are in the magazine regulations. They are very modest.

The other critical factor (based on the recent Cancade decision) is that the modification must be applied to the magazine body (or casing) and not just the interior parts.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> John REDSHAW 2012-02-28 12:19 >>>
In regards to those magazines, I spoke with some contacts yesterday and I understand that basically, if a tool is required to correct the pinning, then it will be legal? Is this correct? Thanks Murray.

>>> Murray Smith 2012-02-28 10:16 >>>
We have been the technical focal point for the Regulations for over 20 years now.

As for the magazines, the issue is more complicated. At the time the magazine capacity limitations were introduced there was a requirement to deal with all the oversize magazines in Canada on the implementation date. Since the oversize magazines had been acquired lawfully there was a need to provide for a way to modify them to be compliant under the new regime. In addition there exists a continuing need to legalize the magazines that were modified and are still in possession by a Canadian resident. So the modification of magazines is not something that will go away in the short term.

Also, there is a continuing requirement for a way to modify magazines either for new firearms for which a lesser capacity is not manufactured, or for replacement magazines for existing firearms.

The fortunate development is that the California legal requirements are coaxing manufacturers to supply 10 round magazines that can also be adopted into the Canadian market as applicable.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate

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Murray Smith - Firearms Act Regulations safe storage, transportation etc. (Section 10(1))

From: Murray Smith
To: Robichaud, Nicole
Date: 2/28/2012 3:44 PM
Subject: Firearms Act Regulations safe storage, transportation etc. (Section 10(1))
CC: Etter, William; Francis, Geoffrey; Glass, Kimberley
Attachments: Re: Fwd: MALAVOIE's copy of T016053 Version 1.pdf - Adobe Acrobat Professional; MALAVOIEs copy of T016053 Version 1_2.pdf

Hello Nicole,

Attached is a letter from a Member of Parliament (Maurice Vellacott) to Minister Toews dated February 20, 2012 (attached).

Rose Thomas is preparing the CFP response and had asked us for comments on the technical aspects of the question. The response from Bill Etter is attached.

The answer provided by Bill is correct

In my view the regulations were intended to provide two options to hunters using muzzle loading non-restricted firearms when transporting them from one hunting site to another. The hunter could completely unload the muzzle loading firearm, that is to remove the projectile and propellant powder to meet the definition of unloaded. Generally speaking there is no way to unload a muzzle loading firearm under field conditions other than to discharge it. To avoid unnecessary discharge, the second option was provided, namely to remove the flint or percussion cap, for flintlock and percussion muzzle loaders respectively.

If section 10(1) of the regulations is read strictly, the two options appear to be mutually exclusive when transporting a muzzle loading firearm between hunting sites. As such, it leads to the situation pointed out by the Member of Parliament where the flint or percussion cap must be removed regardless of whether the muzzle loading firearm is unloaded or not. In the case of a percussion loading firearm, it would be reasonable to conclude that the priming propellant in the percussion cap constitutes "propellant" as mentioned in the definition of "unloaded" and therefore would have to be removed anyway. However, for a flintlock muzzle loader, the presence of the flint itself does not impart a "loaded" status to the firearm as it is neither propellant nor projectile.

While the removal of a flint is relatively straightforward, the reinstallation of a flint is not a trivial exercise under field conditions. If the strict interpretation of section 10(1) is indeed correct, it would be very impractical for hunters to be required to remove the flint even if the muzzle loading flintlock firearm were otherwise unloaded.

The saving grace I believe, is that the notion of transporting a flintlock muzzle loader between hunting sites is embedded in the general notion of transporting a flintlock muzzle loader from point A to point B, where simply unloading the firearm would suffice. It would be a problem only if the declared purpose of transporting the flintlock muzzle loader were to travel between hunting sites and the flint was installed in the firearm. This is where the response provided by Bill Etter applies.

I am not seeking a legal opinion on this matter. You are welcome to do so if you choose. Rather, I suggest this issue be referred to whomever collects legislative issues concerning the Firearms Act so this section of the regulations can be clarified the next time the regulations are opened for amendment.

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Thanks,

Murray

Murray A. Smith
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Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
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Office: (613) 993-0139

Pages 2742 to / à 2746

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Page 2747

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Pages 2748 to / à 2749

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Page 2750

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Pages 2751 to / à 2752

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Murray Smith - Re: Fwd: MALAVOIE's copy of T016123 Version 1.pdf - Adobe Acrobat Professional

From: Murray Smith
To: Francis, Geoffrey
Date: 3/2/2012 1:27 PM
Subject: Re: Fwd: MALAVOIE's copy of T016123 Version 1.pdf - Adobe Acrobat Professional
Attachments: MALAVOIEs copy of T016123 Version 1_2_1.pdf

Geoff,

FYI. Ministerial enquiry on a routine CA inspection. In the absence of contra-indicators, owners of converted automatic firearms have historically been given the latitude to upgrade shortcomings in the nature of the conversion and the reporting of the conversion,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-03-02 12:58 >>>
Hi Grace,

I presume this Ministerial refers to the FN-FAL rifle, serial number If so, the following paragraph needs to be added to the response:

Pages 2754 to / à 2757

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Pages 2758 to / à 2760

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Pages 2761 to / à 2762

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Pages 2763 to / à 2766

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Murray Smith - Purchase of SSD exemplars

From: Murray Smith
To: Francis, Geoffrey
Date: 3/6/2012 4:40 PM
Subject: Purchase of SSD exemplars

Geoff,

This is further to our discussion on the SSD BD38 copies of the Nazi era MP38 submachine gun. The model BD38 is the one that was the subject of a Ministerial enquiry and may well be again, soon. The RCMP member that owns one is agitating within the system for an update. We are virtually certain that an inspection will revel that the BD38 is readily convertible to full automatic and thus prohibited. There are now two models on the market. The original was a "open bolt" design, the easiest to make fire fully automatic. The new model is "closed bolt" but we think it will not qualify as a semiautomatic firearm either. This change in design is highly suggestive in itself that the factory has acknowledged the problem.

There is a third firearm, a BD3008, which is a copy of the German MP3008, itself a copy/variant of the British STEN submachine gun. It is open bolt and suffers from the same faults.

We have located a Canadian business that has all three firearms in stock and available. Retail price is as follows:
BD38 open bolt: $2995
BD38 closed bolt: $2995
BD3008: $2695

The business has offered a bulk price of $5500 for all three. While costly, this will put an end to the speculation concerning the classification, and will put us in a better position to defend our position in Court.

We have been attempting to locate an owner willing to permit inspection for more than 12 months with no results. Even the RCMP constable who was offered an inspection by the Minister has not done so.

Request your concurrence to proceed with the purchase of all three firearms this month.

Regards,

Murray

Murray A. Smith
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Specialized Firearms Support Services
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Office: (613) 993-0139

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Pages 2775 to / à 2782

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Pages 2783 to / à 2789

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Pages 2790 to / à 2821

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Page 2823

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Murray Smith - Re: Fwd: Short factory barrels for the Ruger 10/22 rifle

From: Murray Smith
To: Marshall, John
Date: 3/9/2012 2:43 PM
Subject: Re: Fwd: Short factory barrels for the Ruger 10/22 rifle

Hi John,

The exact reason for the classification specified in the FRT is found for each firearm in the column titled "Legal Authority". Both the handgun and folding stock provisions are possible. It depends on the exact configuration of the modified firearm. The non-commercial custom category is explicitly for nonstandard and modified versions of a mass produced model whether achieved by the modification of existing parts or through the addition of third party manufactured parts or both.

Note however, that we do not employ the "otherwise" provision in the way suggested. We interpret the word "otherwise" in this context as meaning some way of reducing the length of existing parts by some means other than folding or telescoping, but not through the replacement of parts. For example, if the stock were modular and the overall length of the firearm could be shortened to less than 660 mm by removing segments of the stock it would be restricted, even though it is achieved by some means other than folding or telescoping.

In our view, replacing parts of the firearm with other factory made parts creates a new firearm which must be independently judged as to whether it can be shortened below the limit. Some examples may clarify our viewpoint:

1. Suppose the fixed stock of a non-restricted firearm is replaced with a folding stock such that it meets the para "c" criteria. This creates a new firearm that would be restricted, not because the replacement of the stock constitutes "otherwise" but rather because the stock folds in a way that meets the para "c" criteria. When extended, it would be irrelevant whether the folding stock is longer or shorter than the original fixed stock.

2. Suppose a barrel is replaced with a shorter barrel on a firearm with a folding stock such that the length folded was greater than 660 mm before and less afterwards. Again a new firearm is created. The firearm would become restricted because of the impact of the barrel on the overall length but not because the replacement of the barrel somehow falls into the otherwise clause. The firearm is restricted because of the folding stock and the overall length being less than 660 mm when folded. This would be true whether the firearm was modified by replacing the barrel or made that way originally.

3. Suppose the barrel on a firearm with a fixed stock is replaced with a shorter barrel such that the overall length with the original barrel is over 660 mm and the length with the new barrel is under 660 mm. If barrel replacement were included within the meaning of "otherwise", the original configuration would be non-restricted and the modified version restricted. On the other hand, if the two barrel lengths were factory options, and the firearm were manufactured with the shorter barrel, it would have been non-restricted (unless of course you wish to argue that any rifle or shotgun less than 660 mm is restricted). The two short barrelled firearms (one modified and the other manufactured), both made from factory standard parts and identical except for their history, would have different classifications.

As you can infer from the above example, our position is designed to arrive at the same classification regardless of how the factory standard firearm came to be. This includes third party factory barrels as well as you have no sure way to establish that the firearm was modified and not just built from a bare receiver. Note that this is different from sawed off firearms - different wording of the section and actual modification of factory parts. Hope this helps,

Murray

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Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> John Marshall 2012-03-09 11:54 >>>
Hello Murray

Dean forwarded me your email concerning the Ruger 10/22s.

When they are classified as "Restricted" due to the addition of one of these third party barrels, is that because they are now considered to be **(a)** ***a handgun that is not a prohibited firearm*** (due to the reduced length of the barrel allowing the rifle to aimed and fired by the action of one hand); **(c)** ***a firearm that is designed or adapted to be fired when reduced to a length of less than 660mm by folding, telescoping or otherwise*** (with the reduction in barrel length falling into the "otherwise" category of this definition); or by some other definition?

Thanks for all the information.

John

John Marshall, B.Sc (Hon), MBA
Firearms & Toolmarks Section
R.C.M.P. Forensic Lab Services Regina
Ph: (306) 780-6271
Fax: (306) 780-5091>>> Dean B. Dahlstrom 2012-03-09 10:31 >>>

>>> Murray Smith 2012-03-09 10:09 AM >>>
Hi Dean,

Nice to speak with you this morning.

We looked into the Ruger 10/22 market for short barrels. The research was not exhaustive but does give a flavour of what is in circulation. The records in the FRT list the firearm as restricted only when a third party short barrel is used and not a sawed off barrel (and of course when all the other criteria for a restricted classification apply).

Known Ruger factory barrel lengths for the model 10/22: 410 mm, 470 mm, 508 mm.

Third party manufacturers/vendors of short barrels for the Ruger 10/22 rifle (not exhaustive):
Dlask
Green Mountain (the biggest and best known at present)
Krinker Plinker
Majestic Arms
Butler Creek
Volguartsen Custom
Lilja

Regards,

A0074293_2043-002826

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_2044-002827

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Murray Smith - Ekol and other blank firing guns

From: Murray Smith
To: Francis, Geoffrey
Date: 3/9/2012 3:10 PM
Subject: Ekol and other blank firing guns
Attachments: Common receiver-frame - Blank Guns_1.pdf

Geoff,

Attached is a draft report covering about a hundred models of blank firing guns. As you are aware the proliferation of these firearms is of concern to law enforcement. We received a dozen such blank firing devices from a shipment detained by CBSA to establish the classification. The data was complicated and difficult to research. Nonetheless we are nearing the conclusion of the inspection. The SFSS members attending the IWA show in Germany this week are approaching the Turkish manufacturer (who displays at this show) for the final details required. It may be necessary to purchase a few sample as well.

At this point we are 99% sure that the Turkish ATAK manufactured Ekol, Voltran, Keseru, Blow, Akdal and other brands of blank firing devices are regulated items. There are two possibilities; either (1) they are replica firearms and thus prohibited devices, or (2) they are restricted or prohibited firearms because they share a frame or receiver in common with a genuine firearm. The purpose of the final stage of the research is to sort out which of these possibilities apply to each of the models implicated. If the team attending IWA is able to obtain the necessary information the matter will be resolved soon.

The situation is somewhat similar to the Zoraki line of blank guns also manufactured by ATAK. Although CBSA stopped this Ekol shipment, it appears that other shipments have made it through to public hands. I am aware of one case involving a youth confronting police with an Ekol blank gun in the Atlantic region (Codiac RCMP, PROS file 2012-171550). Arrangements are underway for the item to be shipped to us for inspection, at the request of the "J" Div firearms liaison officer.

Once the CBSA inspection is concluded and the appropriate classification determined, we will know the full extent of the problem. A bulletin such as that issued for the Zoraki blank guns may be necessary.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_2045-002828

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

AKDAL / BLOW/ VOLTRAN / NORICA/ UMAREX

THE AKDAL, 2000 MAGNUM & AKDAL, 2002 COMPACT RECEIVERS THAT ARE UTILIZED BY BLANK FIRING FIREARMS.

- the blank firing devices listed below are marketed under various trade or brand names and it is strongly suspected they share a common receiver with one another and with the firearms listed below:

Blank firing devices

EKOL, Aras Magnum - (blank firing gun);
EKOL, Aras Compact - (blank firing gun);
EKOL, Sava Magnum - (blank firing gun);
EKOL, Sava Compact - (blank firing gun);
BLOW, Class - (blank firing gun);
BLOW, Magnum Mod 2000 - (blank firing gun);
BLOW, Compact Mod 2002 - (blank firing gun);
VOLTRAN - BLOW Magnum Mod 2002 - (blank firing gun);
NORICA, Magnum Mod 2000 - (blank firing gun); (NOTE: - requires inspection)
UMAREX, Browning Mod GPDA 9 - (blank firing gun); (ditto – INSP req)
UMAREX, Browning Mod GPDA 8 - (blank firing gun); (ditto – INSP req)
KESERU MUBEK, RED AGENT - (blank firing gun)
KESERU MUBEK, EKOL SLAVA BROTHER'S - (blank firing gun)

CC 84 (3) Exempt Firearms

EKOL, ES 55 (CO 2, BB gun); and, (NOTE: - requires inspection)
EKOL, ES 66 (CO 2, BB gun). (NOTE: - requires inspection)

NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet research or import interdiction as of 2012-01-20.

Conventional Firearms

BLOW, 2002 Compact - FRT 138180; (Traumatic Pistol)
BLOW, Class - FRT 138416; (Traumatic Pistol)
BLOW, Steel - FRT 138181; (Traumatic Pistol)
AKDAL, Class – FRT 128488;
AKDAL, 2000 Magnum - FRT 128485; and,
AKDAL, 2002 Compact- FRT 128484.

Priority 1 = red
Priority 2 = green

A0074293_2046-002829

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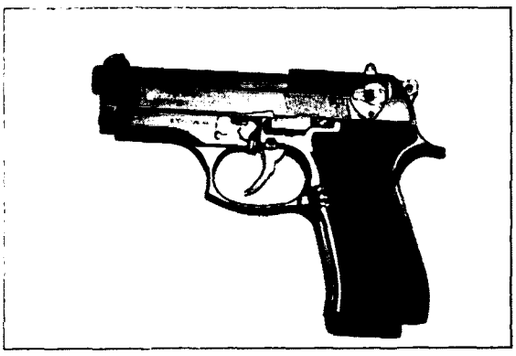
AKDAL / BLOW/ VOLTRAN

THE AKDAL, F92 MAGNUM & BLOW F92 MAGNUM RECEIVERS THAT ARE UTILIZED BY BLANK FIRING FIREARMS.

- the blank firing devices listed below are marketed under various trade or brand names and it is strongly suspected they share a common receiver with one another and with the firearms listed below:

Blank firing devices

EKOL, ASI - (blank firing gun) - (Full Auto) (EKOL, Jackal Dual inside a "clamshell")
EKOL, Jackal Dual Compact - (blank firing gun) (Full Auto)
EKOL, Jackal Dual - (blank firing gun) (Full Auto)
EKOL,Dicle - (blank firing gun)
EKOL, Firat Magnum - (blank firing gun)
EKOL, Firat Compact - (blank firing gun)
EKOL, VOLTRAN, Firat Compact - (blank firing gun)
EKOL, VOLTRAN, Firat Magnum - (blank firing gun)
EKOL, VOLTRAN, Mod 92 Firat - (blank firing gun)
VOLTRAN, Mod 92 Dicle - (blank firing gun)
BLOW, Magnum Model F92 - (blank firing gun)
BLOW, Magnum Model F 06 - (blank firing gun)
KESERU MUBEK, JACKAL 93 - (blank firing gun)
KESERU MUBEK, JACKAL 93, BLOW MAGNUM GUN - (blank firing gun)



Ekol Jackal Dual Compact F/A

NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet research or import interdiction as of 2012-01-27.

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AKDAL / BLOW/

(continued)

Conventional Firearms

BLOW, F92 Magnum - (Traumatic Gun) - FRT # 138486
BLOW, F06 Magnum - (Traumatic Gun) - FRT # 138479
AKDAL, F92 Magnum - FRT # 128483
AKDAL, F06 Magnum - FRT # 128487

Priority 1 = red
Priority 2 = green

A0074293_2048-002831

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EKOL & AKDAL

THE EKOL, STING, AKDAL, MINI 06 & AKDAL, MINI 03 RECEIVERS THAT ARE UTILIZED BY BLANK FIRING FIREARMS.

- the blank firing devices listed below are marketed under various trade or brand names and it is strongly suspected they share a common receiver with one another and with the firearms listed below:

Blank firing devices

BLOW, 8MM M. 08 - (blank firing gun)
BLOW, Mini 08 - (blank firing gun)
BLOW, Mini Mod 06 - (blank firing gun)
BLOW, 9mm M. 06 - (blank firing gun)
BLOW, Mini Mod 2003 - (blank firing gun)
BLOW, Mod 2003 - (blank firing gun)
BLOW, Mini - (blank firing gun)
BLOW, Mini 09 - (blank firing gun)
BLOW, VOLTRAN, Little Guard - (blank firing gun)
EKOL, Volga - (blank firing gun)
EKOL, Agent - (blank firing gun)
EKOL, Tuna - (blank firing gun)
EKOL, VOLTRAN Tuna - (blank firing gun)
VOLTRAN, Mini 9 - (blank firing gun)
VOLTRAN, Tuna - (blank firing gun)
VOLTRAN, ZAZA - (blank firing gun)
VOLTRAN, ZAZA TUNA - (blank firing gun)
VOLTRAN, Volga V950 - (blank firing gun)
VOLTRAN, V950 - (blank firing gun)
KARL, MINI 2007 – (blank firing gun)

NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet research or import interdiction as of 2012-01-27.

A0074293_2049-002832

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EKOL, STING, AKDAL, MINI 06 & AKDAL, MINI 03

(CONTINUED)

Conventional Firearms

EKOL, Sting (Traumatic Gun) - FRT # 137858
AKDAL, Mini 03 FRT # 138600
AKDAL, 2003 Mini FRT # 128480
AKDAL, Mini 06 FRT # 138603
AKDAL, 2006 Mini FRT # 128481
BLOW, M06 (Traumatic Gun) - FRT # 138216

Priority 1 = red
Priority 2 = green

A0074293_2050-002833

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

EKOL, PIRANHA & EKOL SPECIAL 99

THE EKOL, PIRAHNA & EKOL, SPECIAL 99 RECEIVERS THAT ARE UTILIZED BY BLANK FIRING FIREARMS.

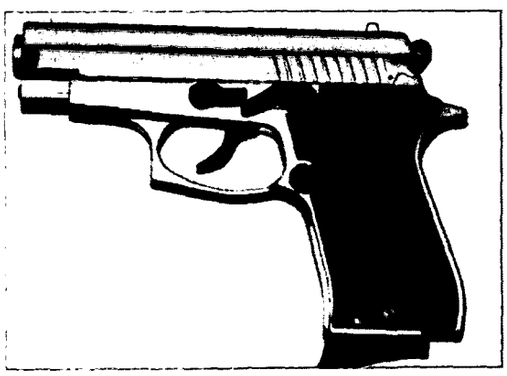
- the blank firing devices listed below are marketed under various trade or brand names and it is strongly suspected they share a common receiver with one another and with the firearms listed below:

Blank firing devices

EKOL, P 29 (blank firing gun)
EKOL, SPECIAL 99 (blank firing gun)
EKOL, 99 (blank firing gun)
EKOL, SPECIAL 99 V 85 (blank firing gun)
EKOL, VOLTRAN, MOD P 29 (blank firing gun)
EKOL, SUPER P 29 (blank firing gun)
BLOW P 99A (blank firing gun)
KRAL, 2008 MAGNUM (blank firing gun)
VOLTRAN, MOD P 29 (blank firing gun)
VOLTRAN, V 85 (blank firing gun)
VOLTRAN, MOD 99 (blank firing gun)

NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet research or import interdiction as of 2012-01-20.

EKOL, Model P 29 (blank firing gun)



A0074293_2051-002834

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EKOL, PIRANHA, EKOL SPECIAL 99,

(continued)

Conventional Firearms

EKOL, PIRANHA (Traumatic Gun) FRT # 138679

EKOL, SPECIAL 99 (Traumatic Gun) *

***NOTE:**
Few references – more research required. Not enough info to build an FRT Record.

Priority 1 = red
Priority 2 = green

A0074293_2052-002835

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

ZORAKI, MODEL M 906, TARGET TECHNOLOGIES &

STALKER M 906

UNIQUE - TYPE RECEIVER

- the blank firing devices listed below are marketed under various trade or brand names and it is strongly suspected they share a common receiver with one another and with the firearms listed below:

Blank firing devices

ZORAKI, M 906 (blank firing gun)

NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet research or import interdiction as of 2012-01-20.

Conventional Firearms

TARGET TECHNOLOGIES, SHARK (ATAK) (Traumatic Gun) FRT # 138719
TARGET TECHNOLOGIES, WAPK (ATAK) (Traumatic Gun) FRT # 138718
TARGET TECHNOLOGIES, STALKER M 906 (ATAK) (Traumatic Gun) FRT # 138699
ZORAKI, M 906 (ATAK) (Traumatic Gun) FRT # 138680

Priority 1 = red
Priority 2 = green

NOTE: In this case only any exemplar is welcome. We have none at present and this Zoraki Model (the M 906 is problematic).

A0074293_2053-002836

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

AKDAL, DESERT TIGER & BLOW, DESERT TIGER
TYPE RECEIVERS

- the blank firing devices listed below are marketed under various trade or brand names and it is strongly suspected they share a common receiver with one another and with the firearms listed below:

Blank firing devices

BLOW, DESERT TIGER **(blank firing gun)**

*** NOTE**

This firearm requires an inspection to make a final determination as to receiver/frame. At present the BLOW, DESERT TIGER may only be classified as a "prohibited device as a "replica".

The BLOW, DESERT TIGER resembles with near precision the two firearms listed below.

NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet research or import interdiction as of 2012-01-20.

Conventional Firearms

AKDAL, DESERT TIGER **FRT # 132704 (Conventional Firearm)**
BLOW, DESERT TIGER **FRT # 138601 (Traumatic Gun)**

Priority 1 = red
Priority 2 = green

A0074293_2054-002837

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

AKDAL, PR 06 COMPACT & BLOW, PR 06 COMPACT
TYPE RECEIVERS

- the blank firing devices listed below are marketed under various trade or brand names and it is strongly suspected they share a common receiver with one another and with the firearms listed below:

Blank firing devices

BLOW, COMPACT PR 06 (blank firing gun)

*** NOTE**

This firearm requires an inspection to make a final determination firearm status as to receiver/frame. At present the BLOW, COMPACT PR 06 may only be classified as a "prohibited device as a "replica".

The BLOW, COMPACT PR 06 resembles with near precision the two firearms listed below.

NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet research or import interdiction as of 2012-01-20.

Conventional Firearms

AKDAL, PR 06 COMPACT	**FRT # 128496**	**(Conventional Firearm)**
BLOW, PR 06 COMPACT	**FRT # 138481**	**(Traumatic Gun)**

Priority 1 = red
Priority 2 = green

A0074293_2055-002838

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

ZORAKI 917

GLOCK 17 - TYPE RECEIVERS

Blank firing devices

ZORAKI 917 (blank firing gun) Ref: Found on pg. 59 – Combat Handguns May 2012

NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet research or import interdiction as of 2012-01-20.

Conventional Firearm

UNDER DEVELOPMENT – more research required.

NOTE: No information exists. Any exemplar is welcome.

A0074293_2056-002839

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

EKOL, MODEL ARDA

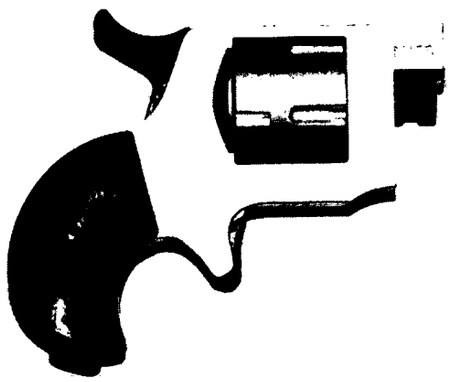
TYPE RECEIVERS

Blank firing devices

EKOL, Model ARDA (blank firing device)

EKOL, Model ARDA GRIZZLY (blank firing device)

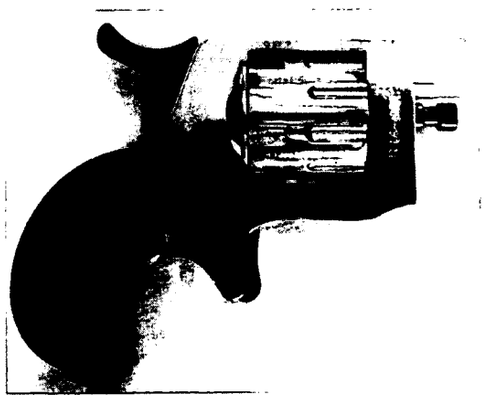
Ekol, Model Arda blank gun



NOTA: - The above list of Blank Firing firearms and devices is not all-encompassing. Other blank firing devices exist under different brand or trade names which have not been found by internet researchor import interdiction as of 2012-01-20.

Conventional Firearm

Ekol Model Arda (FRT 138760)



A0074293_2057-002840

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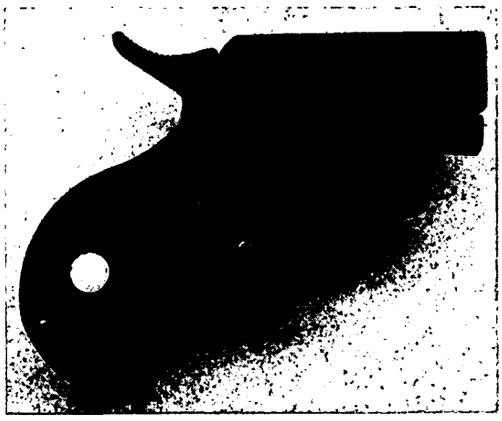
EKOL, MODEL ARDA

TYPE RECEIVERS

(continued)

Keseru Micromax (FRT 138761)



Conventional Firearm

EKOL, MODEL ARDA, Manufactured by VOLTRAN (FRT # 138760) Conventional firearm

KESERU, MODEL MICROMAX, Manufactured by Keseru Muvek Fegyvergyar (FRT # 139761) Both a Conventional firearm & Traumatic firearm

EKOL, Model ARDA GRIZZLY, Manufactured by VOLTRAN (FRT ????)
Conventional firearm chambered for 4MM Flobert cartridges & blank firing device

EKOL, Model ARDA TITAN, Manufactured by VOLTRAN (FRT ????)
Conventional firearm chambered for 4MM Flobert cartridges

A0074293_2058-002841

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FIREARMS INSPECTED FOR CBSA

EKOL, MODEL JACKAL DUAL COMPACT	**# EJC-11100128**
EKOL, MODEL JACKAL DUAL	**# EJ-11100034**
EKOL, ARAS COMPACT	**# EAC-11100096**
EKOL, ARAS MAGNUM	**# EA-11100028**
EKOL, SAVA MAGNUM	**# ESV-11100049**
EKOL, MAJOR	**# EM-11100082**
EKOL, 99 SPECIAL	**# EV-11100074**
EKOL, DICLE	**# ED 11100036**
EKOL, FIRAT COMPACT	**# EFC-11100128**
EKOL, FIRAT MAGNUM	**# EF-11100227**
EKOL, P 29	**# EP-11100045**
EKOL, ASI (Jackal in a polymer "clam shell")	**# EAS 11100001**
EKOL, VOLGA	**# EXL-11100033**
EKOL, ARDA	**# EAR-1030113**

TOTAL - FOURTEEN (14) BLANK FIRING GUNS

A0074293_2059-002842

Pages 2843 to / à 2844
are withheld pursuant to sections
sont retenues en vertu des articles

of the Access to Information Act
de la Loi sur l'accès à l'information

Pages 2845 to / à 2846

are not relevant

sont non pertinentes

Page 2847
is withheld pursuant to sections
est retenue en vertu des articles

of the Access to Information Act
de la Loi sur l'accès à l'information

Page 2848

is not relevant

est non pertinente

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Murray Smith - Re: Firearms Classification Fact Sheet - Feedback

From: Murray Smith
To: Doran, Lynn
Date: 3/20/2012 4:07 PM
Subject: Re: Firearms Classification Fact Sheet - Feedback

Hi Lynn,

What is this fact sheet for?

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Lynn Doran 2012-03-13 08:56 >>>
Good morning Murray and Kim,

I've been asked to draft a fact sheet about firearms classification, and I'm wondering if one of you can look over the content and let me know if you approve. The information on the first page is very straightforward, so it's really only a few paragraphs on the second page that I'd like you to review whenever possible.

Thanks,
Lynn

A0074293_2066-002849

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Murray Smith - Re: Fwd: MALAVOIE's copy of T016452 Version 1.pdf - Adobe Acrobat Professional

From: Murray Smith
To: Thomas, Rose
Date: 3/20/2012 4:36 PM
Subject: Re: Fwd: MALAVOIE's copy of T016452 Version 1.pdf - Adobe Acrobat Professional
CC: Etter, William; Glass, Kimberley

Hi Rose,

The CFP policy on the administrative component (replacing, issuing and revoking registration certificates etc.) would have been prepared by the Registrar.

As for the SFSS involvement, our policy is driven directly by the legal requirements, namely:
1. Firearms Act 12(3), in particular, confirming status as "automatic firearms that have been altered to discharge only one projectile during one pressure of the trigger".

2. Firearms Act 71(2), in particular, establishing the list of changes.

On transfer it is routinely being confirmed that there is a list of alterations for the converted automatic firearm, and that the alterations described in that list are effective. Otherwise it would not be possible to effect the transfer. There is nothing sinister about this, rather is a requirement mandated by the Firearms Act. Only those firearms that appear not to meet the requirements are inspected.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 2012-03-20 11:57 >>>
Good morning,

I need your assistance please.
Client is talking about Converted Automatic policy and inspections. Any information on this would be greatly appreciated or direct me where I can find information that I could include in the Minister's response?

Thank you

Rose

>>>

From: ES&ML-DLO

A0074293_2067-002850

Page 2851

is not relevant

est non pertinente

Page 2852

is withheld pursuant to section

est retenue en vertu de l'article

of the Access to Information Act

de la Loi sur l'accès à l'information

Page 2853
is withheld pursuant to sections
est retenue en vertu des articles

of the Access to Information Act
de la Loi sur l'accès à l'information

Pages 2854 to / à 2860

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Page 2861

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Page 2862

is not relevant

est non pertinente

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Murray Smith - Fwd: Re: Firearms Classification Fact Sheet - Feedback

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 3/23/2012 3:49 PM
Subject: Fwd: Re: Firearms Classification Fact Sheet - Feedback
Attachments: Classification DRAFT V4.doc

Latest version of the document. Looks OK to me.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Lynn Doran 2012-03-21 08:09 >>>
Hi Murray,

Fact sheets are posted on our website (and often print distributed as well) to inform clients about different firearm-related topics. This one was requested by Scott McDougall as the CFP often receives ministerial and public inquiries regarding firearm classification. I've attached the fact sheet again, although I've already received approval for its content from Bill Etter. Since then, however, it's gone to Legal and been changed a bit. Please let me know if you have any recommendations about the content.

Thanks,
Lynn

>>> Murray Smith 3/20/2012 4:07 PM >>>
Hi Lynn,

Just back from a week away. What is this fact sheet for?
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Lynn Doran 2012-03-13 08:56 >>>
Good morning Murray and Kim,

I've been asked to draft a fact sheet about firearms classification, and I'm wondering if one of you can look over the content and let me know if you approve. The information on the first page is very straightforward, so it's really only a few paragraphs on the second page that I'd like you to review whenever possible.

Thanks,
Lynn

A0074293_2080-002863

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

FACT SHEET: Firearms Classification

CLASSES OF FIREARMS

All firearms in Canada fall into one of three classes - non-restricted, restricted or prohibited.

Non-restricted firearm: any rifle or shotgun that is neither restricted nor prohibited. Most common long guns are non-restricted, but there are exceptions.

Restricted firearm* means:

(a) a handgun that is not a prohibited firearm,

(b) a firearm that

(i) is not a prohibited firearm,

(ii) has a barrel less than 470 mm in length, and

(iii) is capable of discharging centre-fire ammunition in a semi-automatic manner,

(c) a firearm that is designed or adapted to be fired when reduced to a length of less than 660 mm by folding, telescoping or otherwise, or

(d) a firearm of any other kind that is prescribed to be a restricted firearm

Prohibited firearm* means:

(a) a handgun that

(i) has a barrel equal to or less than 105 mm in length, or

(ii) is designed or adapted to discharge a 25 or 32 calibre cartridge, but does not include any such handgun that is prescribed, where the handgun is for use in international sporting competitions governed by the rules of the International Shooting Union,

(b) a firearm that is adapted from a rifle or shotgun, whether by sawing, cutting or any other alteration, and that, as so adapted,

(i) is less than 660 mm in length, or

(ii) is 660 mm or greater in length and has a barrel less than 457 mm in length,

(c) an automatic firearm, whether or not it has been altered to discharge only one projectile with one pressure of the trigger, or

(d) any firearm that is prescribed to be a prohibited firearm;

*_Criminal Code_ definitions

HOW FIREARMS CLASS IS DETERMINED

The class of a firearm is determined based on criteria set out in subsection 84(1) of the *Criminal Code* and corresponding Regulations made by *Orders in Council*. Accordingly, changes to the classification criteria can only be made by Parliament and the Governor in Council, generally following the recommendation of the Minister of Justice.

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CAN A FIREARM BE "RE-CLASSIFIED"?

It may occasionally appear that a firearm has been "re-classified". However, this term is not accurate.

The Canadian Firearms Program applies criteria set out in the *Criminal Code* and corresponding Regulations. A firearm's classification depends on the attributes of the firearm and the definitions in the *Criminal Code*. The *Criminal Code* defines "restricted firearm" and "prohibited firearm". In some cases, information may arise that influences the outcome of this determination, and subsequently, the firearm's classification. For example, authorities may evaluate an imported firearm based on information provided by a firearm manufacturer or importer, prior to importation. Upon inspection, however, it may be determined that the information initially provided was inaccurate or incomplete.

Similarly, if it is determined that a firearm can easily be modified (e.g. reduced in length or converted from semi-automatic to full automatic), this new information will determine the firearm's class. Also, the design of an imported firearm may change over time from that of the initial shipment. The newer variant may fit into a different class than the original model.

VERIFYING THE CLASS OF A FIREARM

Verification is the process of identifying a firearm and confirming its class.

The Canadian Firearms Program coordinates a nation-wide network of trained and certified verifiers who can assist businesses and individuals. For verification information and assistance: 1-800-731-4000 (ext. 1052) or verifiers.network@rcmp-grc.gc.ca

The Canadian Firearms Program has developed a world-renowned firearms identification tool called the Firearms Reference Table (FRT). Authorized users of the FRT can access this up-to-date, accurate and comprehensive firearms identification information through various formats. Both domestic and international law enforcement agencies, including Interpol, now rely on the FRT for firearms reference information.

INFORMATION

For more information, contact the CFP.

This fact sheet is intended to provide general information only. For legal references, please refer to the Criminal Code and the *Firearms Act* and their corresponding *Regulations*. Provincial, territorial and municipal laws, regulations and policies may also apply.

Le présent feuillet d'information est également disponible en français.

CFP 1266 E (2012/03) V1

Pages 2866 to / à 2868

are not relevant

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Murray Smith - Re: AT-22

From: Murray Smith
To: Zhang, Grace
Date: 3/23/2012 4:49 PM
Subject: Re: AT-22

Hi Grace,

Based on the limited information provided, all 19 firearms are prohibited. I presume someone will contact the owners to validate the description. For instance some of the records use the manufacturer's location as the identifier, suggestive, but hardly proof beyond a reasonable doubt. The model name "AT-22" is exclusive in the FRT to the Feather AT-22 rifle, thus it is reasonable to conclude they are all Feather AT-22 prohibited rifles unless established otherwise.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Grace Zhang 2012-03-19 09:47 >>>
Hi Murray,

Could you take a look at the attached spreadsheet and let me know if all these firearms should be prohibited per PFR, Part 1, para. 18? Their current registration class is NR and they were all registered during RRI. Most of them didn't provide shots.

Thanks,

Grace

A0074293_2086-002869

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Murray Smith - Re: Fwd: MALAVOIE's copy of T016452 Version 1.pdf - Adobe Acrobat Professional

From: Murray Smith
To: Zhang, Grace
Date: 3/27/2012 4:04 PM
Subject: Re: Fwd: MALAVOIE's copy of T016452 Version 1.pdf - Adobe Acrobat Professional

Hi Grace,

In general the response looks OK. However, I would suggest the reference to spot checking be removed and instead focus on the legal obligations, namely (1) to have a list of modifications and (2) to ensure the modifications are adequate.
Thus for para (1) below, the emphasis ought to be changed to reflect the legal obligations as stated above.

For para (2) you could add that it was discovered in many cases that the list of modifications was absent, in addition to the comments about the suitability of the modifications.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Grace Zhang 2012-03-27 15:16 >>>
Hi Murray,

Could you review the response prepared by the Registrar and give me your comments?

==========

1. In line with the CFP's mission to enhance public safety and to ensure compliance with the law, the CFP requests physical examination of certain firearms such as the converted automatic firearms either as a routine spot check or if the conversion on the firearms need to be reviewed. At any time, the Registrar of Firearms may require physical examination of a firearm before issuing a registration certificate.

2. In the past inspections of converted automatic firearms, the CFP has discovered quite a number of cases where the modification of a converted automatic firearm was not sufficient to remove the full automatic capability. In such cases, the owners of there firearms were given the opportunity to upgrade the modifications followed by reinspection to ensure compliance.

3. CFP covers all shipping costs for firearms need to be inspected that are registered to individuals. Businesses are responsible to ship their firearms to the CFP RCMP. However, CFP pays for all the returning shipping costs.

==========

Thanks,

Grace

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>>> Rose Thomas 3/21/2012 10:41 AM >>>
Nicole

Was there a reason why an inspection was requested for the converted automatic firearms when one was already provided 20 years ago? Is there a police somewhere in the Firearms Act (section#?) that explains this?

Merci

Rose

>>>

From: Murray Smith
To: Thomas, Rose
CC: Etter, William; Glass, Kimberley
Date: 3/20/2012 4:36 PM
Subject: Re: Fwd: MALAVOIE's copy of T016452 Version 1.pdf - Adobe Acrobat Professional

Hi Rose,

The CFP policy on the administrative component (replacing, issuing and revoking registration certificates

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Page 2872

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Murray Smith - Re: Fwd: MALAVOIE's copy of T016452 Version 1.pdf - Adobe Acrobat Professional

From: Murray Smith
To: Zhang, Grace
Date: 3/27/2012 4:15 PM
Subject: Re: Fwd: MALAVOIE's copy of T016452 Version 1.pdf - Adobe Acrobat Professional

Grace,

The Firearms Act obligations are found in Sections 12(3) and 71(2). More details in my previous comment - scroll down further in the chain of e-mail messages.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Grace Zhang 2012-03-27 16:08 >>>
Hi Murray,

Thanks for the quick response. As for legal obligations (1) and (2), can I find them under the Firearms Act?

Grace

>>> Murray Smith 3/27/2012 4:04 PM >>>
Hi Grace,

In general the response looks OK. However, I would suggest the reference to spot checking be removed and instead focus on the legal obligations, namely (1) to have a list of modifications and (2) to ensure the modifications are adequate.
Thus for para (1) below, the emphasis ought to be changed to reflect the legal obligations as stated above.

For para (2) you could add that it was discovered in many cases that the list of modifications was absent, in addition to the comments about the suitability of the modifications.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services

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Pages 2874 to / à 2875

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Pages 2877 to / à 2878

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Pages 2879 to / à 2893

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Pages 2894 to / à 2916

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Murray Smith - Re: Firearms report.

From: Murray Smith
To: Lishchynski, Marc
Date: 3/29/2012 1:01 PM
Subject: Re: Firearms report.
Attachments: Grenade launcher report.wpd

Marc,

Attached (and below) is the draft report text which can be made into a final signed report quickly. I have decided not to embed pictures as I am unable to locate good quality photos for all the items mentioned. Let me know if this covers the territory needed.

Regards,

Murray

Purpose

The purpose of this report is to identify the types of rifle grenades and grenade launchers present during the Rwandan civil war circa 1990-1994, excluding crew served grenade launching weapon systems.

Definitions

The term "grenade launcher" is not precise. It can mean an adaptor for an assault rifle required to launch a rifle grenade, a firearm attached to an assault rifle and designed to shoot a grenade, or a firearm independent of an assault rifle which is designed to discharge grenades. The following terms are used in this report:

Rifle Grenade: a grenade designed or adapted (with a launcher) to be fired from a rifle. The rifle grenade it fitted over the muzzle of the rifle. Some designs employ an adaptor (or launcher) to hold the grenade in the correct firing position. Other grenades are designed to fit directly over the muzzle of one or more types of rifles. Some designs call for a special launching cartridge to be inserted into the chambre of the rifle, others permit the use of standard (ball) ammunition to launch the grenade. In either case the rifle is capable of discharging either a grenade or a bullet but not both at the same time.

Grenade Launcher: a firearm designed to shoot grenades. Some are designed to be attached to a rifle, generally under the barrel of the rifle. In this configuration, it is carried by a soldier as if it were one weapon, but the rifle and grenade launcher operate independently. The soldier can choose to fire either a grenade from the launcher or a bullet from the rifle. Other models of grenade launchers are designed to be used as stand-alone weapons and are not mounted to a rifle. Modern designs of grenade launchers are typically interchangeable, they can be either mounted to a rifle or used independently when combined with a stock.

Sources of rifles, grenade launchers and grenades

Small arms and light weapons were supplied to the combatants from a variety of sources and through various channels, both official and irregular. As a result the types of arms present during the conflict are an eclectic mixture.

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Grenades and grenade launchers are typically deployed as part of a weapon system in conjunction with the battle rifle or assault rifle used by a particular armed group, whether it be an officially constituted army, a militia or an irregular group. The battle rifles and assault rifles present in Rwanda during the civil war are better documented, and it would be logical to conclude that the rifle grenades and grenade launchers present during the conflict would be those compatible with the known battle rifles and assault rifles. There remains the possibility however, that small quantities of other types of grenades or grenade launchers were present due to the irregular means of supply that existed at the time. Some grenades and launchers are compatible with more than one type of rifle and thus it is also possible that unusual combinations were in use.

The reported types of battle rifles and assault rifles present during the Rwandan civil include the following:

1. AK-47, 7.62x39 mm assault rifle (Egypt, Romania and other Eastern European nations)
2. AKM, 7.62x39 mm assault rifle (China)
3. FN-FAL, 7.62x51 mm rifle (Belgium)
4. G3, 7.62x51 mm rifle (Germany)
5. R-4, 5.56x45 mm assault rifle (South Africa)

Note that the geographic regions mentioned above indicate the variant of the rifle and its probable point of manufacture, but do not establish that the rifle was directly transferred from that region or nation to Rwanda. The types of grenades and grenade launchers detailed below represent those types available at the time and which are associated with the rifles mentioned above.

Rifle Grenades

The rifle grenades listed below are launched from the muzzle of a battle rifle or assault rifle. Numerous types are available, including fragmentation, anti-armour, tear gas, stun, smoke and others.

1. FH Herstal B-T rifle grenade (Belgium)
compatible with the FN-FAL (and other) rifles
launched using conventional rifle (ball) ammunition

2. MECAR BTU rifle grenade (Belgium)
compatible with 7.62 mm and 5.56 mm rifles
launched using conventional rifle (ball) ammunition

3. M791 anti-personnel rifle grenade (South Africa)
compatible with 7.62 mm and 5.56 mm rifles
launched only using ballistite ammunition

4. 75 mm HEAT anti-tank rifle grenade (South Africa)
compatible with 7.62 mm rifles
launched only using ballistite ammunition

Grenade Launchers

The grenade launchers listed below are either designed to be mounted to a rifle and fired while so mounted, or are firearms that are designed to be fired independently of a battle rifle or assault rifle. The former are generally designed to be mounted underneath the barrel of the battle rifle or assault rifle and be held and fired using the stock and body of the rifle for support. The latter are complete firearms which have their own stock and do not require the presence of a battle rifle or assault rifle for support. Various types of 40 mm ammunition are available, including anti-personnel fragmentation grenades.

1. 40 mm BG-15 grenade launcher (Russia/Commonwealth of Independent States)
AK47 under barrel

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single shot

2. 40 mm Heckler & Koch HK79 grenade launcher (Germany)
G3 under barrel
single shot

3. 40 mm Granatpistole grenade launcher (Germany)
stand-alone launcher
single shot

4. 40 mm Armscor grenade launcher (South Africa)
stand-alone launcher
single shot

5. 40 mm Armscor MGL grenade launcher (South Africa)
stand-alone launcher
six shots

Reference documents

1. Jane's Infantry Weapons, 18th Edition, 1992-93, Ian Hogg.

2. Report of the International Commission of Enquiry (Rwanda), prepared for the United Nations Security Council, March, 1996.

3. After the Smoke Clears: Assessing the Effects of Small Arms Availability, Small Arms Survey 2001.

4. The use and Perception of weapons before and after Conflict: Evidence from Rwanda, Meijer & Verwimp, Small Arms Survey.

5. United nations Arms Embargoes, Their Impact on Arms Flows and target Behaviour, Case Study: Rwanda, 1994 to present, Damian Fruchart, Stockholm International Peace Research Institute, 2007.

6. ARMING RWANDA: The Arms Trade and Human Rights Abuses in the Rwandan War, Human Rights watch, January, 1994.

7. An Overview of Small Arms production, Export, Ownership and proliferation in South Africa, Guy Lamb, Centre for Conflict resolution, University of Cape Town, South Africa, March, 2000.

8. The Arming of Rwanda, and the Genocide, Nelson Alusala, African Security Review 13(2), 2004.

9. Machetes and Firearms: The Organization of Massacres in Rwanda, Verwimp, Journal of Peace Research, December, 2005.

10. A Quantitative Analysis of Genocide in Kibuye Prefecture, Rwanda, Verwimp, Catholic University of Leuven Belgium, May, 2001.

11. Rwanda's Hutu Extremist Insurgency: An Eyewitness Perspective, Richard Orth, Former US Defense Attache in Kigali, Undated (post 2004).

Murray A. Smith
Manager,

A0074293_2136-002919

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Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Marc Lishchynski 2012-03-23 12:51 >>>
Hi everyone,

I just spoke to Murray Smith, who advised me that he expects to have the firearms report completed some time next week.

As soon as it's ready, I'll go pick it up myself.

LISH.

A0074293_2137-002920

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Purpose

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Definitions

The term "grenade launcher" is not precise. It can mean an adaptor for an assault rifle required to launch a rifle grenade, a firearm attached to an assault rifle and designed to shoot a grenade, or a firearm independent of an assault rifle which is designed to discharge grenades. The following terms are used in this report:

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one type of rifle and thus it is also possible that unusual combinations were in use.

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Note that the geographic regions mentioned above indicate the variant of the rifle and its probable point of manufacture, but do not establish that the rifle was directly transferred from that region or nation to Rwanda. The types of grenades and grenade launchers detailed below represent those types available at the time and which are associated with the rifles mentioned above.

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launched using conventional rifle (ball) ammunition

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launched only using ballistite ammunition

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compatible with 7.62 mm rifles
launched only using ballistite ammunition

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rifle. The former are generally designed to be mounted underneath the barrel of the battle rifle or assault rifle and be held and fired using the stock and body of the rifle for support. The latter are complete firearms which have their own stock and do not require the presence of a battle rifle or assault rifle for support. Various types of 40 mm ammunition are available, including anti-personnel fragmentation grenades.

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single shot

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3. 40 mm Granatpistole grenade launcher (Germany)
stand-alone launcher
single shot

4. 40 mm Armscor grenade launcher (South Africa)
stand-alone launcher
single shot

5. 40 mm Armscor MGL grenade launcher (South Africa)
stand-alone launcher
six shots

Reference documents

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4. The use and Perception of weapons before and after Conflict: Evidence from Rwanda, Meijer & Verwimp, Small Arms Survey.

5. United nations Arms Embargoes, Their Impact on Arms Flows and target Behaviour, Case Study: Rwanda, 1994 to present, Damian Fruchart, Stockholm International Peace Research Institute, 2007.

6. ARMING RWANDA: The Arms Trade and Human Rights Abuses in the Rwandan War,

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Human Rights watch, January, 1994.

7. An Overview of Small Arms production, Export, Ownership and proliferation in South Africa, Guy Lamb, Centre for Conflict resolution, University of Cape Town, South Africa, March, 2000.

8. The Arming of Rwanda, and the Genocide, Nelson Alusala, African Security Review 13(2), 2004.

9. Machetes and Firearms: The Organization of Massacres in Rwanda, Verwimp, Journal of Peace Research, December, 2005.

10. A Quantitative Analysis of Genocide in Kibuye Prefecture, Rwanda, Verwimp, Catholic University of Leuven Belgium, May, 2001.

11. Rwanda's Hutu Extremist Insurgency: An Eyewitness Perspective, Richard Orth, Former US Defense Attache in Kigali, Undated (post 2004).

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Murray Smith - Re: AR-15

From: Murray Smith
To: Lee, Hwan
Date: 3/29/2012 4:01 PM
Subject: Re: AR-15
CC: Etter, William; Glass, Kimberley

Hi Hwan,

The question is either simple or complicated depending on what is read into it.

If the question is taken at face value and deals with AR15 class firearms that are derivatives of the M16 rifle, then there are three possibilities:
1. Prohibited if it is capable of full auto fire,
2. Restricted if semiautomatic, centrefire and has a barrel length less than 470 mm, or
3. Restricted if neither of the above apply, as either a named or unnamed variant.
There are no non-restricted options.

The more complicated question deals with firearms that are similar to an M16 rifle but not exact enough to fall within the ambit of the Regulations, and thus are not truly AR15 class firearms, even though they might be marketed as being so. Such firearms are generally (but not always) non-restricted.
If you can narrow down the question to a specific firearm, we can provide a rationale.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-03-27 13:01 >>>
Hi Kim,

I don't think Murray is in. I know you can help too.

Pierre and I attended a meeting yesterday whereby someone raised he had an issue with classification of AR-15. I see that Colt AR-15s are listed in the CC regulations as a restricted firearms. Are there any other types of AR-15 that is in prohibited class or NR class?

The person did not make it clear what the issue was nor what the classification of it is.

I would appreciate your assistance.

Thanks

Hwan

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Murray Smith - Fwd: Re: T016535

From: Murray Smith
To: Lee, Hwan
Date: 4/3/2012 3:45 PM
Subject: Fwd: Re: T016535

Hi Hwan,

1. Firearms are excluded from being replica firearms as defined in Part III of the Criminal Code. This can be either inert devices that do not discharge any projectile at all (as you indicated), or they can be devices that discharge a projectile that is not capable of causing any harm to a person, which is commonly the case for Airsoft guns. Thus replica firearms can indeed be capable of discharging projectiles, and many Airsoft guns are replica firearms due to the combination of failing to meet the Sec 2 CC definition of firearm due to low velocity and resembling a genuine firearm with near precision.

2. The item depicted in the Canadian Tire flyer excerpt attached to the incoming letter is probably an Airsoft gun. However, it has a transparent receiver and fails to meet the replica firearm definition on the "near precision" aspect.

3. Contrary to the author's statements, muzzle velocity is an important factor which is always a consideration in classification. Also, the restricted and prohibited provisions of the Regulations have not changed significantly since 1995, again contrary to the author's claims.

4. The proposed response is accurate as far as it goes, but does not directly address the issues raised by the author.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-04-02 09:06 >>>
Hi Murray,

I would appreciate your review of the response to | Particularly, the second category of air guns confuses Pierre and I. It might be useful for a telephone call to clarify.

The issue is that the "second category" speaks of the replica firearms. Our understanding was that the replicas do not produce projectiles; that means airsoft guns cannot be replicas. The paragraph stats contrary to our understanding. We might just be misreading it. I would appreciate a phone conversation at your convenience. My feeling is we are just not understanding correctly and that is inhibiting us from grasping it fully.

This link is helping somewhat. http://www.rcmp-grc.gc.ca/cfp-pcaf/fs-fd/air_gun-arme_air-eng.htm

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Page 2927

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Murray Smith - Fwd: Re: T016535

From: Murray Smith
To: Francis, Geoffrey
Date: 4/3/2012 3:47 PM
Subject: Fwd: Re: T016535
Attachments: MALAVOIEs copy of Incoming TOW-016535 Version 1_1.PDF; T016535 - McMillan_1.doc

FYI.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-04-03 15:45 >>>
Hi Hwan,

1. Firearms are excluded from being replica firearms as defined in Part III of the Criminal Code. This can be either inert devices that do not discharge any projectile at all (as you indicated), or they can be devices that discharge a projectile that is not capable of causing any harm to a person, which is commonly the case for Airsoft guns. Thus replica firearms can indeed be capable of discharging projectiles, and many Airsoft guns are replica firearms due to the combination of failing to meet the Sec 2 CC definition of firearm due to low velocity and resembling a genuine firearm with near precision.

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Murray

Murray A. Smith
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Pages 2929 to / à 2942

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Pages 2943 to / à 2944

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of the Access to Information Act

de la Loi sur l'accès à l'information

Pages 2945 to / à 2955

are not relevant

sont non pertinentes

Pages 2956 to / à 2964

are not relevant

sont non pertinentes

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Murray Smith - Re: Fwd: FW: 12-047368 card B

From: Murray Smith
To: STILLER, Dietmar
Date: 4/4/2012 11:39 AM
Subject: Re: Fwd: FW: 12-047368 card B
CC: CUNNINGHAM, Jim; SINGH, Abhy

Hi Dietmar,

We are very much aware of the clamshell kits that are used to dress up an otherwise innocuous non-restricted or restricted firearm as a faux assault rifle. The term "assault rifle" is not applicable as you indicated. Similar kits exist for shotguns and handguns.

I researched the manner by which these items are marketed and there is no universally accepted generic description for them. Having said that, based on the advertising in common use, I would describe them as "paramilitary tactical kits". That description would apply equally to the clamshell alone, or the complete package assembled on a firearm.

Lastly, based on the photos you sent, it looks like you have a restricted rifle with two prohibited devices - the bullpup stock and an overcapacity magazine.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Dietmar STILLER 2012-04-02 10:50 >>>
Good morning Murray !

Re our Friday phone call attached is a photo of the firearm that was seized. Investigators were able to locate a serial number which showed it was a mini ruger that had been stolen out of Vernon. Investigators wanted to describe it as an assault rifle in their search warrant however I advised against it. My opinion / suggestion was a firearm that has been modified with a prohibited component. I do believe they did get the warrant signed, however for future reference Murray what would the best term / fraise be for a search warrant.

Tks again for your help in this matter

Dietmar

Dietmar A STILLER Cpl.
National Weapons Enforcement Support Team

A0074293_2182-002965

Pages 2966 to / à 2967

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Murray Smith - Re: Fwd: FW: 12-047368 card B

From: Murray Smith
To: STILLER, Dietmar
Date: 4/4/2012 11:55 AM
Subject: Re: Fwd: FW: 12-047368 card B

Dietmar,

One last thing, based on further research. I do not know how accurately the barrel length measurement is, but 425 mm is not a standard length. You may wish to confirm barrel length. The rifle may have been sawed off, and if so, it would be a prohibited firearm.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Dietmar STILLER 2012-04-04 11:44 >>>
Tks Murray this helps a lot
Dietmar
-----Original Message-----
From: Murray Smith
To: STILLER, Dietmar <dietmar.stiller@rcmp-grc.gc.ca>
Cc: SINGH, Abhy <abhy.singh@rcmp-grc.gc.ca>
Cc: CUNNINGHAM, Jim <james.cunningham@rcmp-grc.gc.ca>

Sent: 04/04/2012 11:39:32
Subject: Re: Fwd: FW: 12-047368 card B

Hi Dietmar,

We are very much aware of the clamshell kits that are used to dress up an otherwise innocuous non-restricted or restricted firearm as a faux assault rifle. The term "assault rifle" is not applicable as you indicated. Similar kits exist for shotguns and handguns.

I researched the manner by which these items are marketed and there is no universally accepted generic description for them. Having said that, based on the advertising in common use, I would describe them as "paramilitary tactical kits". That description would apply equally to the clamshell alone, or the complete package assembled on a firearm.

Lastly, based on the photos you sent, it looks like you have a restricted rifle with two prohibited devices - the bullpup stock and an overcapacity magazine.

Regards,

Murray

A0074293_2185-002968

Pages 2969 to / à 2970

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Murray Smith - Re: JR Carbine

From: Murray Smith
To: Press, Mike
Date: 4/5/2012 11:46 AM
Subject: Re: JR Carbine
Attachments: Just Right Carbines_ FRT_131999_1.PDF

Thanks Mike,

Attached is the latest version of the FRT record. Note there are both restricted and non-restricted factory options for the 9mm Luger calibre version, based on barrel length. There are also aftermarket longer barrels for non-restricted configurations, the 40 S&W calibre example in the FRT record illustrates.

The version mentioned below with the 16 inch barrel would be restricted. The 10 round magazine is OK provided it is a Glock magazine. The exemption would not apply to magazines made for the carbine itself (ie: the magazine must be designed and manufactured exclusively for a handgun in order to qualify for a 10 round capacity). In practical terms this means that a magazine marked with Glock or unmarked would qualify, if it has the JR carbine name on it then it would be limited to five rounds. The magazines we have seen are all marked Glock.

Lastly, it does not resemble an M16 rifle closely enough to fall into the variant class.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Press, Mike(Mike Press) 2012-04-05 10:36 >>>
Hi

As per our conversation

www.justrightcarbines.com

Information from 55 Division

Sold at Toronto Sportsman show - 9mm Luger (also available in 40 S&W and 45 Auto) using a 10 cartridge capacity Glock mag with a 16" barrel. - being sold if person has a Non-Restricted PAL

Thanks

Mike

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Pages 2972 to / à 2986

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Murray Smith - Re: AK47 BB gun report

From: Murray Smith
To: Ross, James
Date: 4/11/2012 9:35 AM
Subject: Re: AK47 BB gun report

James,

Without specific details on your paintball gun it is impossible to give an exact answer. If it is based on a recycled genuine AK47 receiver like the BB guns in question, then it would be prohibited. However, if the paintball gun is copying the AK design in only a generic fashion, then it is most likely an unregulated product.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> James Ross 2012-04-11 08:00 >>>
Hi Murray.

Thanks a lot for the report, it was very helpful. I was wondering if you know of anyone in the area here (Newmarket/Toronto North) that can determine if an AK-47 paintball gun that we seized can be verified to be prohibited as well or not. It does not appear to be made from the same AK-47 receivers that the BB guns are made from, but we need to be sure before we return the paintball gun and state that they are good to sell. Thanks a lot for your help. I really appreciate it!

Jim

Jim Ross, Cst.
Royal Canadian Mounted Police
Toronto North Detachment
Customs and Excise Section
Office: (905) 953-7308

Fax: (905) 953-7301
email: james.ross@rcmp-grc.gc.ca

>>> Murray Smith 2012-04-03 15:52 >>>
Hello Jim,

Attached is the report requested. We had thought this file to be dormant; obviously not any more. Please keep us in the loop concerning Court requirements or if the matter becomes publicized.

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Pages 2993 to / à 3002

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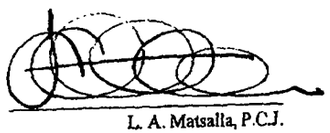
weapon and for Mr. Boon to advise the Registrar of the particulars relied upon by him in reaching his conclusion. This reference hearing has not concluded and so it shall be adjourned to Monday, May 7, 2012 at 9:30 a.m. to conclude the matter.



L. A. Matsalla, P.C.J.

04-09-'12 13:49 FROM-Min. of Justic, AG 306-778-8581 T-616 P0011/0011 F-180

A0074293_222000303

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Murray Smith - Re: Zoraki Model M906 PROS 2012284402 Routine

From: Murray Smith
To: McDougall, William
Date: 4/13/2012 2:04 PM
Subject: Re: Zoraki Model M906 PROS 2012284402 Routine
CC: Boivin, Real; Etter, William

Hello Bill,

We have not issued a definitive classification on the Zoraki model 906 as yet. We strongly suspect it has a frame common to the Shark trauma pistol but are continuing enquiries to precisely determine same.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> William McDougall 2012-03-21 09:08 >>>
Good Day Murray;

The CNFTC has received yet another request for Zoraki, Model M906, 9mm P.A. Knall (PAK) Blank Gun, Serial Number refers.

I understand there is a report being authored addressing the issue of Blank Gun Replicas. In order to respond in compliance with all laws & policies, would the CNFTC be able to acquire a copy of the final report?

Thank you.

Regards;

Bill

W.A.(Bill) McDougall
National Firearms Tracing Centre (NFTC)
(Le) Centre National de dépistage des armes à feu (CNDAF)
Tel/Tél: (613) 843-6939 Fax/Téléc: (613) 825-8423
email/courriel: william.a.mcdougall@rcmp-grc.gc.ca

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Murray Smith - AK47 "paintball" question

From: Murray Smith
To: Press, Mike
Date: 4/13/2012 4:24 PM
Subject: AK47 "paintball" question

Mike,

Would you be able to call the fellow below. He called me earlier this week in connection with the AK47 BB guns we examined and issued a report on. However, the item he has appears to be different, an AK47 style paintball gun. If so it is unlikely to be a firearm subject to registration (long gun & velocity less than 500 fps), but because it would qualify as a firearm per the definition in Section 2 CC, it would not be a replica firearm either.

I think a quick look would solve the classification of this item.

Thanks,

Murray

Cst. Francesco (Frank) DE PAOLA
GTA Customs and Excise Section
Toronto North Detachment Site
Newmarket, Ontario.
905-953-7364 (Office)

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_2222-003005

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Murray Smith - Re: Fw: URGENT Request from the MO

From: Murray Smith
To: Lee, Hwan
Date: 4/17/2012 1:24 PM
Subject: Re: Fw: URGENT Request from the MO
CC: Francis, Geoffrey; Glass, Kimberley; McDougall, Scott

Hello Hwan,

Not much detail in the request, but I presume this to be a followup from the events of last October. CFP bulletin #77 refers.

Essentially, BB guns were imported and declared as uncontrolled firearms (no licence, no registration), and sold widely before we caught up with them. In fact, the BB guns were built on genuine fully automatic AK47 assault rifle receivers, and prohibited as a result.

Note that RCMP C&E has been rounding up these firearms and executed a series of search warrants last week, which probably led to this enquiry. Thus the release of information should take into account that the matter is still under investigation.
If the above is not the matter of concern to the MO, then they will have to supply more information.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-04-17 13:06 >>>
Can u prepare a response for today? Thanks
Hwan
Sent from BlackBerry

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Page 3007

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Murray Smith - Fwd: Re: T016757

From: Murray Smith
To: Thomas, Rose
Date: 4/17/2012 3:50 PM
Subject: Fwd: Re: T016757
CC: McDougall, Scott

Hi Rose,

Your proposed response looks fine to me (with one minor exception noted below). Having said that, the individual is posing a political question, namely to significantly change the firearms classification scheme, so why not just refer the letter to the Minister of Justice and be done with it.

If you wish to retain the proposed response, the last sentence in paragraph 3 will have to be tempered somewhat. I suggest "Generally speaking, the maximum capacity....", as there exceptions to what is stated in the balance of the sentence. I do not particularly like the term "long gun" either but cannot think of a short alternative.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 2012-04-17 15:34 >>>
Good afternoon,

Please find attached, for your review and comments, the proposed response for Ministerial Correspondence T016757. A copy of the incoming is also attached for your information.

Your comments on or before Friday April 20, 2012 would be greatly appreciated.

Thank you

Rose

>>>

> **From:** Hwan Lee
> **To:** Rose Thomas
> **Date:** 4/17/2012 10:25 AM
> **Subject:** Re: T016757
> Hi Rose,
>
> Sorry for the late response. Would you please have the SFSS review it?

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Pages 3009 to / à 3015

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Murray Smith - Re: Fw: Fwd: Fw: URGENT Request from the MO

From: Murray Smith
To: Francis, Geoffrey; Perron, Pierre
Date: 4/17/2012 5:35 PM
Subject: Re: Fw: Fwd: Fw: URGENT Request from the MO
CC: Lee, Hwan

The BB gun contains the active receiver of a fully automatic AK47 assault rifle. The receiver itself fulfils the requirements of being a "firearm". Since it is an "automatic firearm", it falls into the classification of "prohibited firearm". The addition of BB gun parts has no bearing on the capabilities of the receiver. All that needs to be done is replace the BB parts with the original parts.

Here are the relevant definitions taken from the Criminal Code:

"firearm" means a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm;

"automatic firearm" means a firearm that is capable of, or assembled or designed and manufactured with the capability of, discharging projectiles in rapid succession during one pressure of the trigger;

"prohibited firearm" means

(c) an automatic firearm, whether or not it has been altered to discharge only one projectile with one pressure of the trigger,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Pierre Perron 2012-04-17 17:18 >>>
Asap

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Murray Smith - Re: Fwd: Question sur les armes de types BBGun

From: Murray Smith
To: Ranger, Tim
Date: 4/18/2012 12:15 PM
Subject: Re: Fwd: Question sur les armes de types BBGun
CC: Francis, Geoffrey; Jemus, Marie-Claire; Lee, Hwan; McDougall, Scott

Tim,

More info:

1. RCMP "O" Div had the lead on an investigation into how several hundred AK47 BB guns entered Canada misrepresented as uncontrolled items, whereas in fact they contained active receivers of AK47 assault rifles. All that needed to be done to restore assault rifle capability was to remove the BB gun components and reinstall the original AK47 parts. In consequence the BB guns are prohibited firearms.

2. Recovery of the wayward AK47 BB guns has been ongoing. Search warrants were executed last week in the Newmarket area.

3. In October, 2011, SFSS inspected a sample BB gun purchased by "O" Div via a confidential source to establish that it contained an AK47 receiver.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-04-18 11:42 >>>
Hello Tim,

The OIC responsible for the investigation last October was Greg Johnson. Contact information below:

Greg Johnson, Insp.
OIC GTA C & E
"O" Division, RCMP
tel:(905)876-9574

Regards,

Murray

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Murray Smith - Re: Fwd: Question sur les armes de types BBGun

From: Murray Smith
To: Ranger, Tim
Date: 4/18/2012 3:39 PM
Subject: Re: Fwd: Question sur les armes de types BBGun
CC: Francis, Geoffrey; McDougall, Scott

Thanks Tim,

I understand your point about replica firearms, paintball guns etc.

The situation with this particular BB gun is that it started out as a real assault rifle, then had the immediate capability neutralized, but nonetheless is easily restored.

Replica firearms, paintball guns and the like never were firearms or firearms that had to be registered, and with very few exceptions, are not readily convertible to regulated firearms.
I think we can draw that distinction in any correspondence with the MO.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Tim Ranger 2012-04-18 13:52 >>>
Thanks Murray and certainly very interesting information on how they simply used parts that were left overs from a real production line, unbelievable.

Thanks again and sorry for the repeated e-mails but the issue was very interesting. If you need anything do not hesitate to call us Murray

Tim

>>> On 2012-04-18 at 13:35, in message <4F8EFB5E.9C3 : 219 : 16857>, Murray Smith wrote:

> Tim,
>
> I suspect the importation of the AK47 BB guns is much more innocent in this particular case, at least on the Chinese end. The company that made them, Fujian Fuxing Industry Paintball Marker Company Limited,

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Pages 3034 to / à 3041

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Murray Smith - Fwd: BN

From: Murray Smith
To: Glass, Kimberley
Date: 4/27/2012 4:40 PM
Subject: Fwd: BN
CC: Etter, William
Attachments: CFP-2009-08 BN to DC Norinco Type 97A __11.pdf

Kimberley,

Would you please start collecting information for this BN on Monday. It can be put together on Tuesday. I think we can use the old Type 97A BN as a framework and only change what is necessary.
The note I sent Geoff will have most of the technical dialog. We also need to point out that the new policy on inspection is working well and that the BD38 is a legacy issue.

Please ask Nicole for the numbers registered.

Thanks,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-04-27 16:26 >>>
Hi Geoff,

Can SFSS please prepare a draft BN to D/Commr on the BD issue? It could reflect the Norinco BN (attached).

DD Tuesday COB.

Have a nice weekend.

Hwan

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Pages 3143 to / à 3144

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Murray Smith - Draft BN for BD38

From: Murray Smith
To: Francis, Geoffrey
Date: 5/1/2012 12:58 PM
Subject: Draft BN for BD38

Hi Geoff,

Draft text of the BN follows:

PURPOSE
To inform the Deputy Commissioner of Policing Support Services of the decision to classify the Sport Systems Dittrich (SSD) model BD38 carbine as a prohibited firearm.

ISSUE
There are 75 SSD BD38 carbines currently registered as restricted firearms (65 in the hands of individuals, 10 in businesses). Most owners will not qualify to continue to possess the firearm.

BACKGROUND
The SSD BD38 carbine is purported to be a semiautomatic copy of a German WW II era MP38 submachine gun. This is the quintessential German submachine gun seen in virtually every war movie depicting that period. The SSD BD38 is a faithful reproduction of the original MP38 to the extent that parts are interchangeable. The SSD BD38 is marked with slightly altered NAZI era Waffenamt inspection stamps, the principle alteration being the trimming of the arms of the swastika to appear as a "plus" sign.

Importation of the SSD BD38 began in 2005 and the FRT record created on 2007-02-13.

Most FRT records were based on the manufacturer's specifications. In 2009, as a result of the Norinco Type 97A issue, a more critical attitude was adopted both in the regulatory environment and by the Courts. The FRT ceased creating FRT records for semiautomatic variants of automatic firearms without an inspection to confirm the semiautomatic capability. The FRT record for the SSD BD38 was put under review on 2009-03-03 pending an inspection and re-evaluation of the firearm. With some exceptions, this prevented transfer of the SSD BD38. This resulted in several enquiries to the Minister.

Samples of the SSD BD38 were obtained through purchase in March, 2012 and the inspection completed in April, 2012. Testing clearly established that the SSD BD38 carbine has virtually the same receiver as the original MP38 submachine gun and can be readily made to fire in the fully automatic mode simply by installing the necessary MP38 parts. Furthermore, the SSD BD38 carbine can be converted to fire in the fully automatic mode in minutes by making trivial modifications to the BD38 trigger mechanism using common items such as wire and small pieces of metal. As such, the easy convertibility of the SSD BD38 falls within the ambit of the "Hasselwander" Supreme Court of Canada decision which sets the threshold to "capable of conversion to an automatic weapon a relatively short period of time with relative ease".

CURRENT STATUS
The SSD BD38 is now known to be a prohibited firearm and there are at least 65 such firearms in the possession of individuals who do not have the authority to possess them. The FRT record has not been published pending development of an action plan.

The SSD BD38 carbine presents a risk to public safety through theft or diversion to the illicit marked and subsequent conversion to fully automatic submachine guns. Owners presently have a registration certificate from the Canadian Firearms Program which confers a classification of "restricted" on their SSDD BD38 carbines. An owner could in good faith replace the short barrel of the BD38 with a longer version, thereby eliminating the

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"restricted" element, notify the Registrar of the change of classification and then dispose of the BD38 as if it were a non-restricted firearm. The owners are peripherally aware that the BD38 is under review which provides incentive for disposal of the firearm.

STRATEGIC CONSIDERATIONS

The SSD BD38 retails for about $3000.00 and thus the total value of at risk is approximately $225,000.00. There is a precedent set by the Norinco Type 97A issue to buy back the prohibited firearms from individuals at full retail cost. An alternative would be for the Governor in council to prescribe the SSD BD38 as a prohibited firearm and then grandfather the firearm under the provisions of Section 12(8) of the Firearms Act.

RECOMMENDATIONS
It is recommended that the Commissioner (as Commissioner of Firearms) be briefed on thsi matter.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

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Murray Smith - Re: CFP-2012-10 BN to DC DBD38.doc

From: Murray Smith
To: Francis, Geoffrey
Date: 5/3/2012 3:05 PM
Subject: Re: CFP-2012-10 BN to DC DBD38.doc

Geoff,

I can live with the changes. Most are style based. The remainder merely soften the tone.

My recommendations would be as follows:

The firearms registry reran their numbers and came up with a different answer. The BN should be revised to read 77 SSD BD38 carbines and 7 BD3008 carbines. I do not have the breakdown with respect to businesses and individuals.

The last bullet under Strategic Considerations should identify the year (2009) when the change took place.

I have copied the text of the BN below as modified by Hwan for viewing on a blackberry. Unfortunately the colour coding is lost.

PURPOSE:
To inform the Deputy Commissioner of Policing Support Services of the determination that the Sport Systems Dittrich (SSD) model BD38 carbine as a prohibited firearm.

ISSUE:
There are 75 SSD BD38 carbines currently registered as restricted firearms (65 in the hands of individuals, 10 in businesses). Most owners will not qualify to continue to possess the firearm.

BACKGROUND:
The SSD BD38 carbine is purported to be a semi-automatic copy of a German World War II era MP38 submachine gun. The SSD BD38 is a reproduction of the original MP38 to the extent that parts are interchangeable. The SSD BD38 is marked with slightly altered NAZI era Waffenamt "winged eagle" inspection stamps (see TAB 1). The SSD BD38 also bears the secret NAZI era factory code "ayf" and Waffenamp identification number (280) for the ERMA factory which produced MP38 submachine guns at that time.

The Firearms Reference Table (FRT) record for the SSD BD38 was created on 2007-02-13 (TAB 2) based on the manufacturer's specifications. In 2009, as a result of the Norinco Type 97A issue, a more critical attitude was adopted both in the regulatory environment and by the Courts. The FRT record for the SSD BD38 was put under review on 2009-03-03, pending an inspection. With some exceptions, this halted further transfer of the SSD BD38.

Samples of the SSD BD38 were obtained through purchase in March 2012, and the inspection was completed in April, 2012. Testing clearly established that the SSD BD38 carbine has virtually the same receiver as the original MP38 submachine gun and can be readily made to fire in the fully automatic mode simply by installing the necessary MP38 parts. Furthermore, the SSD BD38 carbine can be converted to fire in the fully automatic mode in minutes by making trivial modifications to the BD38 trigger mechanism using common items such as wire and small pieces of metal. As such, the easy convertibility of the SSD BD38 falls within the ambit of the "Hasselwander" Supreme Court of Canada decision which sets the threshold to "capable of conversion to an automatic weapon in a relatively short period of time with relative ease".

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CURRENT STATUS:

- The SSD BD38 is now determined to be a prohibited firearm.
- There are at least 65 firearms in the possession of individuals who do not have the authority to possess them.
- The FRT record has not been published pending development of an action plan.
- There is a similar but smaller (7 firearms) issue with the SSD BD3008, which is a purported semi-automatic copy of another German World War II submachine gun.

STRATEGIC CONSIDERATIONS:

- The SSD BD38 carbine presents a risk to public safety through theft or diversion to the illicit market and subsequent conversion to fully automatic submachine guns.
- In the past, the individual Norinco Type 97A owners were reimbursed at full retail cost after the inspection found these firearms to be prohibited. The SSD BD38 retails for about $3,000 and thus the total value at risk is approximately $225,000. An alternative would be for the Governor in Council to prescribe the SSD BD38 as a prohibited firearm and then grandfather the firearm under the provisions of subsection 12(8) of the *Firearms Act.*
- SSD BD38 carbines are currently restricted firearms and are not affected by the C-19. However, a barrel replacement with a longer version can result in a change of class to non-restricted firearms, which would no longer be tracked via the registration process.
- The FRT ceased creating records for semi-automatic variants of automatic firearms without an inspection to confirm that the firearm is capable of semi-automatic fire only.

RECOMMENDATIONS:
It is recommended that the Commissioner be briefed on this issue and that the Minister of Public Safety be engaged with a view to

BN Identification # CFP-2012-09
CCM# 12-002005

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Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-05-03 14:49 >>>
Gentlemen,

I've made some modification. Please let me know what you think.

Hwan

A0074293_2423-003206

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Murray Smith - Fwd: anything further

From: Murray Smith
To: Etter, William
Date: 5/3/2012 3:25 PM
Subject: Fwd: anything further
Attachments: anything further; Letter to Murray Smith.tif

An old inspection come back with new life!

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Doug KRESS 2012-05-01 19:04 >>>
Murray,

Any chance you've looked at these samples? If not, perhaps you could send them back to me and I'll try a different plan. Original letter included for your reference.

Thanks,

Doug KRESS

Douglas Kress
Firearms Officer
#118 - 5477 152nd Street
Surrey, BC Canada V3S 5A5
ph. 1-800-731-4000 ext 9551
direct line 778-571-3406
Doug.Kress@rcmp-grc.gc.ca

RCMP-GRC - Canadian Firearms Program

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Murray Smith - anything further

From: Doug KRESS
To: Smith, Murray
Date: 10/26/2011 7:19 PM
Subject: anything further
Attachments: Letter to Murray Smith.tif

Hi Murray,

Anything further on the information I asked for back in September of 2010? This relates to a file for a business licence.

Any attention you could lend to this would be appreciated. A copy of the original letter is enclosed.

Regards,

Doug KRESS

Douglas Kress
Firearms Officer
#118 - 5477 152nd Street
Surrey, BC Canada V3S 5A5
ph. 1-800-731-4000 ext 9551
direct line 778-571-3406
Doug.Kress@rcmp-grc.gc.ca

RCMP-GRC - Canadian Firearms Program

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A0074293_2425-003208

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RCMP·GRC
Canadian Firearms Program
Royal Canadian Mounted Police
Programme canadien des armes à feu
Gendarmerie royale du Canada

Chief Firearms Officer
British Columbia and Yukon Territory
Suite 400, 10470-152nd Street
Surrey, BC V3R 0Y3

September 7, 2010

Murray Smith
RCMP Central Forensic Laboratory
1200 Vanier Park Way - Loading Dock 1
Ottawa, ON K1A 0R2

Dear Mr. Smith:

Re: Firearms Parts for classification

I am enclosing six samples of firearms parts provided by Dlask Arms Corp. of Delta, BC. I understand you may have seen samples of some of these parts previously but the question has come up as to what constitutes 'sufficiently complete' to require registration of the particular samples enclosed. The parts are described as:

- Shipping Box 1 - Two AR 15 lowers, one of which is described as completed to 80% and serialized The other is not completed to 80% and is not serialized.
- Shipping Box 2 - Two handgun frames, Model DAC 394, one of which is described as completed to 80% and serialized The other is not completed to 80% and is not serialized.
- Shipping Box 3 - Two handgun frames, Model 1911, one of which is described as completed to 80% and serialized The other is not completed to 80% and is not serialized.

I am requesting that you examine these parts to determine their actual state of readiness for registration.

It is position that the un-serialized frames are far from completion and a great deal of work needs to be done to bring the frames to 80% and then have them registered.
Can you estimate how much work may have to be done on the un-serialized frames or receiver in order to bring them to 80% completion?

Additionally, can you estimate if the enclosed serialized frames/lowers are actually 80% complete or are they much nearer to final assembly condition?

Of particular interest is the un-serialized AR 15 lower which looks to be very near 80% completion.

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When you have had a chance to examine the parts, could you please have them returned to the CFO Office at:

Attention: Firearms Officer Douglas Kress
RCMP Canada Firearms Program
Suite 400, 10470-152nd Street
Surrey, BC V3R 0Y3

Your help and advice is greatly appreciated.

Douglas Kress
Firearms Officer
Toll Free 1-800-731-4000 (Ext. 9551)
e-mail: Doug.Kress@rcmp-grc.gc.ca

A0074293_2427-003210

Processed under the provision of the Access to Information Act / Révisé en vertu de la loi sur l'accès à l'information

Murray Smith - Re: Removing shotgun plug

From: Murray Smith
To: Henderson, Jay
Date: 5/3/2012 3:33 PM
Subject: Re: Removing shotgun plug

Hi Jay,

It is only that magazine that would be prohibited (as a prohibited device). The firearm is classified independently and could be in any category depending on its characteristics.

I am presuming the plug was temporary and when removed, the capacity exceeds five rounds, and the shotgun is semiautomatic?
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jay Henderson 2012-05-01 08:53 >>>
Murray,
Further to my email yesterday the members checked that shotgun and found that the plug was removed allowing the additional shells to be added to the magazine tube. Murray correct me if I am wrong but removing this magazine plug changes the shotgun legal classification to prohibited? We originally thought the size difference in ammunition was the result of the extra 2 shells being allowed in the mag tube but it was because the plug was removed. Jay

Jay Henderson
NWEST/RCMP-FIIU
Canadian Firearms Program
PO BOX 1971, 15 Market Square,
Saint John, NB
E2L-4L1

OFFICE DIRECT:506-636-4768
jay.henderson@rcmp-grc.gc.ca

Pages 3212 to / à 3213

are withheld pursuant to section

sont retenues en vertu de l'article

of the Access to Information Act

de la Loi sur l'accès à l'information

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Murray Smith - Re: Fwd: CFP-2012-10 BN to DC DBD38.doc

From: Murray Smith
To: Glass, Kimberley; Lee, Hwan
Date: 5/9/2012 3:09 PM
Subject: Re: Fwd: CFP-2012-10 BN to DC DBD38.doc
CC: Etter, William; Francis, Geoffrey

Hi Hwan,

1. the CFR will have to answer this.

2. Yes, via the Web in both Canada and the USA

3. Correct

5. In general, the Criminal Code Regulations prohibit semiautomatic variants of automatic military and para-military firearms, a main reason being the ease of conversion to fully automatic fire for that class of firearm,

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-05-09 14:19 >>>
Hi Kim,

just left you a message.

a few questions from the D/Commr needing answers.

1 - can you get a breakdown of the 77 firearms - XX individuals and XX businesses
2 - are the MP38 parts readily available? via what means?
3 - BD can be converted fully automatic mode by either 1) installing MP38 parts or 2) using wire and small pieces of metal
4 - FRT ceased creating records without inspection for semi-automatic variants since when?

A0074293_2431-003214

Pages 3215 to / à 3216

are not relevant

sont non pertinentes

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Murray Smith - Re: BD38

From: Murray Smith
To: Francis, Geoffrey; Lee, Hwan
Date: 5/9/2012 3:38 PM
Subject: Re: BD38

Hwan,

1. Level of effort is similar but not exactly the same situation. Note the Norinco did not establish the outer margins of conversion. There is lots of working room left.
2. The Courts are rendering decisions which uphold the Hasselwander principles. The ICCUF initiative has focused regulatory and enforcement efforts on the illegal movement of firearms and there is a tighter net in place now.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 2012-05-09 12:20 >>>
Geoff,

just wanted to be clear. the conversion of BD require same or less level of effort as did for Norinco?

Not needed now but give some thought.

D/C has it now.

thanks

Hwan

>>> On 5/9/2012 at 9:26 AM, Geoffrey Francis wrote:

> Hwan,
>
> Any update on this. We are still holding on entering the information into the FRT based on direction given to us.
>
> Thanks,
>
> Geoff

A0074293_2434-003217

Page 3218

is not relevant

est non pertinente

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Murray Smith - BD38 approved BN

From: Murray Smith
To: Etter, William; Glass, Kimberley
Date: 5/9/2012 3:52 PM
Subject: BD38 approved BN
Attachments: CCM12-002017_CFP-2012-10_BN to D.Commr. The Sport Systems Dit_1.pdf

FYI

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_2436-003219

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	File No. / N° de dossier	Security Classification/Designation / Classification/désignation sécuritaire	Total Pages / Pages totales
		Unclassified	2

BRIEFING NOTE TO THE DEPUTY COMMISSIONER / NOTE D'INFORMATION AU SOUS-COMMISSAIRE

THE SPORT SYSTEMS DITTRICH (SSD) MODEL BD38

PURPOSE:

To inform the Deputy Commissioner of Policing Support Services of the determination that the Sport Systems Dittrich (SSD) model BD38 carbine as a prohibited firearm.

ISSUE:

There are 75 SSD BD38 carbines currently registered as restricted firearms (65 in the hands of individuals, 10 in businesses). Most owners will not qualify to continue to possess the firearm.

BACKGROUND;

The SSD BD38 carbine is purported to be a semi-automatic copy of a German World War II era MP38 submachine gun. The SSD BD38 is a reproduction of the original MP38 (TAB 1) to the extent that parts are interchangeable. The SSD BD38 is marked with slightly altered NAZI era Waffenamt "winged eagle" inspection stamps (TAB 2). The SSD BD38 also bears the secret NAZI era factory code "ayf" and Waffenamp identification number (280) for the ERMA factory which produced MP38 submachine guns at that time (TAB 3).

The Firearms Reference Table (FRT) record for the SSD BD38 was created on 2007-02-13 based on the manufacturer's specifications. In 2009, as a result of the Norinco Type 97A issue, a more critical attitude was adopted both in the regulatory environment and by the Courts. The FRT record for the SSD BD38 was put under review on 2009-03-03, pending an inspection. With some exceptions, this halted further transfer of the SSD BD38.

Samples of the SSD BD38 were obtained through purchase in March 2012, and the inspection was completed in April, 2012. Testing clearly established that the SSD BD38 carbine has virtually the same receiver as the original MP38 submachine gun and can be readily made to fire in the fully automatic mode simply by installing the necessary MP38 parts. Furthermore, the SSD BD38 carbine can be converted to fire in the fully automatic mode in minutes by making trivial modifications to the BD38 trigger mechanism using common items such as wire and small pieces of metal. As such, the easy convertibility of the SSD BD38 falls within the ambit of the "Hasselwander" Supreme Court of Canada decision which sets the threshold to "capable of conversion to an automatic weapon in a relatively short period of time with relative ease".

Prepared by – Rédigé par	Date	Recommended by – Recommandée par	Date	Approved by - Approuvé par	Date
Murray Smith Manager, Specialized Firearms Support Services, Firearms Investigative and Enforcement Services	2012-05-03	C/Supt Geoffrey Francis Director, Firearms Investigative and Enforcement Services Canadian Firearms Program	2012-05-03	Pierre Perron Assistant Commissioner Director General Canadian Firearms Program	2012-05-07

3571 (1998-02) (WPT)

☐ Advice to the Minister-Conseil au Ministre

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MLCU No.-N° de l'UCLM	Security Classification/Designation Classification/désignation sécuritaire Unclassified

CURRENT STATUS:

- The SSD BD38 is now determined to be a prohibited firearm (TAB 4).
- Individuals in possession of these firearms do not have the legal authority to continue to possess them.
- The FRT record has not been published pending development of an action plan.
- There is a similar but smaller (7 firearms) issue with the SSD BD3008, which is a purported semi-automatic copy of another German World War II submachine gun.

STRATEGIC CONSIDERATIONS:

- The SSD BD38 carbine presents a risk to public safety through theft or diversion to the illicit market and subsequent conversion to fully automatic submachine guns.
- In the past, the individual Norinco Type 97A owners were reimbursed at full retail cost after the inspection found these firearms to be prohibited. The SSD BD38 retails for about $3,000 and thus the total value at risk is approximately $225,000. An alternative would be for the Governor in Council to prescribe the SSD BD38 as a prohibited firearm and then grandfather the firearm under the provisions of subsection 12(8) of the *Firearms Act*.
- SSD BD38 carbines are currently restricted firearms and are not affected by the C-19. However, a barrel replacement with a longer version can result in a change of class to non-restricted firearms, which would no longer be tracked via the registration process.
- The FRT ceased creating records for semi-automatic variants of automatic firearms without an inspection to confirm that the firearm is capable of semi-automatic fire only.

RECOMMENDATIONS:
It is recommended that the Commissioner be briefed on this issue and that the Minister of Public Safety be engaged

BN Identification # CFP-2012-10
CCM# 12-002017

Approved By (SIGNATURE)-Approuvé par (SIGNATURE)	Date

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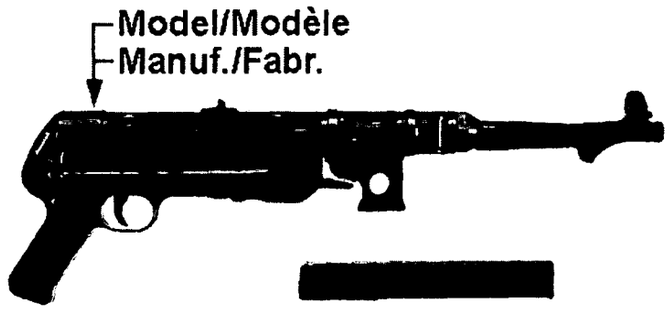
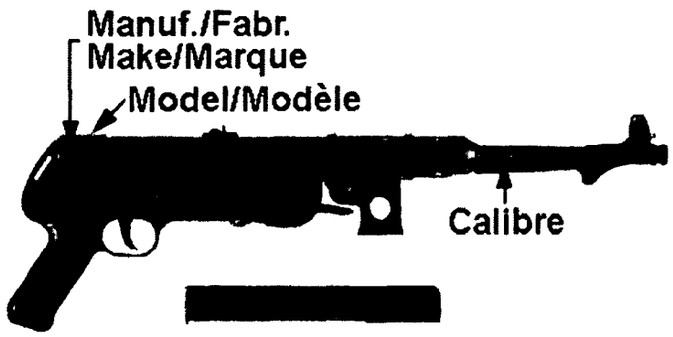
TAB 1: a) Schmeisser MP38



b) Sport Systeme Dittrich BD38



Summary

Make:	Schmeisser
Model:	MP38
Manufacturer:	Erfurter Maschinenfabrik (ERMA) (27)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Submachine Gun
Action:	Full Automatic
Country of Manufacturer:	GERMANY
Serial Numbering:	Numbered
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Firearm Ref. No.	Calibre	Shots	Barrel (mm)	Legal Classification Legal Authority	Level	Barrel Type Code
26221 - 1	9MM LUGER	5	251	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	
26221 - 2	9MM LUGER	32	251	Prohibited CC 84(1) "prohibited firearm" para. (c)	Manufacturer Specifications and Commercial Customization	

Notes

Make	- this firearm is commonly called the "Schmeisser" although Hugo Schmeisser had little to do with the firearm. The MP38 Model is a Vollmer/Erma Werke development. - Schmeisser did develop the design of the MP41 Model, which is an adaption of the MP40 Model with a wooden stock and a different trigger mechanism. - Hugo Schmeisser was manager of the Haenel factory during World War II.
Model	- the MP38 has a folding stock, stamped steel body and a plastic lower body cover. - the MP38 was a Volmer / Erma Werke development.
Manufacturer	- Erma used code 27 until some time in 1941, when the code changed to ayf.
Type	- the type is refered to in German literature as "MACHINE PISTOLE".
Action	- blowback operated.
Shots	- detachable box magazine.

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.16.0, 2012/04/25. All rights reserved, RCMP, 1998-2012.

Serial Number

- marked on the top rear of the receiver/frame: S/N sequence starts at 1 and progresses to 9999, then goes to 1a progressing to 9999a, and thence to 1b to 9999b, etc.
- the correct identification is "year" dependant.

Other Markings

- this firearm normally has serial numbers or partial S/Ns on all major component, as well as small markings on other parts which identifies the manufacturer of that part.

Remarks

- The submachine gun known as the MP38 is rarely encountered as most MP38 were modified to make it safe to carry the submachine gun with the bolt in the forward position. MP38/40 is the official German designation for this modified MP38. The MP38/40 was redesigned / modified to incorporate a two piece lock-down style bolt handle which in conjunction with an upwards cut-out in the forward end of the cocking handle slot, was intended to securely lock the the bolt in the forward position.
- Before modification, when the bolt was in the forward position and unlocked, the bolt could be "bounced" within the firearm due to the inertia possessed by the heavy mass of the bolt if the firearm was dropped or when jumping from a vehicle to the ground when a loaded magazine was present in the firearm. When this happened , the unpleasant result would be; the bolt on its return to the forward position would feed a cartridge from the magazine into the chamber. As the firearm functions in the "advanced primer ignition - blow-back" mode; when the bolt closes on a cartridge the cartridge discharges.
- The MP38 was a Volmer / Erma Werke development.

Cross-References

Firearm Ref. No.	Make	Model	Manufacturer	Type	Action
28323	Schmeisser	MP38	Erfurter Maschinenfabrik (ERMA) (27)	Submachine Gun	Converted Automatic
28327	Schmeisser	MP38	Erfurter Maschinenfabrik (ERMA) (ayf)	Submachine Gun	Full Automatic
36786	Schmeisser	MP38/40	Erfurter Maschinenfabrik (ERMA) (27)	Submachine Gun	Full Automatic
36788	Schmeisser	MP38	Erfurter Maschinenfabrik (ERMA) (ayf)	Submachine Gun	Converted Automatic
36810	Schmeisser	MP38/40	Erfurter Maschinenfabrik (ERMA) (27)	Submachine Gun	Converted Automatic
36814	Schmeisser	MP38/40	Erfurter Maschinenfabrik (ERMA) (ayf)	Submachine Gun	Converted Automatic
36816	Schmeisser	MP38/40	Erfurter Maschinenfabrik (ERMA) (ayf)	Submachine Gun	Full Automatic

Also Known As/Product Code

Burp Gun

MP 38

Mpi 38

Mpi38

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.16.0, 2012/04/25. All rights reserved, RCMP, 1998-2012.

Year Dates

1938

1939

1940

1941

No Date

Importer

No Data Retrieved

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.16.0, 2012/04/25. All rights reserved, RCMP, 1998-2012.

Firearm Details - Image

Make:	Schmeisser
Model:	MP38
Manufacturer:	Erfurter Maschinenfabrik (ERMA) (27)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Submachine Gun
Action:	Full Automatic
Country of Manufacturer:	GERMANY

Full View: Left Side

Image:
1 of 4

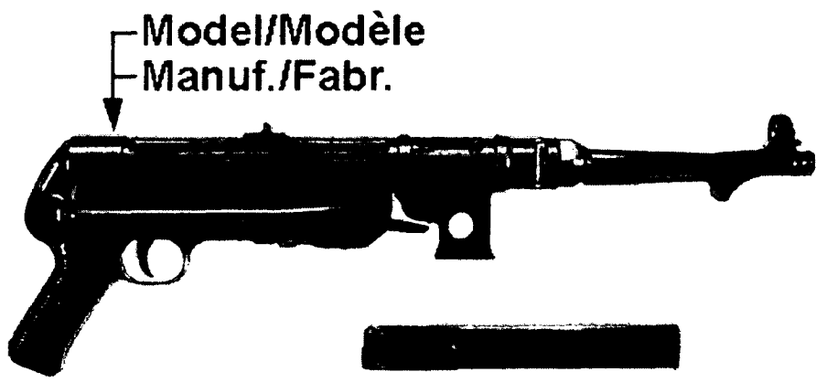
Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.16.0, 2012/04/25. All rights reserved, RCMP, 1998-2012.

Firearm Details - Image

Make:	Schmeisser
Model:	MP38
Manufacturer:	Erfurter Maschinenfabrik (ERMA) (27)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Submachine Gun
Action:	Full Automatic
Country of Manufacturer:	GERMANY

Full View: Right Side

Image:
2 of 4



Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.16.0, 2012/04/25. All rights reserved, RCMP, 1998-2012.

Firearm Details - Image

Make:	Schmeisser
Model:	MP38
Manufacturer:	Erfurter Maschinenfabrik (ERMA) (27)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Submachine Gun
Action:	Full Automatic
Country of Manufacturer:	GERMANY

Close-up: Left Side

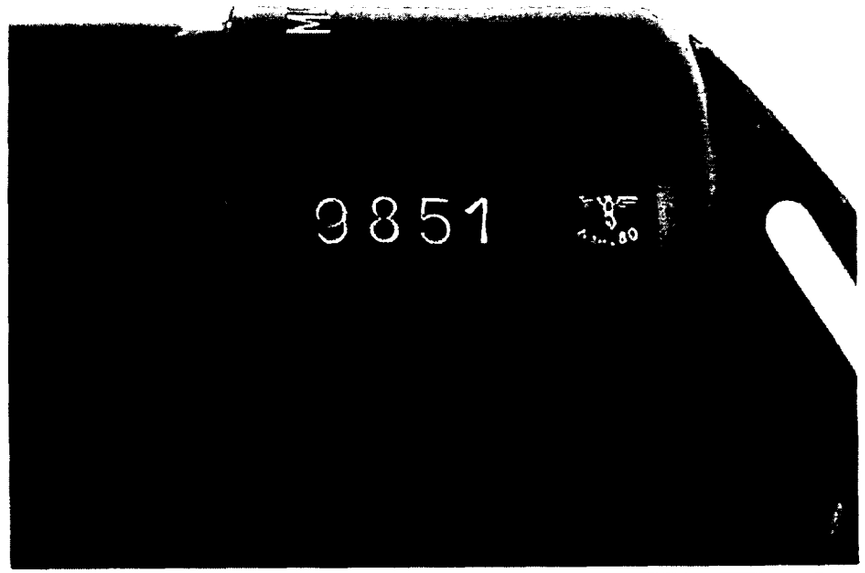


Image:
3 of 4

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.16.0, 2012/04/25. All rights reserved, RCMP, 1998-2012

Firearm Details - Image

Make:	Schmeisser
Model:	MP38
Manufacturer:	Erfurter Maschinenfabrik (ERMA) (27)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Submachine Gun
Action:	Full Automatic
Country of Manufacturer:	GERMANY

Close-up: Top

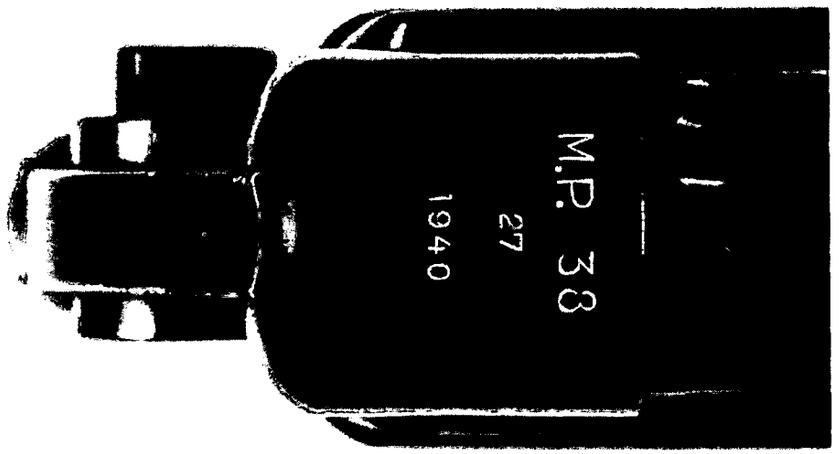


Image:
4 of 4

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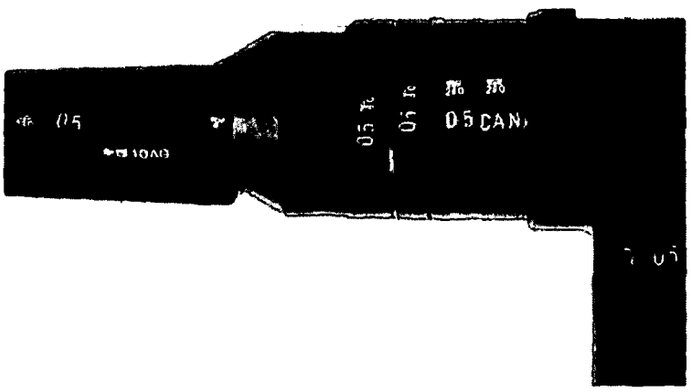
TAB 2: (two examples) the secret NAZI era factory code "ayf" and Waffenamp identification number (280) for the ERMA factory



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Firearm Details - Image

Make:	Schmeisser
Model:	[redacted]
Manufacturer:	Erfurter Maschinenfabrik (ERMA) (27)
Level:	Manufacturer Specifications and Commercial Customization
Type:	Submachine Gun
Action:	Full Automatic
Country of Manufacturer:	GERMANY

Close-up: Left Side

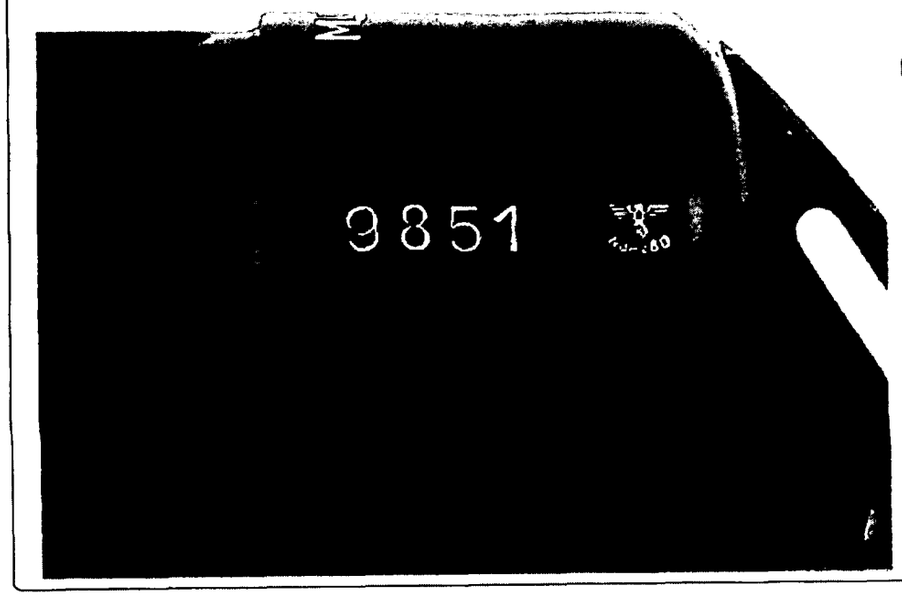

Image:
3 of 4

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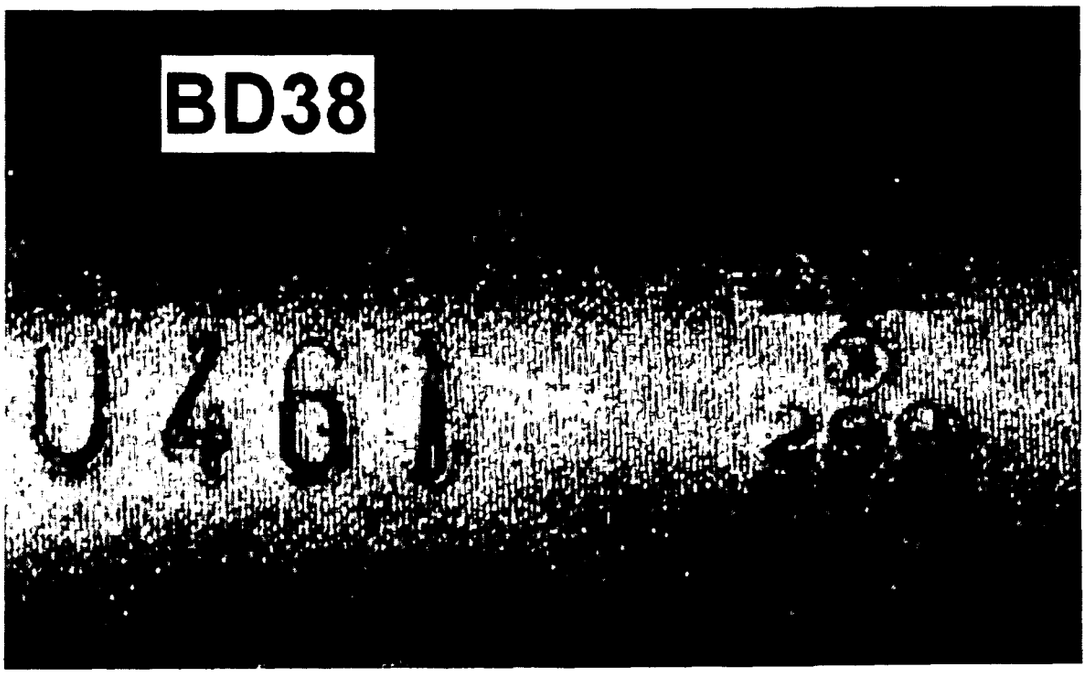

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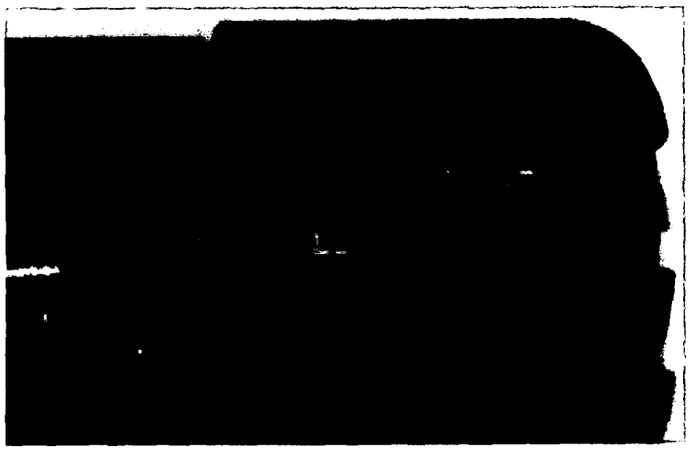
TAB 3: BD38 with "ayf" secret NAZI era manufacturer code for the ERMA manufacturer.



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Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Close-up: Top

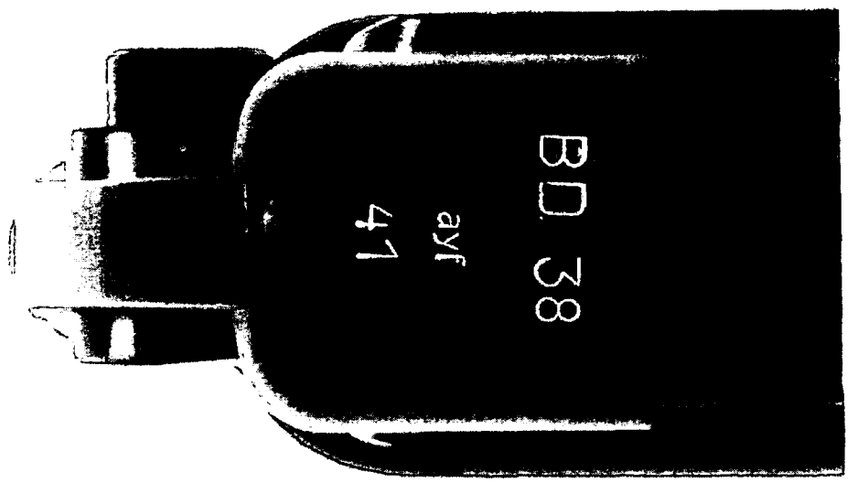

Image:
7 of 8

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TAB 4: new FRT record for BD38

Summary

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY
Serial Numbering:	Numbered
Legal Classification:	Prohibited

Calibre, Shots and Barrel Length

Notes

Make	- the company logo consisting of two S's and a D within a double circle with crosshairs was marked on the side of the receiver/frame of an observed example.
Model	- "BD 38" was marked on an observed example on the top of the receiver/frame. - "BD" in the model designation refers to Berndt Dittrich, the CEO of the company that manufactures this firearm. - the tubular housing in which the bolt reciprocates features a vastly enlarged sear cut-out on the underside to accommodate the unique disconnector/trigger bar which distinguishes this design from the original. - the lugs that lock the tubular housing in which the bolt reciprocates to the receiver/frame are larger on this version of the firearm than the original. - the original firearm of which this model is a recreation is commonly known as the "Schmeisser" or MP-38/40. - this firearm design is based on the original MP38 model which was a Vollmer/Erma Werke development, adopted in 1938 and universally produced by firearm manufacturers in the German sphere of influence during WW II. - a reproduction stamping of the original World War II manufacturer's code "ayf" (Erma, Erfurt) is marked on the top of the receiver/frame. - this firearm model incorporates the MP38/40 safety modification that consists of a two piece lock-down style bolt handle which in conjunction with an upwards cut-out in the forward end of the cocking handle slot which was intended to securely lock the the bolt in the forward position. - utilizes bakelite grip panels and body housing.
Manufacturer	- the company logo consisting of two S's and a D within a double circle with crosshairs was marked on the side of the receiver/frame of an observed example.
Type	- this firearm model is a purpose built semi-automatic firearm that is not capable of full automatic fire by the simple exchange of parts from the original full automatic version.
Action	- blowback operated.
Calibre	- "9mm Luger" was observed marked on the side of the barrel
Shots	- detachable box magazine.

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Serial Number

- serial number of an observed example consisted of two numbers followed by a space, followed by a three letter suffix (CAN).
- the two numbers were repeated on all of the major components.
- in one instance the repeated serial number on a major component was reversed in sequence ie) CAN XX.

Other Markings

- this firearm, which is a recreation of the German MP-38, has facsimile Waffenamt and proof markings. In accordance with German law the swastika has not been reproduced on these markings, rather an "X" has been substituted.
- the top, rear of the receiver/frame of an observed example was marked: "BD 38" over "ayf" over "41".
- "WAa280" was observed marked on the left side of the firearm.

Remarks

- this firearm is a purpose built semi-automatic firearm that is a recreation of a full-automatic firearm but in itself is not capable of full automatic fire. This firearm has been designed so as not to be capable of accepting full automatic parts.

Cross-References

No Data Retrieved

Also Known As/Product Code

MP38 copy

MP38/40 Copy

Schmeisser

Year Dates

No Data Retrieved

Importer

Marstar Canada; CANADA

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Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Full View: Left Side

Image: 1 of 8

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Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Full View: Right Side

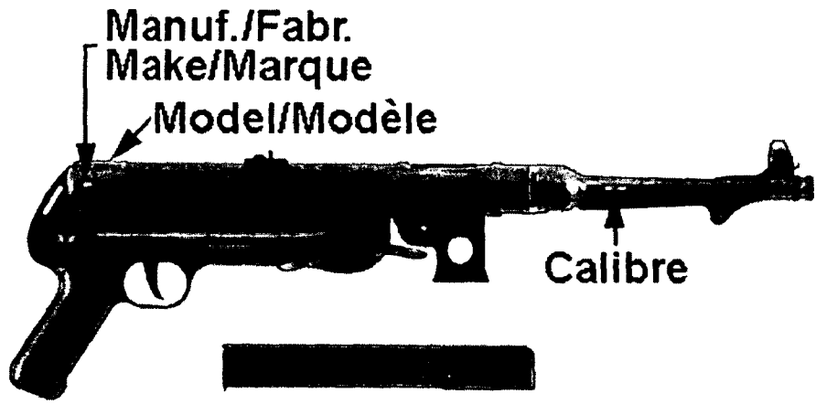

Image:
2 of 8

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Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Close-up #1: Left Side

Image:
3 of 8

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Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Close-up #2: Left Side

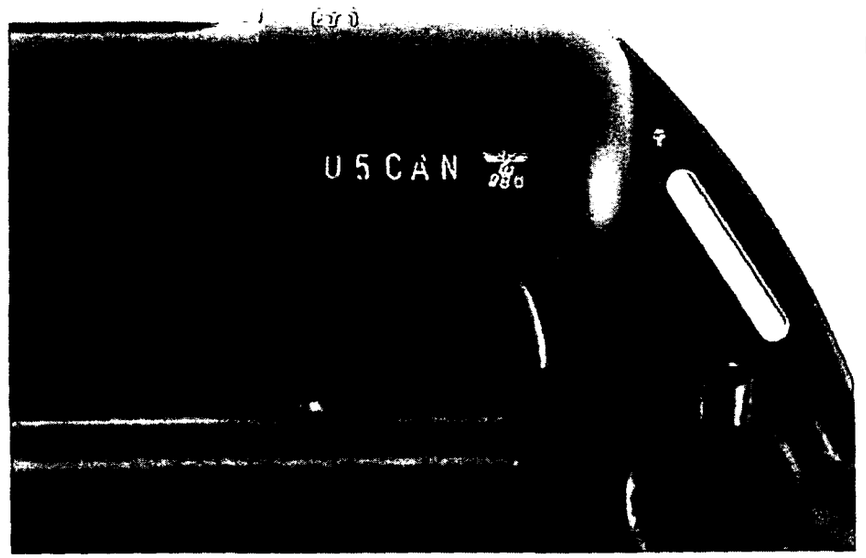

Image:
4 of 8

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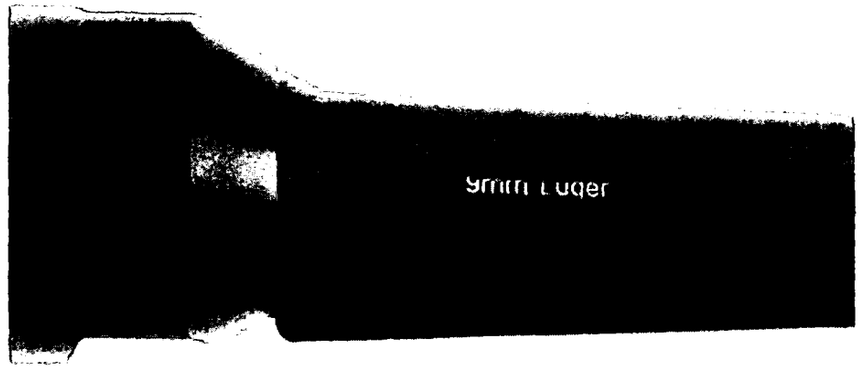
Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Close-up #1: Right Side

Image:
5 of 8



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Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Close-up #2: Right Side

Image: 6 of 8

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.16.0, 2012/04/25. All rights reserved, RCMP, 1998-2012.

Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Close-up: Top

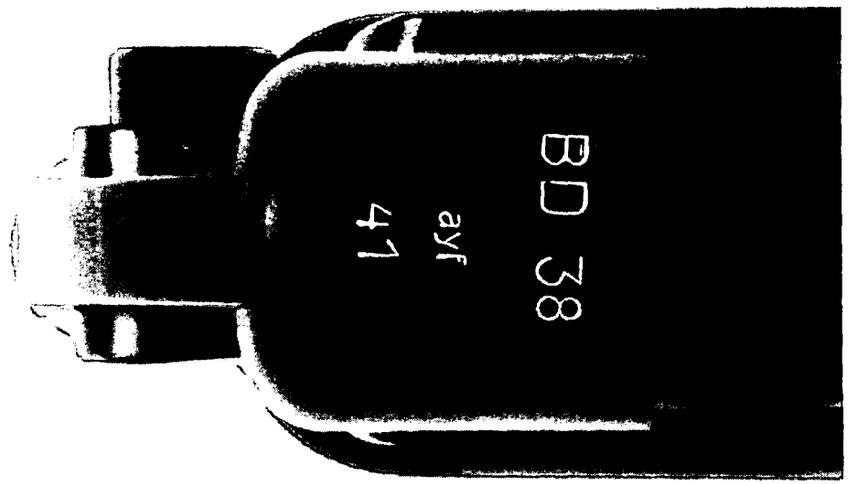

Image:
7 of 8

Firearms Reference Table. A National Police Service of the Royal Canadian Mounted Police. Network Version 3.16.0, 2012/04/25. All rights reserved, RCMP, 1998-2012.

Firearm Details - Image

Make:	Sport Systeme Dittrich
Model:	BD38
Manufacturer:	Sport Systeme Dittrich
Level:	Draft
Type:	Commercial Version
Action:	Semi-Automatic
Country of Manufacturer:	GERMANY

Close-up: Bottom

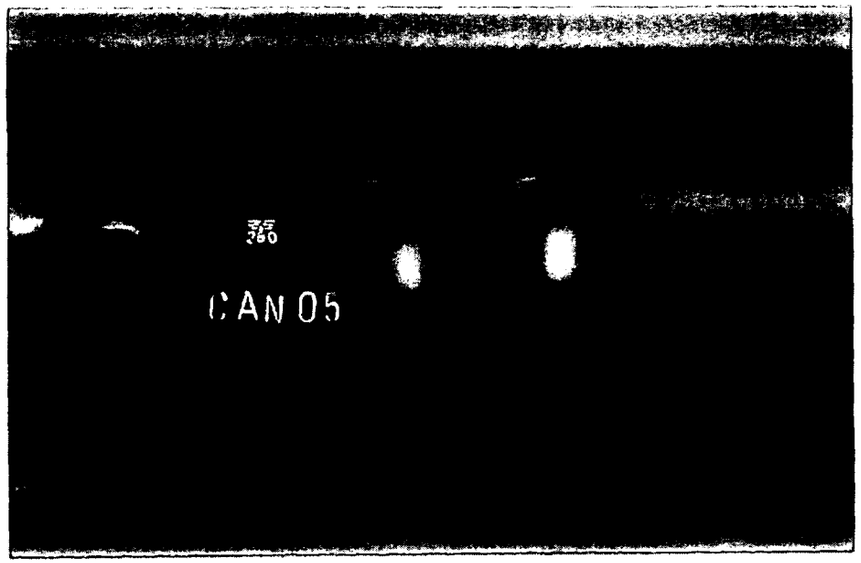

Image:
8 of 8

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Page 3246

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Murray Smith - Re: Nelson

From: Murray Smith
To: Robichaud, Nicole; Zhang, Grace
Date: 5/11/2012 3:28 PM
Subject: Re: Nelson
CC: Saucier, Bobbi-Jo

Hi Nicole,

Going into the conversation today, my understanding was the same as yours. However, during the meeting Ayesha mentioned she had received documents from the owner which suggested he had made some sort of application in December, 1992, which would possibly have been during the amnesty period (if before Dec 15). What was not entirely clear is whether the rifle was surrendered at that time or whether an application for registration was made. I asked her to get those documents to Grace as soon as possible to evaluate the grandfathering possibilities. Grace should also check RWRS to determine if any registration transactions took place under the old act for the rifle in question.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Nicole Robichaud 2012-05-11 15:10 >>>
Hi Murray/Grace,

I'm working with Bobbi-Jo on the file. I understand that the issue of whether this firearm could be possessed by someone with grandfathering privileges came up in the discussion between Murray and the litigator today, and Murray that you had suggested that it would have been possible for him to have had the privileges to possess it had he applied for a registration certificate earlier. (Please let me know if I'm mistaken in this)

However, my understanding (and this was on the notices which went out) was that even someone with privileges could never have legally possessed this firearm because the firearm was not registered as a restricted weapon under the former Act and was not the subject of an application for a registration certificate under the former Act on January 1, 1995.

Murray do you have a different understanding on this? Thanks very much.

Pages 3248 to / à 3249

are not relevant

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Pages 3250 to / à 3274

are duplicates

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Pages 3275 to / à 3276

are duplicates

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Pages 3277 to / à 3278

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Murray Smith - Re: Letter to M.P. on classification - tasking due today - Urgent

From: Murray Smith
To: Carlotti, Constance
Date: 5/23/2012 3:23 PM
Subject: Re: Letter to M.P. on classification - tasking due today - Urgent
CC: Huberdeau, Eric

Hi Constance,

Small change below to nuance the last line to properly reflect the rarity of the event, a few instances out of more than 146,000 records. It would also help to see the incoming letter.

"Although such corrections rarely affect the registration status of firearms (i.e., restricted becomes prohibited), they can be challenged in court via a reference hearing."

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2012-05-23 15:08 >>>
Murray,

CFP has a tasking due today. Public Safety has asked us to comment on a letter to be sent to an M.P.

Could comment on the paragraph concerning the FRT? This paragraph is on page 2, 3rd paragraph:

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

Can you send us a response by 3:30 p.m. today?

Thank you.

hi Linda - would your section pls comment on this letter -

thanks -

Scott

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Page 3280

is not relevant

est non pertinente

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Murray Smith - Fwd: Re: Letter to M.P. on classification - tasking due today - Urgent

From: Murray Smith
To: Francis, Geoffrey
Date: 5/23/2012 3:27 PM
Subject: Fwd: Re: Letter to M.P. on classification - tasking due today - Urgent
Attachments: May 18, 2012 track changes PS-SP-#613409-2-TOW-015812 Leon Be_1.DOC

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-05-23 15:23 >>>
Hi Constance,

Small change below to nuance the last line to properly reflect the rarity of the event, a few instances out of more than 146,000 records. It would also help to see the incoming letter.

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Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
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Office: (613) 993-0139

>>> Constance Carlotti 2012-05-23 15:08 >>>
Murray,

CFP has a tasking due today. Public Safety has asked us to comment on a letter to be sent to an M.P.

Could comment on the paragraph concerning the FRT? This paragraph is on page 2, 3rd paragraph:

While every effort is made to ensure firearms classifications are properly identified, occasionally, it

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Page 3282

is not relevant

est non pertinente

Pages 3284 to / à 3286

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Murray Smith - Fwd: Re: Letter to M.P. on classification - tasking due today - Urgent

From: Murray Smith
To: Francis, Geoffrey
Date: 5/23/2012 3:28 PM
Subject: Fwd: Re: Letter to M.P. on classification - tasking due today - Urgent
Attachments: May 18, 2012 track changes PS-SP-#613409-2-TOW-015812 Leon Be_1.DOC; PS-SP-#564620-1-M.P. Leon Benoitwrites on behalf of constitua_1.PDF

Incoming letter just received and attached.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-05-23 15:27 >>>

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Pages 3288 to / à 3293

are not relevant

sont non pertinentes

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Murray Smith - Fwd: Re: Letter to M.P. on classification - tasking due today - Urgent

From: Murray Smith
To: Glass, Kimberley
Date: 5/23/2012 3:32 PM
Subject: Fwd: Re: Letter to M.P. on classification - tasking due today - Urgent
Attachments: May 18, 2012 track changes PS-SP-#613409-2-TOW-015812 Leon Be_1.DOC; PS-SP-#564620-1-M.P. Leon Benoitwrites on behalf of constitua_1.PDF

FYI.

The FRT part is reasonable, with amendments.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-05-23 15:28 >>>
Incoming letter just received and attached.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-05-23 15:27 >>>

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>>> Murray Smith 2012-05-23 15:23 >>>
Hi Constance,

Small change below to nuance the last line to properly reflect the rarity of the event, a few instances out of more than 146,000 records. It would also help to see the incoming letter.

"Although such corrections rarely affect the registration status of firearms (i.e., restricted becomes prohibited), they can be challenged in court via a reference hearing."

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Constance Carlotti 2012-05-23 15:08 >>>
Murray,

CFP has a tasking due today. Public Safety has asked us to comment on a letter to be sent to an M.P.

Could comment on the paragraph concerning the FRT? This paragraph is on page 2, 3rd paragraph:

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

Can you send us a response by 3:30 p.m. today?

Thank you.

hi Linda - would your section pls comment on this letter -

thanks -

Scott

Constance Carlotti
Policy Analyst/Analyste des politiques
Canadian Firearms Program/Programme canadien des armes à feu
73 Leikin Rd/ ch. 73 Leikin
Ottawa, Ontario K1A 0R2
Tel.: 613-823-7782
Fax : 613-825-0315

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Pages 3296 to / à 3300

are not relevant

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Pages 3301 to / à 3304

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de la Loi sur l'accès à l'information

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Murray Smith - Re: Fwd: TOW-016972 - information required please

From: Murray Smith
To: Thomas, Rose
Date: 5/31/2012 11:27 AM
Subject: Re: Fwd: TOW-016972 - information required please
CC: Etter, William

Rose,

Here is the situation:

1) The FN SCAR MARK 16 Model O has no relevance to the Ministerial Correspondence.

2) The matter of the legal class of the FN SCAR 16S which Mr Lui has addressed to the Minister has been outstanding for more than two years.

3)

4)

5) of a full automatic version of the firearm to which the semi automatic FN SCAR 16S could be compared. This comparison is required to resolve the differences between the full automatic and semi automatic versions of the FN SCAR in the absence of the technical data package.

Let me know how you wish to proceed.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Rose Thomas 2012-05-30 15:20 >>>

Another friendly reminder. Please note this was due to ES&ML May 10, 2012 and is now overdue.

A0074293_2522-003305

Pages 3306 to / à 3309

are not relevant

sont non pertinentes

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From: Murray Smith
To: Etter, William
CC: Glass, Kimberley
Date: 6/6/2012 6:52 PM
Subject: Fw: Media query : class of three "exotic" firearm types
Attachments: Media query : class of three "exotic" firearm types

We can deal with this Thursday morning.

Pages 3311 to / à 3312

are not relevant

sont non pertinentes

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Murray Smith - FN SCAR 16 inspection

From: Murray Smith
To: Francis, Geoffrey
Date: 6/8/2012 2:15 PM
Subject: FN SCAR 16 inspection

FN SCAR 16S – Legal Classification, Case number GFC-2000-7-1-129192

REQUEST FOR APPROVAL TO PURCHASE A FULL AUTOMATIC FIREARM - THE FN SCAR MODEL O

On 2010-04-12, Specialized Firearms Support Services (SFSS) received a delivery of one FN SCAR 16S, cal.5.56x45, serial number for legal class assignment upon first importation. This firearm was delivered by courier, acting on behalf of the CFP and of the business known as Questar Internation. Questar International is a Canadian business located in Barrie, Ontario, wishing to import the FN SCAR 16S model firearm for the purpose of commercial resale. The FN SCAR 16S is a semi automatic variant of a full automatic firearm and upon first importation requires a technical examination to accurately assign the appropriate legal classification to the firearm.

This inspection has been ongoing for approximately 30 months for the following reasons:

a) the putative manufacturer , FNH, USA in fact is not the manufacturer. FNH only assembles the firearm in USA with the addition of minor US content. The major parts are manufactured by FN Herstal which is located in Belgium. FH Herstal, Belgium owns the technical data package
and,
b) when contacted, the business known as FNH USA gave SFSS the appropriate point of contact at the Belgian manufacturer.

The delays imposed on the classification process by the lack of technical data required to complete the classification process have resulted in two sets of ministerial complaint by members of the public who paid deposits or purchased examples of this firearm and have not been able to come into possession of their purchases. One to the Prime Minister, subsequently referred to the Minister of Public Safety and one directed to the Minister of Public Safety by the writer's local Member of Parliament.

Attempts to locate samples of the fully automatic SCAR 16 have met with only partial success. The ATF has a sample but it cannot be easily shipped out of the USA. If SFSS were to view the firearm in Buffalo, as proposed by the ATF, there would be no opportunity to directly compare parts, as it is equally difficult to import and subsequently export our SCAR 16S to and from the USA.

It has become evident that the key to satisfying the SFSS requirement to assign the appropriate legal Class to this firearm is to purchase a full automatic variant and compare the two versions to find the methodology use by the Belgian manufacturer to remove the full automatic fire capability. Of

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necessity there must be significant changes to the receiver/frame of the firearm to comply with the requirements of Canadian Legislation.

The critical test is to determine whether the fully automatic lower receiver can be mounted to the semiautomatic upper receiver under test, or alternatively whether parts can be cannibalized from the automatic version to restore full automatic capability to the semiautomatic version.

The total cost of purchase of an FN SCAR 16S is $3,289.99 plus sales tax of $427.70, for a total of $3,717.69, valid on 2012-06-08.

For your approval.

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

A0074293_2531-003314

Pages 3315 to / à 3316

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Murray Smith - Re: Fwd: FN bolt carrier group

From: Murray Smith
To: MacDonald, Jennifer
Date: 6/12/2012 10:29 AM
Subject: Re: Fwd: FN bolt carrier group
CC: Etter, William; Glass, Kimberley

Hi Jennifer,

We are looking into FNH products at present, starting with the FNH SCAR rifle. The FS2000 and others will be looked at later. Likewise we are just beginning to look into what can be done with 3D printing technology to manufacture firearm parts. Thus I do not have an immediate answer to the question. Is there a firearm seized or other reason to expedite?

Note that it is not just a question of manufacturing the full automatic trigger mechanism. It must also be established that those parts will function reliably in a purported semiautomatic rifle. That is a much more complicated examination.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Jennifer MacDonald 2012-06-12 08:39 >>>
Good morning Murray,

I am forwarding this question from Carl. What do you think? Is it possible?

Jenn

RCMP·GRC
ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

Jennifer F. MacDonald
Acting NCO/IC
Firearm Internet Investigation Support Unit /FIISU
Soutien aux enquêtes en matière d'armes à feu au moyen d'internet
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Mail Stop 6
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Murray Smith - Re: Fw: Fwd: Bird Complaint

From: Murray Smith
To: Lee, Hwan
Date: 6/12/2012 11:49 AM
Subject: Re: Fw: Fwd: Bird Complaint
CC: Glass, Kimberley

Hi Hwan,

Looking at the response in toto, it appears that the fundamental question that will decide the matter is what constitutes "22 calibre". Unfortunately the answer is not simple.

1. I believe the intention was to limit the use of rifles to 22 rimfire calibres only. Whether the Migratory Game Birds Convention Act or its Regulations say that explicitly is unknown to me. I have not checked the Act as the network is down at present. It would be useful to check the Act, Regulations and RIAS for any support to the notion that the 22 calibre reference was intended to be limited to the 22 rimfire calibres (22 Short, 22 Long, 22 Long Rifle, 22 Magnum etc.).

It is reasonable to assume that 22 rimfire calibres were intended for hunting migratory game for sustenance as such ammunition will not destroy the carcass. A bullet from a centerfire 22 calibre such as 223 Remington, would likely strike with sufficient force to disintegrate a duck or similar sized bird, leaving the purpose of sustenance hunting in doubt.

2. Assuming the reference to "22 calibre" to mean a measurable dimension that cannot be exceeded leads to other problems. Mathematically, as Nicole pointed out, ".22" means that 0.220 inches would be the maximum permissible bullet diameter.

The problem lies in the fact that there is no calibre that would logically be referred to as being "22 calibre" that does not exceed that dimension (0.220 inches). The common 22 rimfire calibres, 22 Short, 22 Long and 22 Long Rifle, all discharge bullets that are 0.223 inches in diameter. The 22 Magnum rimfire calibre employs bullets that are 0.224 inches in diameter. The calibre in question, 223 Remington, notwithstanding the name of the calibre, also uses 0.224 inch diameter bullets.

3. The expression "22 calibre" as a term of art in the firearms domain has a fairly broad meaning. It is commonly used to refer to any calibre, rimfire or centrefire, that uses a bullet that is approximately 0.22 inches in diameter. It is also common to use the expressions "22 rimfire" and "22 centrefire" to distinguish the two classes of ammunition. If this is the correct interpretation, 223 Remington would be a permissible calibre as it is a member of the 22 centrefire family.

Regards,

Murray

Murray A. Smith
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From: Murray Smith
To: Perron, Pierre
CC: Glass, Kimberley
Date: 6/27/2012 8:28 PM
Subject: Re: BD38

Good evening,

The short answer is no. The BD38 remains prohibited even if modified.

The reason is that since the BD38 is prohibited as a full auto firearm, any modification to another action type puts the firearm into the converted auto category, also prohibited. The law was designed to prohibit all full auto firearms and prevent escape from that fate through modification.

Regards,

Murray
-----Original Message-----
From: Pierre Perron
Cc: Glass, Kimberley <Kimberley.Glass@rcmp-grc.gc.ca>
To: Smith, Murray <Murray.A.Smith@rcmp-grc.gc.ca>

Sent: 6/27/2012 12:10:29 PM
Subject: BD38

Good morning Murray, I went to the Minister's Office this morning to discuss the above noted firearm and options outside the usual revocation route.

One question they had, Are there any modifications which could be made to the firearms that would keep it in the restricted category?

P.

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Murray Smith - Fwd: FN SCAR 16 inspection

From: Glass, Kimberley (Murray Smith)
To: Francis, Geoffrey
Date: 6/29/2012 2:44 PM
Subject: Fwd: FN SCAR 16 inspection
CC: CUNNINGHAM, Jim; Smith, Murray

Geoff,

As discussed last week, please see below for the justification to purchase a SCAR 16. The difficulties in trying to use a sample from the ATF are stated in this justification. Additionally, we have confirmed with DND that they do not have a sample.

For your approval.
Thanks.
Kim

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Murray Smith 2012-06-08 14:15 >>>
FN SCAR 16S – Legal Classification, Case number GFC-2000-7-1-129192

REQUEST FOR APPROVAL TO PURCHASE A FULL AUTOMATIC FIREARM - THE FN SCAR 16 (MODEL O)

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Murray Smith - Fwd: BD BB

From: Murray Smith
To: Francis, Geoffrey
Date: 7/4/2012 12:46 PM
Subject: Fwd: BD BB
CC: Glass, Kimberley
Attachments: CFP-2012-10 BN to Minister DBD38_FSP revisions.docx

Hi Geoff,

The BD38 BN looks OK. Our concerns are noted by Kim (below). It is my intention to act on both the BD38 and BD3008 FRT records simultaneously, notwithstanding the dropping of the reference to the BD3008 in the BN.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Kimberley Glass 2012-07-04 12:01 >>>
Murray

I have reviewed the BN. Nothing looks incorrect to me. There are two pieces of information that have been removed which I still believe are important to keep in the BN:

1) the bullet mentioning that the BD3008 is a similar issue. While the sample is much smaller than the BD38, I feel it is important for them to be aware of it so we are not back at this again with a very similar issue in two weeks time. Since both Models are from the same manufacturer it would be more efficient to address the subject once.

Kim

>>> Hwan Lee 2012-07-03 14:14 >>>
Hi Geoff and Kim,

attached is the BN. Let me know if you have any concerns. We plan to push up to the D/C today.

Hwan

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Royal Canadian Mounted Police / Gendarmerie royale du Canada	ES&ML No: 10-01-008 No. des SE&LM: Pages : 2	Security Classification : Classification sécuritaire Protected « A »

BRIEFING NOTE
TO THE MINISTER OF PUBLIC SAFETY

NOTE D'INFORMATION
AU MINISTRE DE LA SÉCURITÉ PUBLIQUE

ISSUE

To provide the Minister with information on the Sport Systems Dittrich (SSD) model BD38 carbine, originally registered as a restricted firearm that has now been determined to be a prohibited firearm.

BACKGROUND

The SSD BD38 carbine is marketed as a semi-automatic copy of a German World War II era MP38 submachine gun. The SSD BD38 is a reproduction of the original MP38 (TAB 1) to the extent that parts are interchangeable. The SSD BD38 is marked with slightly altered NAZI era Waffenamt "winged eagle" inspection stamps (TAB 2). The SSD BD38 also bears the secret NAZI era factory code "ayf" and Waffenamp identification number (280) for the ERMA factory which produced MP38 submachine guns at that time (TAB 3).

The Firearms Reference Table (FRT) record for the SSD BD38 was created on February 13, 2007 based on the manufacturer's specifications. The FRT record for the SSD BD38 was put under review on March 3, 2009, pending an inspection. With some exceptions, this halted further transfer of the SSD BD38.

Samples of the SSD BD38 were obtained through purchase in March 2012, and the inspection was completed in April 2012. Testing clearly established that the SSD BD38 carbine has virtually the same receiver as the original MP38 submachine gun and can be readily made to fire in the fully automatic mode simply by installing the necessary MP38 parts. Furthermore, the SSD BD38 carbine can be converted to fire in the fully automatic mode in minutes by making trivial modifications to the BD38 trigger mechanism using common items such as wire and small pieces of metal.

CURRENT STATUS

The SSD BD38 is now determined to be a prohibited firearm (TAB 4).

There are 77 SSD BD38 carbines currently registered: 65 in the hands of individuals; 10 to businesses; and 2 are in police custody.

Individuals in possession of these firearms no longer have the legal authority to continue to possess them.

The FRT record has not been published pending development of an action plan.

STRATEGIC CONSIDERATIONS

Currently, the only legal option available to the Canadian Firearms Program is the revocation of the registration certificates for these firearms. As a remedy, owners can refer this decision to a provincial court judge. As a full automatic firearm, owners are not able to make any modifications to the firearm as it would simply place the firearm into the converted automatic category, maintaining its prohibited status. Owners can, however, opt to have the firearm deactivated, rendering it permanently inoperable.

In the past, the Government of Canada has provided financial compensation to individuals who had purchased non-restricted firearms who were later deemed to be prohibited (i.e. the Norinco Type 97A). The SSD BD38 retails for about $3,000 which creates a potential financial liability for the Government of Canada that totals

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approximately $230,000.

Since 2009, as a result of the Norinco Type 97A issue, a more critical attitude was adopted both in the regulatory environment and by the courts. As well, the FRT ceased creating records for semi-automatic variants of automatic firearms without an inspection to confirm that the firearm is capable of semi-automatic fire only.

BN# CFP-2012-10
CCM# 12-002017

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Murray Smith - Re: Fwd: AKA_NM_CFIS_Match1.xlsx

From: Murray Smith
To: Francis, Geoffrey
Date: 7/4/2012 2:16 PM
Subject: Re: Fwd: AKA_NM_CFIS_Match1.xlsx
Attachments: AKA_NM_CFIS_Match1.xlsx

Geoff,

See below. This is a sample of 481 firearms selected from the 67,000 or so firearms identified by the filters SFSS provided to the CFR

Some key observations:
1. The classification was easily established by an FRT lookup. This is something the CFR should be able to do for itself. We should be reserving SFSS technical staff for more complex matters and not wasting their time on FRT lookups. We can provide additional training on the use of the FRT to CFR staff if needed.

2. The information necessary to make that determination was present in the CFIS database. This analysis could presumably have been done any time during the past decade.

3. If the statistics of this subsample are indicative,

4.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Kimberley Glass 2012-07-04 12:29 >>>
FYI

We spoke about this. What is important to note about this document is that queries using the FRT would have provided these answers.

As a follow-up with Grace on Tuesday, it seems the DG decided not to provide a "list" to the Ministers office on Friday. At this point I do not know where things stand with this list, but Grace has asked for assistance in analyzing the larger document that was created
I am not certain of the full parameters of this list. It is close to 67,000 entries. We also looked at

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Restricted/Prohibited

Suspect Classification - confirmation required

MAKE	MODEL	FA_TCD	FA_ACTN	CLBR_DE	BARL_LG1	Status	FIN
ARMALITE	AR10	RI	SA	308		Expired	
ARMALITE	AR-10	RI	SA	.308	508	Expired	
ARMALITE	AR 10	RI	SA	308		Expired	
ARMALITE	AR-10	RI	SA	.308		Expired	
ARMALITE	AR-10	RI	SA	308 WIN	533	Expired	
ARMALITE	AR10	RI	SA	7.62MM		Expired	
ARMALITE	AR-10	RI	SA	7.62 X 51 (308)		Protected ·	
ARMALITE	AR 10	RI	SA	7.62 MM NATO		Known Fir	
ARMALITE	AR-10	RI	CA		508	Expired	
ARMALITE	AR 10	RI	SA	7.62 mm (.308)		Expired	
ARMALITE	AR10	RI	SA	7.62 mm		Expired	
ARMALITE	AR10	RI	SA	7.62MM		Expired	
ARMALITE	AR-10	RI	BA			Expired	
ARMALITE	AR-10	RI	SA	7.62mm NATO		Protected ·	
ARMALITE	AR-10	RI	SA	7.62mm		Expired	
ARMI JAGER	A.P.74	RI	SA	22		Expired	
ARMI JAGER	MOD AP80	RI	SA	22		Expired	
ARMI JAGER	AP 74	RI	SA	22 long Rifle		Expired	
ARMI JAGER	AP 15	RI	SA	22 LR		Expired	
ARMI JAGER	A.P.74	RI	SA	22		Expired	
ARMI JAGER	AP-80	RI	SA	22cal.		Expired	
ARMI JAGER	A.P.74	RI	SA	.22		Expired	
ARMI JAGER	AP 74	RI	SA	22 LR		Known Fir	
ARMI JAGER	AP 15	RI	SA	22 Calibre		Expired	
ARMI JAGER	AP 74	RI	SA	.22 RIMFIRE		Expired	
ARMI JAGER	AP 15	RI	SA	.22 LR		Expired	
ARMI JAGER	AP 74	RI	SA	22		Expired	
ARMI JAGER	AP 74	RI	OT	22		Expired	
ARMI JAGER	AP-80	RI	SA	22		Expired	
ARMI JAGER	AP-80	RI	SA	22 CAL		Expired	
ARMI JAGER	AP 74	RI	SA	.22		Expired	
ARMI JAGER	AP 80	RI	SA	.22 RIMFIRE		Expired	
ARMI JAGER	AP-80	RI	SA	.22 LONG RIFLE		Expired	
ARMI JAGER	AP 74	RI	SA	.22		Expired	
ARMI JAGER	AP-80	RI	SA	22LR cal		Expired	
BENELLI	M1 SUPER 90	SG	SA	12 Ga.		Expired	
BENELLI	M1 SUPER 90	SG	SA	12		Known Fir	
BENELLI	M1 SUPER 90	SG	SA	12		Expired	
BENELLI	M1	SG	SA	12		Expired	
BENELLI	M1	SG	SA	12 Gauge		Expired	
BENELLI	M1 SUPER 90	SG	SA	12 GA.		Expired	
BENELLI	M1 SUPER 90	SG	SA	12 Guage		Expired	
BENELLI	M1 SUPER 90	SG	SA	12 GA		Expired	
BENELLI	M1 SUPER 90	SG	SA	12 GA	711	Known Fir	
BENELLI	M1 SUPER 90	SG	SA	12 GA	711	Known Fir	
BENELLI	M1 SUPER 90	SG	SA	12 GA	533	Expired	
BENELLI	M1 SUPER 90	SG	SA	12 gauge		Expired	
BENELLI	M1 SUPER 90	SG	SA	12		Expired	
BENELLI	M1 SUPER 90	SG	SA	12 Gauge		Expired	
BENELLI	M1 SUPER 90	SG	SA	12 gauge		Expired	
BENELLI	M1 SUPER 90	SG	SA	12 gauge		Expired	

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BENELLI	M1 SUPER 90	SG	SA	12		Expired
BENELLI	M1 SUPER 90	SG	SA	12 gauge		Expired
BENELLI	M1 SUPER 90	SG	SA	12 GA	610	Expired
BENELLI	M1 SUPER 90	SG	SA	12 Guage		Expired
BENELLI	M1	SG	SA	20 Ga		Expired
BENELLI	M1	SG	SA	12 Ga		Expired
BENELLI	M1 SUPER 90	SG	SA	12 GA	711	Known Fire
BENELLI	M1	SG	SA	12 GA		Expired
BENELLI	M1	SG	SA	12 GA x 2 3/4"		Expired
BENELLI	M1 SUPER 90	SG	SA	12 Gauge		Expired
BENELLI	M1	SG	SA	12		Expired
BENELLI	M1 SUPER 90	SG	SA	12		Known Fire
BENELLI	M1 SUPER 90	SG	SA	12		Known Fire
BENELLI	M1 SUPER 90	SG	SA	12 Gauge		Expired
BENELLI	M1 SUPER 90	SG	SA	12 ga		Expired
BENELLI	M1 SUPER 90	SG	SA	12 Gauge		Expired
BENELLI	M1 SUPER 90	SG	SA	12		Expired
BENELLI	M1 SUPER 90	SG	SA	12 GA	508	Expired
BENELLI	M1 SUPER 90	SG	SA	12		Expired
BENELLI	M1	SG	SA	12		Expired
BENELLI	M1 SUPER 90	SG	SA	12		Protected -
BENELLI	M1 SUPER 90	SG	SA	12ga		Expired
BENELLI	M1 SUPER 90	SG	SA	12 gauge		Expired
BENELLI	M1 SUPER 90	SG	SA	12g		Protected -
BENELLI	M1 SUPER 90	SG	SA	.12 gauge		Expired
BENELLI	M1 SUPER 90	SG	SA	12 GA	762	Expired
BENELLI	M1 SUPER 90	SG	SA	12 GA	762	Known Fire
BENELLI	M1	SG	SA	12GA		Expired
BENELLI	M1 SUPER 90	SG	SA	12		Expired
BENELLI	M1 SUPER 90	SG	SA	12		Expired
BENELLI	M1	SG	SA	12		Expired
BENELLI	M1 SUPER 90	SG	SA	12 gauge		Expired
BENELLI	M1 SUPER 90	SG	SA	12		Known Fire
BENELLI	M1 SUPER 90	SG	SA	12		Expired
BENELLI	M1 SUPER 90	SG	SA	12 gauge		Expired
BENELLI	M1	SG	SA	12		Expired
BENELLI	M1 SUPER 90	SG	SA	12 GA		Expired
BENELLI	M1 SUPER 90	SG	SA	12	495	Expired
BERETTA	62	RI	SA	308 Winchester		Expired
COLT	GOVERNMENT	HG	SA	45 ACP	127	Expired
COLT	R6601DH	RI	SA	.223 REM		Expired
COLT	AR-15 A2 SPORTER I	RI	SA	223 CAL		Expired
COLT	SP1	RI	SA	.223cal		Expired
COLT	AR15 SPORTER	RI	SA	.223		Expired
COLT	GOVERNMENT	HG	SA	45 AUTO	127	Expired
COLT	GOVERNMENT	HG	SA	45 AUTO	127	Expired
COLT	AR15 SPORTER	RI	SA	223		Expired
COLT	AR-15	RI	SA	.223		Expired
COLT	SP1	RI	SA	223		Expired
COLT	AR15	RI	SA	223 Cal.		Expired
COLT	MATCH TARGET	OT	OT	22		Expired
COLT	SP1	RI	SA	223		Expired
COLT	AR-15	RI	SA	223 Remington		Expired
COLT	GOVERNMENT	HG	SA	38 SUPER	127	Expired
COLT	AR-15	RI	SA	223 REM	508	Expired

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COLT	GOVERNMENT	HG	SA	38 SUPER	127	Expired
COLT	GOVERNMENT	HG	SA	45 AUTO	127	Expired
COLT	AR 15	RI	SA	223		Expired
COLT	SPORTER MATCH HE	RI	SA	223 REM		Expired
COLT	SP1	RI	SA	1223 CAL		Expired
COLT	AR 15	RI	SA	.223		Expired
COLT	AR-15 A2	RI	SA	.223		Expired
COLT	AR15	RI	SA	223		Expired
COLT	GOVERNMENT	HG	SA	45 AUTO	127	Expired
COLT	AR15	RI	SA	22	508	Expired
COLT	GOVERNMENT	HG	SA	45 AUTO	127	Expired
COLT	SPORTER			223	508	Known Fire
COLT	SPORTER	RI	SA	223 REM	530	Known Fire
COLT	SPORTER TARGET	RI	SA	.223 CAL		Expired
COLT	AR15	RI	SA	5.56MM NATO		Expired
COLT	AR15	RI	SA	223		Expired
COLT	SPI	RI	SA	223 Calibre		Expired
COLT	GOVERNMENT	HG	SA	45 AUTO	127	Known Fire
COLT	GOVERNMENT	OT	SA	45 ACP	127	Expired
COLT	SP1	RI	SA	223 REM	530	Known Fire
COLT	AR-15 SPORTER	RI	SA	.223		Expired
COLT	SP1	RI	SA	223		Expired
COLT	SPORTER MATCH HE	RI	SA	.223 CAL		Expired
COLT	AR-15	RI	SA	223		Expired
COLT	SPI	RI	SA	223 Calibre		Expired
COLT	SPORTER	RI	SA	223		Expired
COLT	SP1	RI	SA	223 REM	508	Expired
COLT	AR15	RI	SA	5.56mm		Expired
COLT	MATCH TARGET	HG	SA	22	152	Expired
COLT	GOVERNMENT	HG	SA	45 AUTO	127	Expired
COLT	SP1	OT	SA			Expired
COLT	AR 15	RI	SA	223		Expired
COLT	AR-15	RI	SA	5.56MM		Expired
COLT	SP1	RI	SA	223		Expired
COLT	SP1	RI	SA	.223		Expired
COLT	AR-15 A2	RI	SA	223 calibre		Expired
COLT	AR 15 SPORTER	RI	SA	223		Expired
COLT	GOVERNMENT	HG	SA	45	127	Expired
COLT	AR15	RI	SA	223 REM		Known Fire
COLT	GOVERNMENT	HG	SA	45 AUTO	127	Expired
COLT	AR15 SPORTER	CV	SA	5.56MM N/	508	Expired
COLT	SPI	RI	SA	243		Expired
COLT	AR 15	RI	OT	5.56		Expired
COLT	AR-15	RI	SA	223 REM	508	Expired
COLT	SPORTER	RI	SA	.223		Known Fire
COLT	AR15	RI	SA	.223		Expired
COLT	AR-15	RI	SA	233	508	Expired
COLT	R6601	RI	SA	223 REM	508	Expired
COLT	AR15A2 SPORTER M	RI	SA		508	Expired
COLT	SPORTER	RI	SA	223 REM		Expired
COLT	SPORTER MATCH HE	RI	SA	223 CALIBRE		Expired
COLT	AR15	RI	SA	223		Expired
COLT	SPORTER	RI	SA	.223 cal.		Expired
COLT	AR15	RI	SA	5.56MM		Expired
COLT	AR15	RI	SA	223		Expired

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COLT	SPORTER	RI	SA	223		Expired
COLT	GOVERNMENT	HG	SA	455	125	Known Fire
DRAGUNOV	SVD	RI	SA	7.62MM	610	Expired
FN FAL	1A1	RI	SA	7.62mm	530	Expired
GALIL	392	RI	SA	223 REM		Expired
HECKLER & KOCH	G3	RI	FA	308	490	Expired
HECKLER & KOCH	91	RI	SA	308 WIN		Expired
HECKLER & KOCH	MP5	SM	CA	9MM LUGI	225	Expired
HECKLER & KOCH	HK91	RI	SA		450	Expired
HECKLER & KOCH	HK91	RI	SA		450	Expired
HECKLER & KOCH	HK93A3	RI	SA	223 REM	410	Protected -
HECKLER & KOCH	HK91	RI	SA	308 WIN	483	Known Fire
HECKLER & KOCH	SR9	RI	SA	308 WIN	500	Known Fire
HECKLER & KOCH	91	RI	SA	308		Expired
HECKLER & KOCH	94	RI	SA	9MM		Expired
HECKLER & KOCH	SR9	RI	SA	308		Expired
HECKLER & KOCH	SUPER 90	SG	SA	12 gauge		Expired
HECKLER & KOCH	HK94A2	HG	SA	9MM	420	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1	RI	SA	30 Caliber		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	483	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 Carbine		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBINE		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1	RI	SA	30		Expired
IVER JOHNSON	M-1 CARBINE	RI	SA	30 CARBINE		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBINE		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	540	Expired
IVER JOHNSON	M1	RI	SA	30		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1	RI	SA	30 Carbide		Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	22	451	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired

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IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	.30		Expired
IVER JOHNSON	M1	RI	BA	30		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1	RI	SA	30carbine		Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	476	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	.22 LR (Rimfire)		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	495	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Known Fire
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	.30		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30M1		Expired
IVER JOHNSON	M-1	RI	SA	30		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	.30		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 Calibre		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	.30 CARBINE		Expired
IVER JOHNSON	M1	RI	SA	.30 CAL		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	490	Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 cal		Expired
IVER JOHNSON	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
JAGER	AP-74	RI	SA	22		Expired

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JAGER	CAT 2344	RI	SA	.22 caliber		Expired
JAGER	JAGER AP80	RI	SA	22 LR	451	Expired
JAGER	JAGER AP80	RI	SA	22 LR	451	Expired
JAGER	AP-74	RI	SA	.22LR		Expired
JAGER	AP-74	RI	SA	.22cal lr		Expired
JAGER	AP-74	RI	SA	22 CALIBRE		Expired
JAGER	JAGER AP80	RI	SA	22		Expired
JAGER	AP-74	RI	SA	.22		Expired
MITCHELL ARMS	AK-22	RI	SA	22 LR	470	Known Fire
NORINCO	56	RI	SA	7.62X39		Expired
NORINCO	56S1	RI	SA	7.62 X 39 F	483	Expired
NORINCO	56	RI	SA	762MM		Expired
NORINCO	AK47	RI	SA	223 REM		Expired
NORINCO	SPORTER	RI	SA	308		Expired
NORINCO	56	RI	SA	7.62x39		Expired
NORINCO	SPORTER	RI	SA	308		Expired
NORINCO	87S	RI	SA	7.62 X 39 F	522	Expired
NORINCO	87S	RI	SA	7.62 X 39 MM		Known Fire
NORINCO	SPORTER	RI	SA	.308		Expired
NORINCO	56-S	RI	SA	7.62x39	486	Expired
NORINCO	AK47	RI	SA	7.62MM	406	Expired
NORINCO	87S	RI	SA	7.62mm		Expired
NORINCO	SPORTER	RI	SA	308		Expired
NORINCO	56	RI	SA	7.62-39		Expired
NORINCO	87S	RI	SA	7.62MM		Expired
NORINCO	AK47	RI	SA	7.62MM	406	Expired
NORINCO	56	RI	SA	7.62X39 RI	520	Expired
NORINCO	AK47	RI	SA	5.56MM N/	483	Known Fire
NORINCO	56	RI	SA	7.62 x 39 mm		Expired
NORINCO	56	RI	SA	7.62 x 39		Expired
NORINCO	87S	RI	SA	7.62X39		Expired
NORINCO	56	RI	SA	7,62x39		Expired
NORINCO	AK HUNTER	RI	SA	7.62 X 39MM		Expired
NORINCO	87S	RI	SA	7.62x39		Expired
NORINCO	56	RI	SA	7.62X39 RUSSIAN		Expired
NORINCO	SPORTER	RI	BA	22		Expired
NORINCO	SPORTER	RI	SA	308		Expired
NORINCO	56	RI	SA	7.62X39 RI	470	Expired
NORINCO	56	RI	SA	7.62X39		Expired
NORINCO	AK47	RI	SA	7.62MM	482	Expired
PALMETTO ARMOR'	BH.15A1	RI	SA	223 Remington		Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472	Known Fire
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472	Known Fire
PLAINFIELD MACHIN	M-1	RI	SA	30 CARBINE		Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472	Expired
PLAINFIELD MACHIN	M-1	RI	SA	30 CALIBRE		Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495	Expired
PLAINFIELD MACHIN	M1	RI	SA	30		Expired
PLAINFIELD MACHIN	M-1	RI	SA	30 CAL		Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBINE		Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472	Known Fire
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483	Expired

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PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M-1	RI	SA	30 CAL	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M-1	RI	SA	.30	Known Fire
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M-1	RI	SA	.30 Cal	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fir
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1	RI	SA	.30	Known Fir
PLAINFIELD MACHIN	M1	RI	SA	30 calibre	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CALIBRE	Expired
PLAINFIELD MACHIN	M-1	SG	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M-1	RI	SA	.30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	.30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fir
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fir
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fir
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fir
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Known Fir
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Known Fir
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fir
PLAINFIELD MACHIN	M1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fir
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M-1	RI	SA	30 CARBINE	Known Fi
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fi
PLAINFIELD MACHIN	M1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fi
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fi
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fi

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PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M-1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Protected -
PLAINFIELD MACHIN	M1	RI	SA	30 CALIBRE	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	475 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1	RI	SA	30 CAL	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Protected -
PLAINFIELD MACHIN	M-1	RI	SA	.30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1	RI	SA	.30 caliber	Expired
PLAINFIELD MACHIN	M-1	RI	SA	30 cal	Expired
PLAINFIELD MACHIN	M1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	514 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Known Fire
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	494 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Known Fire
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M-1	RI	SA	30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1	RI	SA	.30cal.	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Known Fire
PLAINFIELD MACHIN	M-1	RI	SA	.30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	CAL.30	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	520 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	489 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508 Known Fire
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495 Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472 Expired
PLAINFIELD MACHIN	M-1	RI	SA	30	Expired

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PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472	Expired
PLAINFIELD MACHIN	M1	RI	SA	30 cal		Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30		Expired
PLAINFIELD MACHIN	M-1	RI	SA	.30 M1		Known Fire
PLAINFIELD MACHIN	M1 CARBINE	OT	SA	30		Expired
PLAINFIELD MACHIN	M1	RI	SA	.30		Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	483	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472	Known Fire
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	495	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472	Expired
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	508	Protected -
PLAINFIELD MACHIN	M1 CARBINE	RI	SA	30 CARBIN	472	Known Fire
SGW	CAR AR	RI	SA	223 REM	495	Expired
SIG	SG550	RI	SA	5.56MM	528	Known Fire
SMITH & WESSON	MILITARY & POLICE	HG	R	38	127	Expired
SMITH & WESSON	MILITARY & POLICE	HG	R	38 S&W	127	Expired
SMITH & WESSON	MILITARY & POLICE	HG	R	38 SPL	126	Expired
SMITH & WESSON	MILITARY & POLICE	HG	R	38	127	Known Fire
SMITH & WESSON	MILITARY & POLICE	HG	R	38	127	Expired
SMITH & WESSON	M&P	HG	R	.32	101	Expired
SMITH & WESSON	MILITARY & POLICE	HG	R	38 S&W	85	Expired
SMITH & WESSON	MILITARY & POLICE	OT	OT	.38		Expired
SMITH & WESSON	MILITARY & POLICE	HG	R	38 SPL	101	Expired
SMITH & WESSON	MILITARY & POLICE	HG	R	.38	127	Expired
SMITH & WESSON	MILITARY & POLICE	HG	R	38 S&W	127	Expired
SMITH & WESSON	MILITARY & POLICE	HG	R	38 SPL	119	Expired
SQUIRES BINGHAM	AK22	RI	SA	22		Expired
SQUIRES BINGHAM	AK22	RI	SA	22 CALIBRE		Expired
STEYR	STEYR AUG	RI	SA	.223		Expired
STEYR	AUG	RI	FA	9MM LUGI	420	Expired
STEYR	AUG	RI	SA	223 REM	508	Expired
STEYR	AUG	RI	SA	.223		Expired
STEYR	AUG	RI	SA	5.56		Expired
STEYR	AUG	RI	SA	5 .223		Expired
UNIVERSAL	3000	SG	HB	12 GA		Expired
UZI	MINI CARBINE	RI	SA	9MM	502	Known Fire
UZI	MINI CARBINE	RI	SA	9MM	502	Expired
VALMET	M62	RI	BA	.22 L.R.		Expired
VALMET	MODEL 76	RI	SA	308		Expired