



Access to Information and Privacy Coordinator
275 Sparks Street, 9th Floor
Ottawa, Ontario K1A 0H8

Telephone: (613) 907-3700
Facsimile: (613) 957-2303

PROTECTED B

Our file: A-2015-00233 / SM

September 22, 2015

Mr. Dennis R. Young
1330 Ravenswood Drive SE
Airdrie, Alberta
T4A 0P8

*Received
28 Sept 2015
DM*

Dear Mr. Young:

This letter is further to your request of May 18, 2015, filed under the *Access to Information Act* to obtain:

Amended: June 12, 2015

"Please provide copies of records, reports, proposals, presentations, briefing notes to the Minister [from 1998 to May 25, 2015] explaining why there is no need for a definition of the term "variant" in firearms law including records describing problems caused by or benefits resulting from the absence of a definition for the term "variant".

Amended: June 4, 2015

"Please provide copies of memos, reports, proposals, presentations, briefing notes to the Minister, correspondence and e-mails [from 1998 to May 25, 2015] explaining why there is no need for a definition of the term "variant" in firearms law including records describing problems caused by or benefits resulting from the absence of a definition for the term "variant"."

Amended: May 28, 2015

"Please provide copies of records, reports, proposals, presentations, briefing notes to the Minister, correspondence and e-mails [from 1998 to May 25, 2015] explaining why there is no need for a definition of the term "variant" in firearms law including records describing problems caused by or benefits resulting from the absence of a definition for the term "variant"."

Original:

Please provide copies of records, reports, proposals, presentations, briefing notes to the Minister, correspondence and e-mails explaining why there is no need for a definition of the term "variant" in firearms law including records describing problems caused by or benefits resulting from the absence of a definition for the term "variant".

I am pleased to enclose the releasable documents relevant to your request (144 of 348 pages). You will notice that information is exempt from release by virtue of sections 19(1) [personal information], 21(1)(a) [advice or recommendations], 21(1)(b) [consultations or deliberations], and 23 [solicitor-client privilege information] of the *Access to Information Act*. In addition, information is also excluded pursuant to section 69(1)(g) re (f) [Confidences of the Queen's Privy Council for Canada] of the *Access to Information Act*.

This completes our processing of your request. If you have any questions concerning the above, do not hesitate to contact Samuel Muboyayi at 613-907-3688.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Office of the Information Commissioner
30 Victoria Street
Gatineau, Québec K1A 1H3

Sincerely,



Francine Farley
Coordinator

Enclosures



Canada Firearms Centre Centre des armes à feu
Canada

Commissioner Commissaire

s.23

FEB 13 2005

Mr. William Bartlett
Senior Counsel, Criminal Law Policy Section
Justice Canada
East Memorial Building, Room 5065
284 Wellington Street
Ottawa, Ontario K1A 0H8

Dear Mr. Bartlett:

Sincerely,

William V. Baker

c.c.: Mr. François-R. Bernier,
General Counsel
Standing Joint Committee for the Scrutiny of Regulations.

Ms. Kathleen Roussel /
Senior Counsel
Canada Firearms Centre

Canada

Pages 2 to / à 3
are withheld pursuant to section
sont retenues en vertu de l'article

23

of the Access to Information Act
de la Loi sur l'accès à l'information

(6/2/2009) Sharon Walter - RE:

Page 1

s.23

From: "Glushek, Phaedra" <PGlushek@justice.gc.ca>
To: "Walter, Sharon (RCMP)" <Sharon.Walter@rcmp-grc.gc.ca>, "Doyle, Ryan" <Ryan.Doyle@ps-sp.gc.ca>, "Murray Smith" <Murray.A.Smith@rcmp-grc.gc.ca>
Date: 5/5/2009 6:27 PM
Subject: RE:
Attachments:

Hi everyone,

Here is what I have on this issue.

Sharon,

Phaedra

Pages 5 to / à 7
are withheld pursuant to section
sont retenues en vertu de l'article

23

of the Access to Information Act
de la Loi sur l'accès à l'information

(6/2/2009) Sharon Walter - Re:

Page 1

s.23

From: Sharon Walter
To: Phaedra Glushek
Date: 5/5/2009 1:13 PM
Subject: Re:

Hi Phaedra:

Our recently hired records assistant went through our holdings to find what we have on this issue.

Sharon

>>> "Glushek, Phaedra" <PGlushek@justice.gc.ca> 5/5/2009 10:17 AM >>>

> Phaedra Glushek
> Counsel / Special Advisor
> Avocate et Conseillère principale
> Senior Assistant Deputy Minister's Office Policy Sector
> Bureau du Sous-ministre adjoint principal Secteur des politiques
> 284 rue Wellington street
> Ottawa, Canada
> K1A 0H8
> Phone / Tél: (613) 957-3548
> Fax / Facs: (613) 957-9949
>

(6/2/2009) Sharon Walter - Re:

Page 1

From: Murray Smith
To: Bartlett, William; Doyle, Ryan; Glushek, Phaedra; Walter, Sharon
Date: 5/6/2009 10:34 AM
Subject: Re:

s.23

Phaedra,

Regards,

Murray

Murray A. Smith
Manager, Firearms Reference Table
Firearms Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139
Cell: (613) 859-5708

>>> "Glushek, Phaedra" <PGlushek@justice.gc.ca> 5/5/2009 10:17 AM >>>

> Phaedra Glushek
> Counsel / Special Advisor
> Avocate et Conseillère principale
> Senior Assistant Deputy Minister's Office Policy Sector
> Bureau du Sous-ministre adjoint principal Secteur des politiques
> 284 rue Wellington street
> Ottawa, Canada
> K1A 0H8
> Phone / Tél: (613) 957-3548
> Fax / Facs: (613) 957-9949
>

(6/2/2009) Sharon Walter

Page 1

s.23

From: "Glushek, Phaedra" <PGlushek@justice.gc.ca>
To: "Walter, Sharon (RCMP)" <Sharon.Walter@rcmp-grc.gc.ca>, "Abramowitz, Robert (PSEPC-SPPCC)" <Robert.Abramowitz@ps-sp.gc.ca>, "Marcotte, Anika" <Anika.Marcotte@ps-sp.gc.ca>, "Murdock, Lyndon" <Lyndon.Murdock@ps-sp.gc.ca>, "Murray Smith" <Murray.A.Smith@rcmp-grc.gc.ca>, "Bartlett, William" <william.bartlett@justice.gc.ca>, "Linda Sevigny" <linda.sevigny@rcmp-grc.gc.ca>
Date: 5/12/2009 2:31 PM
Subject:
Attachments:

Good afternoon;

Thanks,

> Phaedra Glushek
> Counsel / Special Advisor
Avocate et Conseillère principale
> Senior Assistant Deputy Minister's Office Policy Sector
Bureau du Sous-ministre adjoint principal Secteur des politiques
> 284 rue Wellington street
> Ottawa, Canada
> K1A 0H8
> Phone / Tél: (613) 957-3548
> Fax / Facs: (613) 957-9949
>

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Pages 11 to / à 14
are withheld pursuant to section
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23

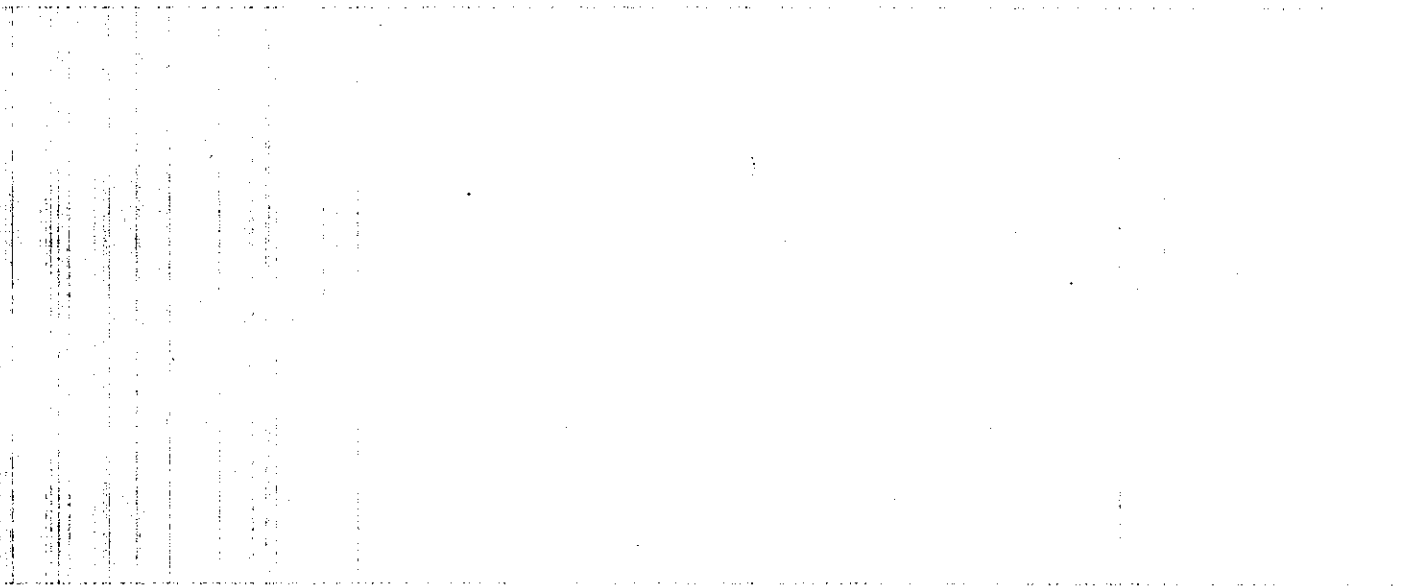
of the Access to Information Act
de la Loi sur l'accès à l'information

s.23

Morasse, Eveline

From: Glushek, Phaedra <PGlushek@justice.gc.ca>
Sent: Tuesday, May 12, 2009 2:22 PM
To: Walter, Sharon (RCMP); Abramowitz, Robert; Marcotte, Anika; Murdock, Lyndon; Murray Smith; Bartlett, William; Linda Sevigny
Subject:
Attachments:

Good afternoon;



Thanks,

> Phaedra Glushek
> Counsel / Special Advisor
Avocate et Conseillère principale
> Senior Assistant Deputy Minister's Office Policy Sector
Bureau du Sous-ministre adjoint principal Secteur des politiques
> 284 rue Wellington street
> Ottawa, Canada
> K1A 0H8
> Phone / Tél: (613) 957-3548
> Fax / Facs: (613) 957-9949
>

Pages 16 to / à 19
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de la Loi sur l'accès à l'information



FRT Report

Network Version 3.14.0

Firearm Reference No.: 32392

Date: 2010-04-14

Page: 1 / 8

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 Kalashnikov model AK 47.

Manufacturer
- the manufacturers name appears on the right side of the receiver/frame.



FRT Report

Network Version 3.14.0

Firearm Reference No.: 32392

Date: 2010-04-14

Page: 2 / 8

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



FRT Report

Network Version 3.14.0

importer

Firearm Reference No.: 32392

Date: 2010-04-14

Page: 3 / 8

Ruko

Ruko Of Canada

Kassnar Imports

Armscor Precision Incorporated (API)

KBI Incorporated



FRT Report

Network Version 3.14.0

Firearm Reference No.: 32392

Date: 2010-04-14

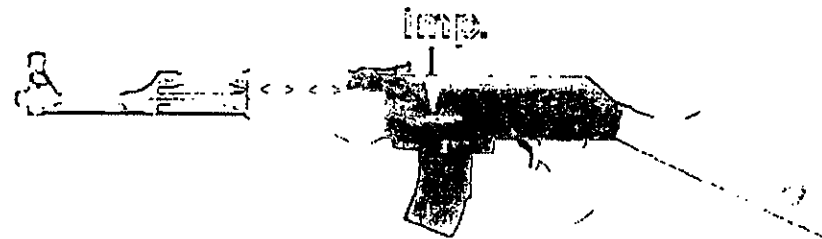
Page: 4 / 8

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





FRT Report

Network Version 3.14.0

Firearm Reference No.: 32392

Date: 2010-04-14

Page: 5 / 8

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





FRT Report

Network Version 3.14.0

Firearm Reference No.: 32392

Date: 2010-04-14

Page: 6 / 8

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

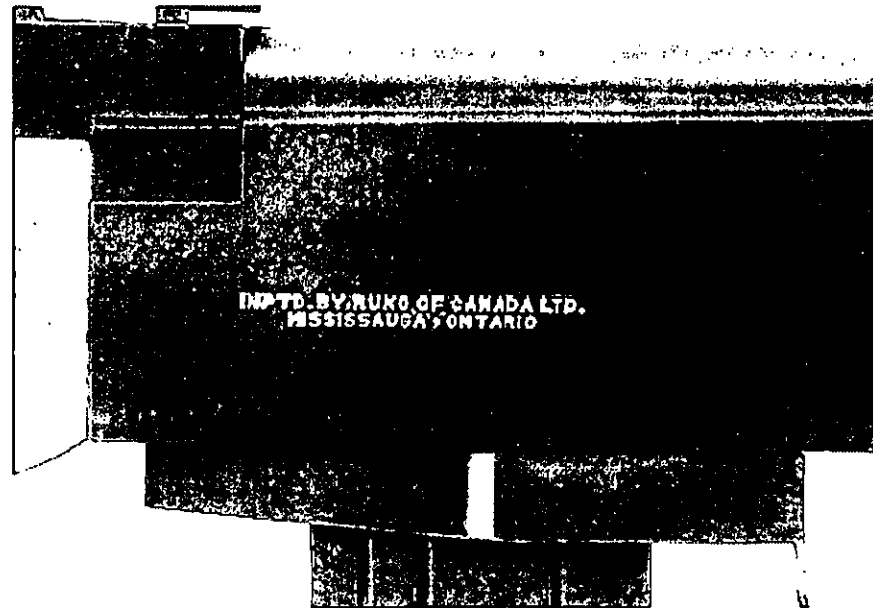


Image:
3 of 5



FRT Report

Network Version 3.14.0

Firearm Reference No.: 32392

Date: 2010-04-14

Page: 7 / 8

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

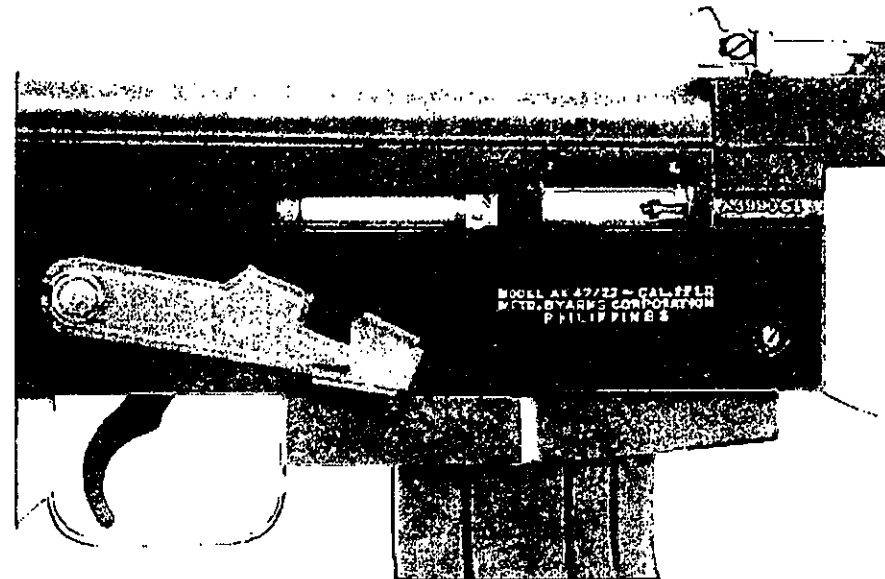


Image:
4 of 5



FRT Report

Network Version 3.14.0

Firearm Reference No.: 32392

Date: 2010-04-14

Page: 8 / 8

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

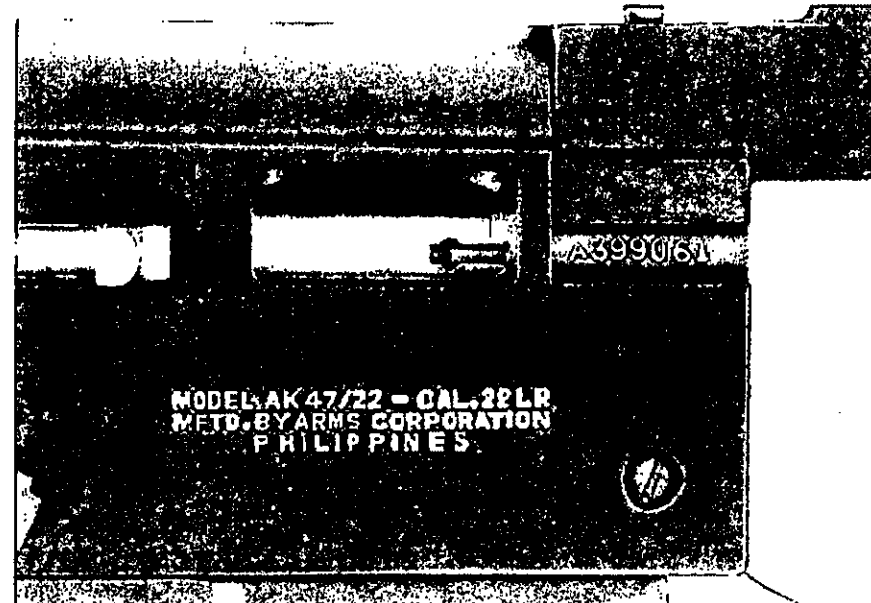


Image:
5 of 5

Morasse, Eveline

From: Glushek, Phaedra <PGlushek@justice.gc.ca>
Sent: Thursday, May 13, 2010 3:58 PM
To: Murray Smith; linda.sevigny@rcmp-grc.gc.ca; Murdock, Lyndon; Bartlett, William; Fecteau, Robert (RCMP)
Cc: Abramowitz, Robert; Walter, Sharon (RCMP)
Subject:
Attachments:

Regards,

> Phaedra Glushek
> Counsel / Special Advisor
Avocate et Conseillère principale
> Senior Assistant Deputy Minister's Office Policy Sector
Bureau du Sous-ministre adjoint principal Secteur des politiques
> 284 rue Wellington street
> Ottawa, Canada
> K1A 0H8
> Phone / Tél: (613) 957-3548
> Fax / Facs: (613) 957-9949
>

**Pages 29 to / à 45
are withheld pursuant to section
sont retenues en vertu de l'article**

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**of the Access to Information Act
de la Loi sur l'accès à l'information**

(6/26/2010) Linda Ducharme - Fwd: Re:

Page 1

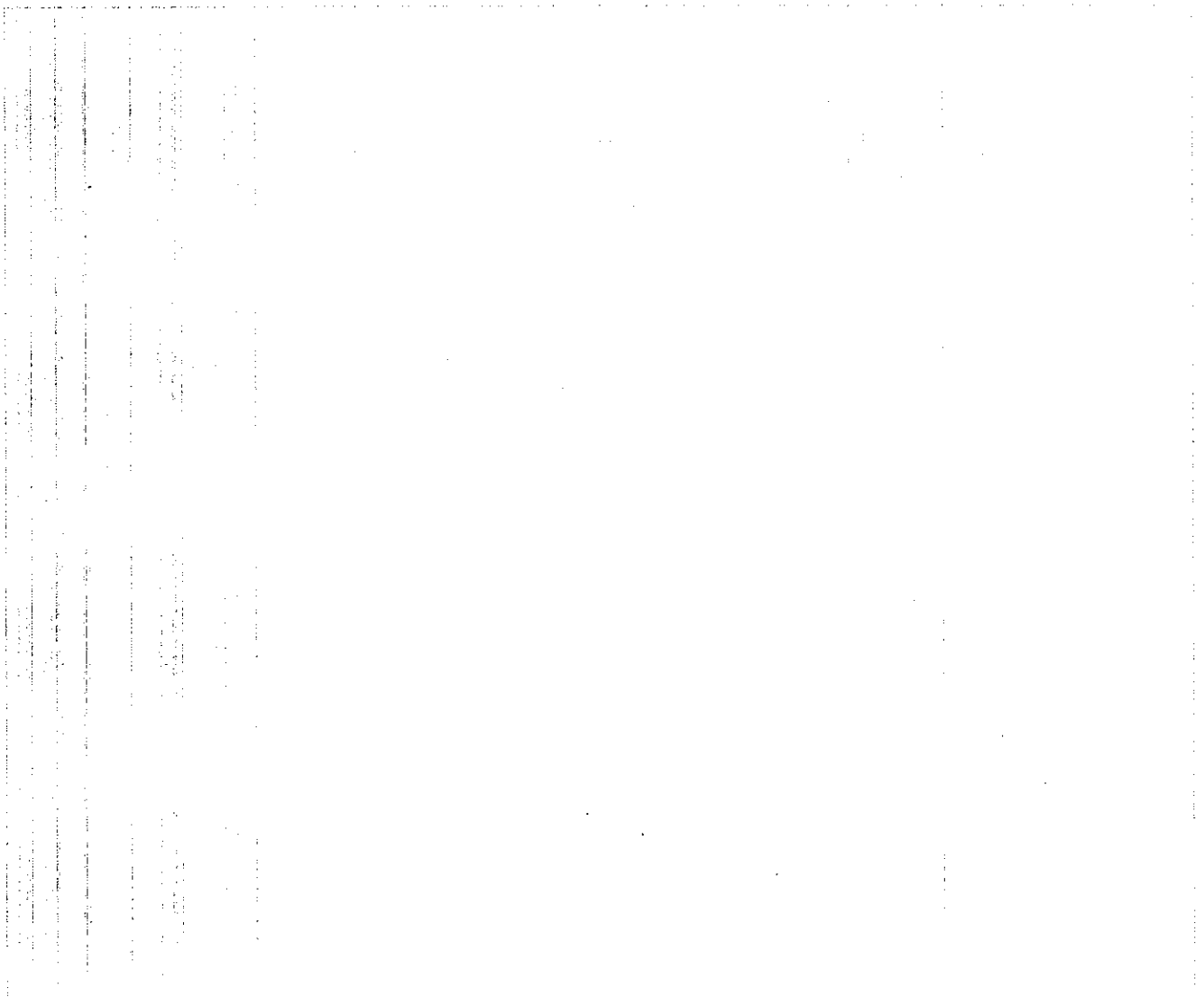
From: Sharon Walter
To: Robert Fecteau
Date: 5/14/2010 2:55 PM
Subject: Fwd: Re:
Attachments:

s.23

Hello Robert:

I don't know if you already followed up with Phaedra and the others who were on Phaedra's e-mail yesterday. In case you have not yet done so, I wanted to let you know that I tried to reach Phillippe Alma yesterday but there was no answer. Paolo was swamped so I asked Marilyn to check for the status.

Merci
Sharon



Page 47

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**of the Access to Information Act
de la Loi sur l'accès à l'information**

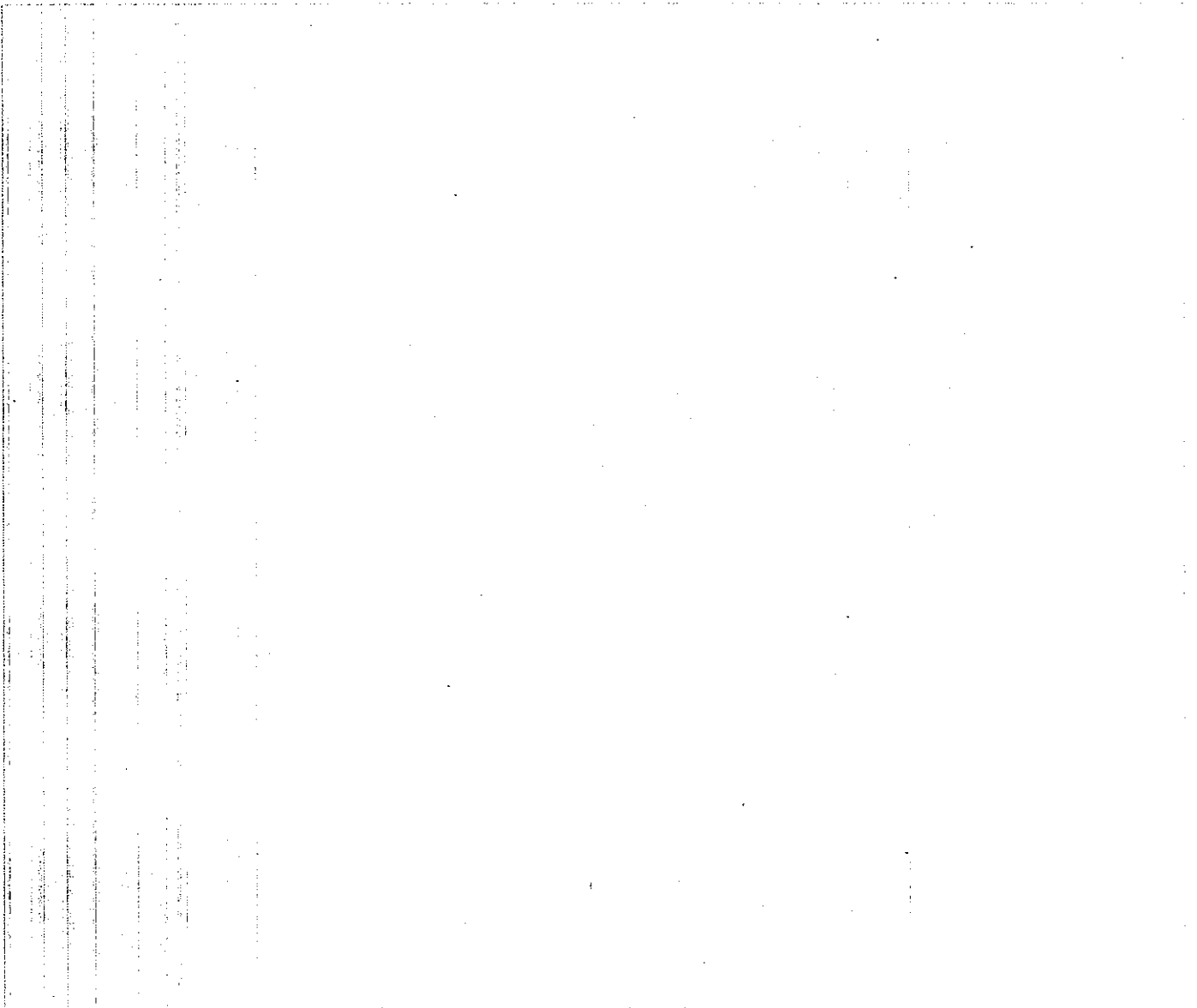
(8/26/2010) Linda Ducharme

Page 1

From: "Glushek, Phaedra" <PGlushek@justice.gc.ca>
To: "Murray Smith" <Murray.A.Smith@rcmp-grc.gc.ca>, <linda.sevigny@rcmp-grc.gc.ca>, "Walter, Sharon (RCMP)" <Sharon.Walter@rcmp-grc.gc.ca>, Guénette, Christine <Christine.Guenette@ps-sp.gc.ca>
CC: "Bartlett, William" <WBartlet@justice.gc.ca>, <Lyndon.Murdock@ps-sp.gc.ca>
Date: 5/21/2010 6:36 PM
Subject:

s.23

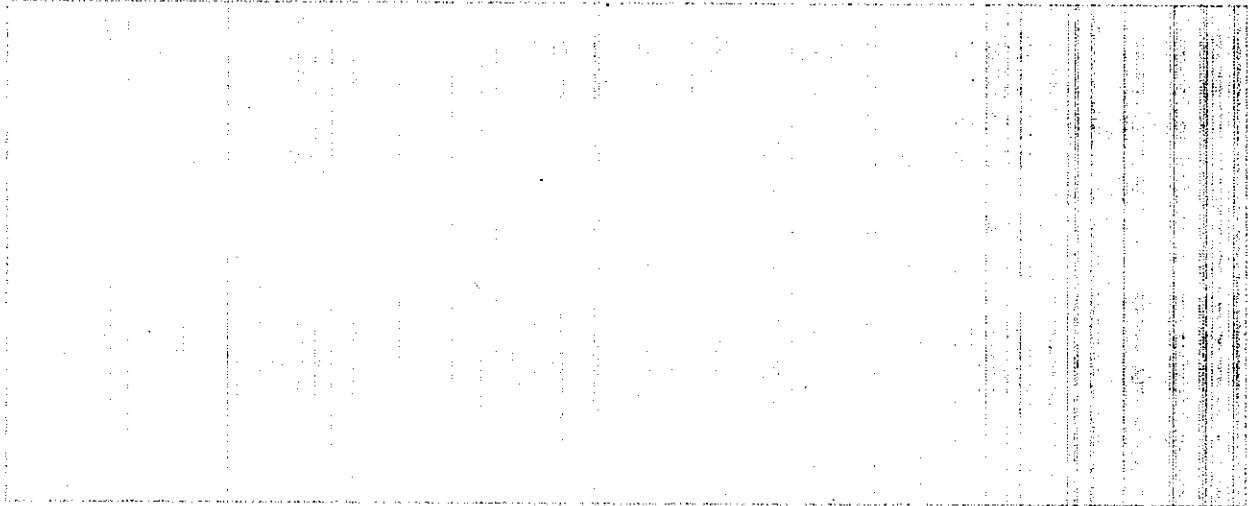
Hi everyone,



(8/26/2040) Linda Ducharme -

s.23

Page 2



Thanks

- > Phaedra Glushek
- > Counsel / Special Advisor
- Avocate et Conseillère principale
- > Senior Assistant Deputy Minister's Office Policy Sector
- Bureau du Sous-ministre adjoint principal Secteur des politiques
- > 284 rue Wellington street
- > Ottawa, Canada
- > K1A 0H8
- > Phone / Tél: (613) 957-3548
- > Fax / Facs: (613) 957-9949
- >

#41787

STANDING JOINT COMMITTEE
FOR
THE SCRUTINY OF REGULATIONS

c/o THE SENATE, OTTAWA K1A 0A4
TEL: 995-0751
FAX: 943-2109

JOINT CHAIRS

SENATOR YONAH MARTIN
ANDREW J. KANIA, LL.M., M.P.

VICE-CHAIRS

ROYAL GALIPEAU, M.P.
BRIAN MASSE, M.P.



CANADA

COMITÉ MIXTE PERMANENT
D'EXAMEN DE LA RÉGLEMENTATION

c/o LE SÉNAT, OTTAWA K1A 0A4
TÉL: 995-0751
TÉLÉCOPIEUR: 943-2109

CO-PRÉSIDENTS

SÉNATRICE YONAH MARTIN
ANDREW J. KANIA, LL.M., DÉPUTÉ

VICE-PRÉSIDENTS

ROYAL GALIPEAU, DÉPUTÉ
BRIAN MASSE, DÉPUTÉ

1000
sua/2010

July 6, 2010

Ms. Suesan Saville
Director General
Corporate Services
Department of Justice
284 Wellington Street, Room 4097
OTTAWA, Ontario K1A 0H8

Dear Ms. Saville:

Our File: SOR/98-462, Regulations Prescribing Certain Firearms and other
Weapons, Components and Parts of Weapons,
Accessories, Cartridge Magazines, Ammunition and
Projectiles as Prohibited or Restricted

I refer to your letter of March 5, 2010, and would value your advice as to
progress. Are you in a position to confirm that amendments to the above-
mentioned Regulations addressing the Joint Committee's concerns will be made?
If so, when can the Committee expect these amendments?

Yours sincerely,

Peter Bernhardt
General Counsel

/mn



Department of Justice
Canada

Ministère de la Justice
Canada

Ottawa, Canada
K1A 0H8

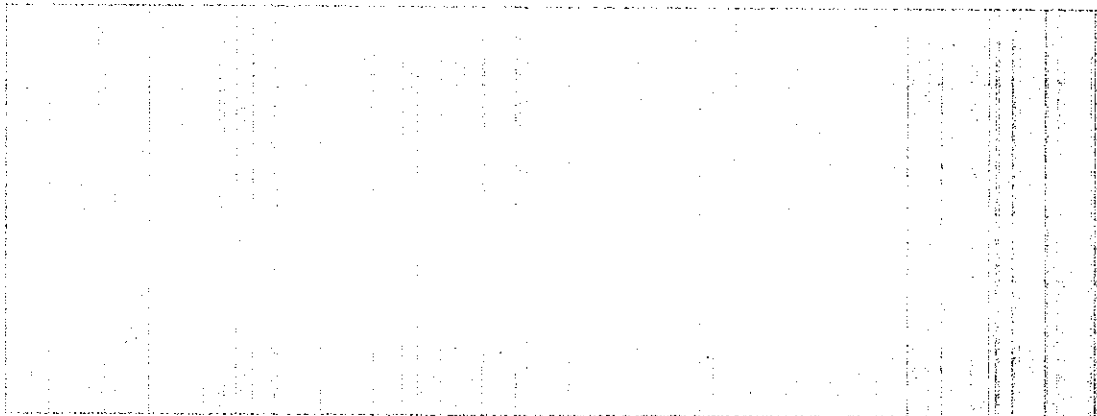
s.21(1)(a)

March 5, 2010

Mr. Peter Bernhardt
General Counsel
Standing Joint Committee for the Scrutiny of Regulations
c/o The Senate
Ottawa, Ontario K1A 0A4

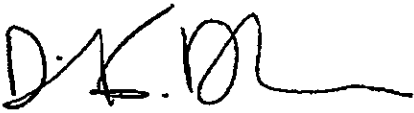
Dear Mr. Bernhardt:

I am in receipt of your letter dated February 23, 2010 in which you requested a reply to your October correspondence. I would like to inform you that a letter was prepared in order to update the Committee on the status of our work with respect to the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (Regulations). Unfortunately, due to a clerical error, this letter was not sent. We regret the delay in our response.



Canada

Sincerely,



 Suesan Saville
Director General
Corporate Services

s.21(1)(a)

**Pages 53 to / à 56
are withheld pursuant to section
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69(1)(g) re (f)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

**Pages 57 to / à 61
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69(1)(g) re (f)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

**Pages 62 to / à 64
are withheld pursuant to sections
sont retenues en vertu des articles**

21(1)(a), 23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Page 65

**is withheld pursuant to section
est retenue en vertu de l'article**

23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Morasse, Eveline

From: Doyle, Ryan
Sent: Thursday, April 07, 2011 3:30 PM
To: Syme, Christina; Abramowitz, Robert; Covo, Pierre
Subject: FW: [REDACTED]
Attachments: [REDACTED]

s.23

FYI.

From: Murray Smith [mailto:Murray.A.Smith@rcmp-grc.gc.ca]
Sent: April 5, 2011 4:47 PM
To: Phaedra Glushek; Doyle, Ryan; Linda Sevigny
Cc: Paula Clarke; William Bartlett
Subject: Re: FW: [REDACTED]

Hi Phaedra,

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
Cell: (613) 859-5708
>>> "Glushek, Phaedra" <PGlushek@justice.gc.ca> 4/5/2011 11:23 AM >>>

>
> From: Kane, Catherine
> Sent: 2011-Apr-05 11:23 AM
> To: Lee, Roy
> Cc: Frater, Robert; Glushek, Phaedra; Bartlett, William

> Subject:RE: [REDACTED]

s.23

>

> [REDACTED]

>

> Catherine Kane

> Director General and Senior General Counsel

> Criminal Law Policy Section

> Department of Justice

> Room 5119

> 613 957 4690

>

>

>

> From: Lee, Roy

> Sent:5 avril 2011 11:19

> To:Kane, Catherine

> Cc:Frater, Robert

> Subject:RE: [REDACTED]

>

> [REDACTED]

>

> [REDACTED]

>

> [REDACTED]

>

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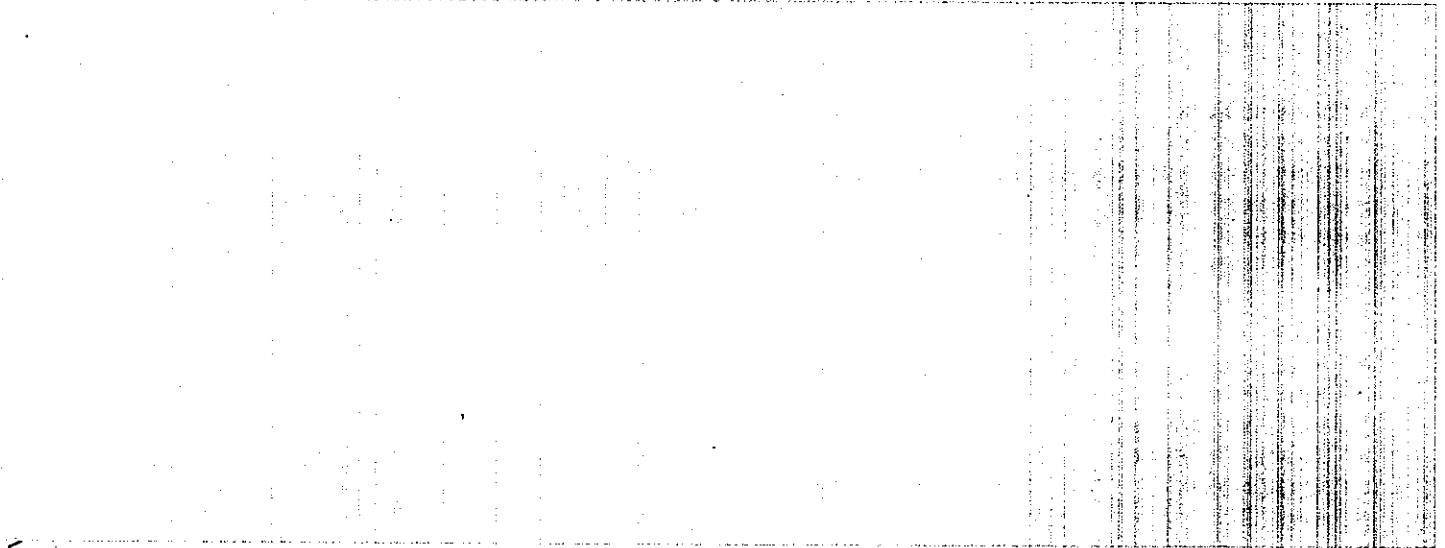
>

> [REDACTED]

>

> [REDACTED]

> Catherine / Rob:



>
> Roy
>
> < >>
>
> Roy Lee
> Counsel | Avocat
> Extradition Team | Équipe de l'extradition
> Ontario Regional Office | Bureau régional de l'Ontario
> Department of Justice Canada | Ministère de la Justice Canada
> Email | Courriel: roy.lee@justice.gc.ca
> Telephone | Téléphone: 416-952-2946
> Facsimile | Télécopieur.: 416-973-4328
> 130 King Street West, Suite 3400, Toronto (Ontario) M5X 1K6
>
> Government of Canada | Gouvernement du Canada
>

Morasse, Eveline

From: Doyle, Ryan
Sent: Wednesday, April 13, 2011 4:17 PM
To: Abramowitz, Robert; Covo, Pierre s.23
Subject: FW:
Attachments: 
Importance: Low

FYI.

Ryan Doyle
Public Safety Canada | Sécurité Publique Canada ryan.doyle@ps.gc.ca / Asst: +1.613.949.7770 / Tel: +1.613.990.2721 /
Fax: +1.613.954.4808 / Cel: +1.613.240.4403

-----Original Message-----

From: Glushek, Phaedra [<mailto:PGlushek@justice.gc.ca>]
Sent: April 13, 2011 4:03 PM
To: Doyle, Ryan
Subject: FW: NCQ re firearms provisions

>
> **From:** Lee, Roy
> **Sent:** 2011-Apr-05 11:27 AM
> **To:** Bartlett, William; Glushek, Phaedra
> **Subject:** FW:
>
> Phaedra / Bill -
>
> 
>
> Roy
>
> Roy Lee
> Counsel | Avocat
> Telephone | Téléphone: 416-952-2946
>
> Department of Justice Canada | Ministère de la Justice Canada
>
>
>
>
>

> Subject:

s.23

>

> Catherine / Rob:

>

> Roy

>

>> <<Document.pdf>>

>

> Roy Lee

> Counsel | Avocat

> Extradition Team | Équipe de l'extradition Ontario Regional Office |

> Bureau régional de l'Ontario Department of Justice Canada | Ministère

> de la Justice Canada Email | Courriel: roy.lee@justice.gc.ca

> Telephone | Téléphone: 416-952-2946 Facsimile | Télécopieur.:

> 416-973-4328 130 King Street West, Suite 3400, Toronto (Ontario) M5X

> 1K6

>

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>

**Pages 71 to / à 78
are withheld pursuant to section
sont retenues en vertu de l'article**

23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Morasse, Eveline

From: Covo, Pierre
Sent: Wednesday, April 13, 2011 4:35 PM
To: Doyle, Ryan
Cc: Fresco, Juline; Abramowitz, Robert
Subject: RE: [REDACTED]

s.23

Thanks Ryan. [REDACTED]

Pierre Covo
Counsel | Avocat
Department of Justice | Ministère de la Justice Public Safety Legal Services | Sécurité publique services juridiques
Tel:/Tél: (613) 990-8418
Email/Courriel: pierre.covo@justice.gc.ca

-----Original Message-----

From: Doyle, Ryan
Sent: April 13, 2011 4:17 PM
To: Abramowitz, Robert; Covo, Pierre
Subject: FW: [REDACTED]
Importance: Low

FYI.

Ryan Doyle
Public Safety Canada | Sécurité Publique Canada ryan.doyle@ps.gc.ca / Asst: +1.613.949.7770 / Tel: +1.613.990.2721 /
Fax: +1.613.954.4808 / Cel: +1.613.240.4403

Page 80

**is withheld pursuant to section
est retenue en vertu de l'article**

23

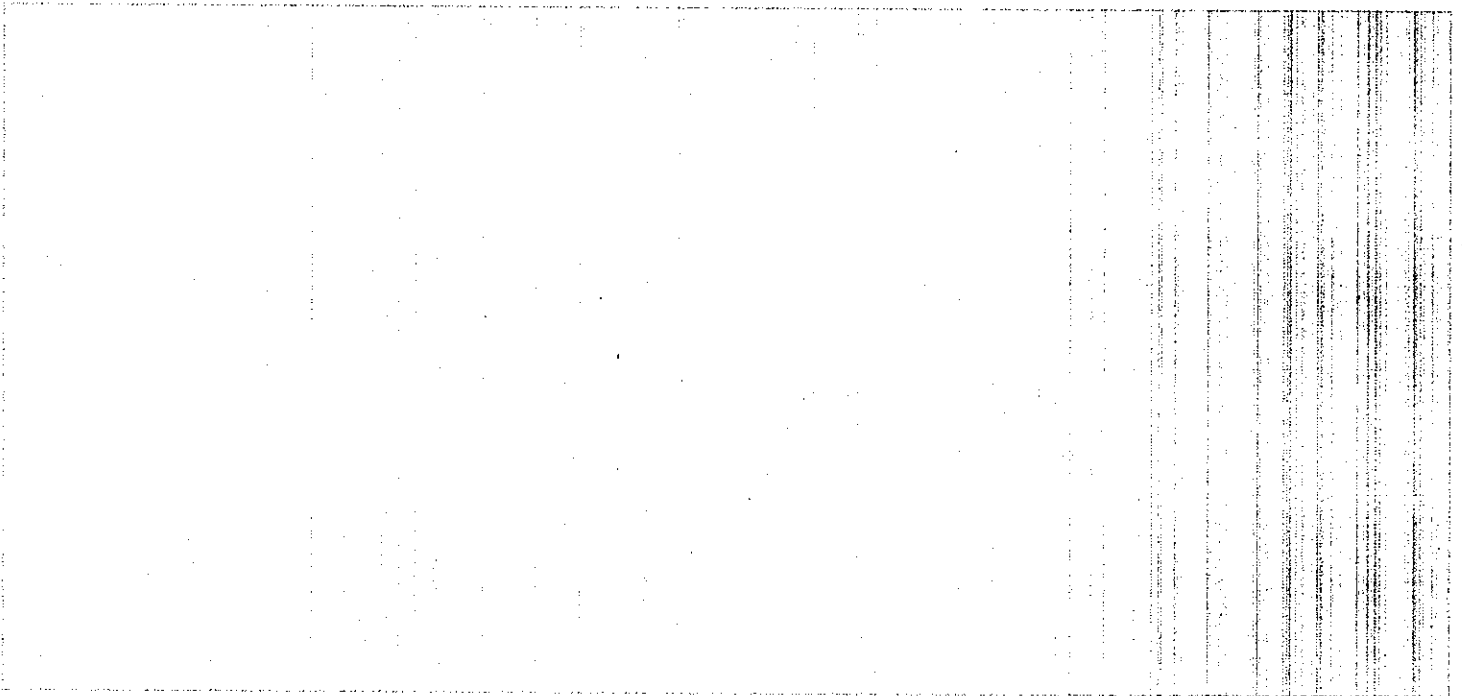
**of the Access to Information Act
de la Loi sur l'accès à l'information**

Morasse, Eveline

From: Fresco, Juline
Sent: Thursday, April 14, 2011 6:02 PM
To: Doyle, Ryan
Cc: Covo, Pierre; Abramowitz, Robert; 'Clarke, Paula'; Walter, Sharon (RCMP); Glushek, Phaedra; 'hwatts@justice.gc.ca'; Gauthier, Marc-André (RCMP)
Subject: Re: [REDACTED]

SOLICITOR CLIENT PRIVILEGE

Hello Ryan,



Thank you,

Juline

Juline Fresco
Counsel/Avocate

Public Safety Legal Services/Services juridiques Sécurité publique
269 Laurier Ave. West, 16th floor/269 ave Laurier ouest, 16e étage
Ottawa, Ontario K1A 0P8
☎ 613-990-2624
Government of Canada/Gouvernement du Canada

SOLICITOR CLIENT PRIVILEGE

From: Doyle, Ryan
Sent: April 14, 2011 9:53 AM

To: Clarke, Paula (Justice); Fresco, Juline; Smith, Murray (RCMP-GRC); Walter, Sharon (RCMP-GRC); Guénette, Christine;
Syme, Christina; Maurice, Sandra; Hum, Suzing
Cc: Smith, Joel (RCMP-GRC); McDougall, Scott (RCMP-GRC); Sevigny, Linda (RCMP-GRC); 'Glushek, Phaedra';
Abramowitz, Robert
Subject:

s.23

Morning all,



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
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Pages 83 to / à 85
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of the Access to Information Act
de la Loi sur l'accès à l'information

Pages 86 to / à 102
are withheld pursuant to section
sont retenues en vertu de l'article

23

of the Access to Information Act
de la Loi sur l'accès à l'information

s.23

Morasse, Eveline

From: Guénette, Christine
Sent: Friday, April 15, 2011 6:25 PM
To: Fresco, Juline
Cc: Covo, Pierre; Abramowitz, Robert; Doyle, Ryan
Subject: RE: [REDACTED]

Thank you.

Christine Guénette
Senior Policy Advisor
Firearms and Operational Policing Policy Division
Law Enforcement and Policing Branch
Public Safety Canada

Conseillère principale en politiques
Division des Armes à feu et des Politiques opérationnelles
Secteur de la Police et de l'Application de la loi
Sécurité publique Canada

Tél: 613-949-6415
Téléc: 613-990-3984

From: Fresco, Juline
Sent: April 15, 2011 2:45 PM
To: Doyle, Ryan; Guénette, Christine
Cc: Covo, Pierre; Abramowitz, Robert
Subject: RE: [REDACTED]

SOLICITOR CLIENT PRIVILEGE

Hello Ryan and Christine,

[REDACTED]

Please let me know if you have any questions.

Thank you,

Juline

<< File: BN - Legal Review .DOC >>

s.23

From: Doyle, Ryan
Sent: April 14, 2011 9:53 AM
To: Clarke, Paula (Justice); Fresco, Juline; Smith, Murray (RCMP-GRC); Walter, Sharon (RCMP-GRC); Guénette, Christine; Syme, Christina; Maurice, Sandra; Hum, Suzing
Cc: Smith, Joel (RCMP-GRC); McDougall, Scott (RCMP-GRC); Sevigny, Linda (RCMP-GRC); 'Glushek, Phaedra'; Abramowitz, Robert
Subject: [REDACTED]

Morning all,

[REDACTED]

Ry

[REDACTED]

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

<< OLE Object: Picture (Metafile) >>

**Pages 105 to / à 108
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23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Morasse, Eveline

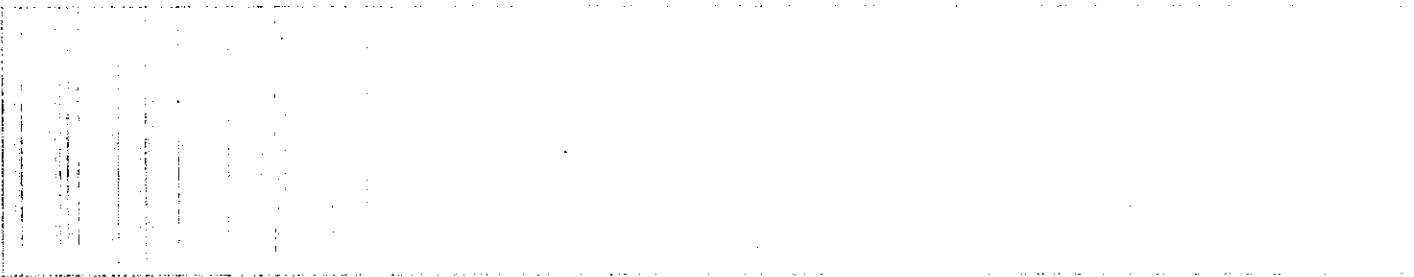
From: Glushek, Phaedra <PGlushek@justice.gc.ca>
Sent: Friday, April 15, 2011 11:29 AM
To: Fresco, Juline; Lee, Roy; Watts, Heather; Clarke, Paula; Gauthier, Marc-André (RCMP);
Walter, Sharon (RCMP)
Cc: Covo, Pierre; Abramowitz, Robert s.23
Subject: RE: [REDACTED]



From: Fresco, Juline [<mailto:Juline.Fresco@ps-sp.gc.ca>]
Sent: 2011-Apr-15 11:12 AM
To: Lee, Roy; Watts, Heather; Clarke, Paula; Gauthier, Marc-André (RCMP); Walter, Sharon (RCMP); Glushek, Phaedra
Cc: Covo, Pierre (PSEPC-SPPCC); Abramowitz, Robert (PSEPC-SPPCC)
Subject: FW: [REDACTED]
Importance: High

SOLICITOR CLIENT PRIVILEGE

Hello,



Thank you,

s.23

Juline

From: Doyle, Ryan
Sent: April 14, 2011 9:53 AM
To: Clarke, Paula (Justice); Fresco, Juline; Smith, Murray (RCMP-GRC); Walter, Sharon (RCMP-GRC); Guénette, Christine; Syme, Christina; Maurice, Sandra; Hum, Suzing
Cc: Smith, Joel (RCMP-GRC); McDougall, Scott (RCMP-GRC); Sevigny, Linda (RCMP-GRC); 'Glushek, Phaedra'; Abramowitz, Robert
Subject: [REDACTED]

Morning all,

[REDACTED]

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
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Canada

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Morasse, Eveline

From: Fresco, Juline
Sent: Friday, April 15, 2011 3:12 PM
To: Guénette, Christine; Doyle, Ryan
Cc: Covo, Pierre; Abramowitz, Robert
Subject: RE: [REDACTED]

s.23

SOLICITOR CLIENT PRIVILEGE

Hello Christine and Ryan,

Thank you,

Juline

From: Guénette, Christine
Sent: April 15, 2011 2:50 PM
To: Fresco, Juline
Subject: RE: BN on Heera

Thanks, Juline.

From: Fresco, Juline
Sent: April 15, 2011 2:45 PM
To: Doyle, Ryan; Guénette, Christine
Cc: Covo, Pierre; Abramowitz, Robert
Subject: RE: BN on Heera

SOLICITOR CLIENT PRIVILEGE

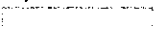
Hello Ryan and Christine,

Thank you,

Juline

From: Doyle, Ryan
Sent: April 14, 2011 9:53 AM
To: Clarke, Paula (Justice); Fresco, Juline; Smith, Murray (RCMP-GRC); Walter, Sharon (RCMP-GRC); Guénette, Christine; Syme, Christina; Maurice, Sandra; Hum, Suzing

Cc: Smith, Joel (RCMP-GRC); McDougall, Scott (RCMP-GRC); Sevigny, Linda (RCMP-GRC); 'Glushek, Phaedra';
Abramowitz, Robert

Subject: 

s.23

Morning all,

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

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<< OLE Object: Picture (Metafile) >>

**Pages 113 to / à 120
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23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.23

Morasse, Eveline

From: Watts, Heather <hwatts@justice.gc.ca>
Sent: Friday, April 15, 2011 2:20 PM
To: Clarke, Paula; Fresco, Juline; Lee, Roy; Gauthier, Marc-André (RCMP); Walter, Sharon (RCMP); Glushek, Phaedra
Cc: Covo, Pierre; Abramowitz, Robert
Subject: RE: [REDACTED]
Attachments: [REDACTED]

Importance: High

From: Clarke, Paula
Sent: Friday, April 15, 2011 2:15 PM
To: 'Fresco, Juline'; Lee, Roy; Watts, Heather; Gauthier, Marc-André (RCMP); Walter, Sharon (RCMP); Glushek, Phaedra
Cc: Covo, Pierre (PSEPC-SPPCC); Abramowitz, Robert (PSEPC-SPPCC)
Subject: RE: [REDACTED]

Paula Clarke
Counsel / Avocate
Department of Justice / Ministère de la Justice Canada
Criminal Law Policy Section / Section de la politique en matière de droit pénal
Room 5064 East Memorial Building / Édifice commémoratif de l'Est. 5^{ème} étage
284 Wellington Street / 284 rue Wellington
Ottawa, Ontario
K1A 0H8
tel (613) 957-4728
fax (613) 941-9310
paclarke@justice.gc.ca

Pensez vert avant d'imprimer  Before printing, think green .

s.23

From: Fresco, Juline [mailto:Juline.Fresco@ps-sp.gc.ca]

Sent: April 15, 2011 2:01 PM

To: Lee, Roy; Watts, Heather; Clarke, Paula; Gauthier, Marc-André (RCMP); Walter, Sharon (RCMP); Glushek, Phaedra

Cc: Covo, Pierre (PSEPC-SPPCC); Abramowitz, Robert (PSEPC-SPPCC)

Subject: RE: [REDACTED]

SOLICITOR CLIENT PRIVILEGE

Hi,

Thank you so much,

Juline

From: Lee, Roy [mailto:Roy.Lee@justice.gc.ca]

Sent: April 15, 2011 12:47 PM

To: Fresco, Juline; Watts, Heather; Clarke, Paula; Gauthier, Marc-André (RCMP); Walter, Sharon (RCMP); Glushek, Phaedra

Cc: Covo, Pierre; Abramowitz, Robert

Subject: Re: [REDACTED]

Juline -

Roy

From: Fresco, Juline [mailto:Juline.Fresco@ps-sp.gc.ca]

Sent: Friday, April 15, 2011 11:12 AM

To: Lee, Roy; Watts, Heather; Clarke, Paula; Gauthier, Marc-André (RCMP); Walter, Sharon (RCMP); Glushek, Phaedra

Cc: Covo, Pierre (PSEPC-SPPCC); Abramowitz, Robert (PSEPC-SPPCC)

Subject: FW: [REDACTED]

SOLICITOR CLIENT PRIVILEGE

Hello,

Thank you,

s.23

Juline

From: Doyle, Ryan

Sent: April 14, 2011 9:53 AM

To: Clarke, Paula (Justice); Fresco, Juline; Smith, Murray (RCMP-GRC); Walter, Sharon (RCMP-GRC); Guénette, Christine; Syme, Christina; Maurice, Sandra; Hum, Suzing

Cc: Smith, Joel (RCMP-GRC); McDougall, Scott (RCMP-GRC); Sevigny, Linda (RCMP-GRC); 'Glushek, Phaedra';

Abramowitz, Robert

Subject: [REDACTED]

Morning all,

[REDACTED]

;))

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

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23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.23

Morasse, Eveline

From: Watts, Heather <hwatts@justice.gc.ca>
Sent: Friday, April 15, 2011 9:53 AM
To: Fresco, Juline; Doyle, Ryan
Cc: Covo, Pierre; Abramowitz, Robert; Clarke, Paula; Walter, Sharon (RCMP); Glushek, Phaedra; Gauthier, Marc-André (RCMP)
Subject: RE: [REDACTED]
Attachments: [REDACTED]

Importance: High

Colleagues,

[REDACTED]

Heather

Heather R. Watts, B.A., LL.B., LL.M
Counsel | Avocate
Human Rights Law Section | Section des droits de la personne
Department of Justice Canada | Ministère de la Justice Canada
Ottawa, Canada K1A 0R5
heather.watts@justice.gc.ca
Telephone | Téléphone 613-957-4921
Facsimile | Télécopieur 613-952-4137
Government of Canada | Gouvernement du Canada

This message and any accompanying attachments contain confidential and / or privileged information that is intended only for the use of the individual or entity to whom it is addressed. Le présent message et toutes les pièces jointes qui l'accompagnent contiennent de l'information confidentielle et / ou protégée destinée uniquement à la personne ou à l'entité à laquelle elle est adressée.

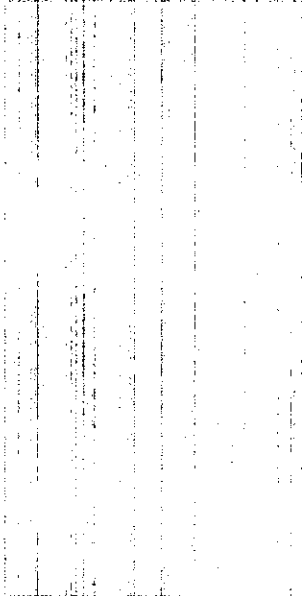
Pensez vert avant d'imprimer  Before printing, think green

From: Fresco, Juline [mailto:Juline.Fresco@ps-sp.gc.ca]
Sent: Thursday, April 14, 2011 6:02 PM
To: Doyle, Ryan
Cc: Covo, Pierre (PSEPC-SPPCC); Abramowitz, Robert (PSEPC-SPPCC); Clarke, Paula; Walter, Sharon (RCMP); Glushek, Phaedra; Watts, Heather; Gauthier, Marc-André (RCMP)
Subject: Re: [REDACTED]

SOLICITOR CLIENT PRIVILEGE

s.23

Hello Ryan,



Please do not hesitate to contact me.

Thank you,

Juline

Juline Fresco
Counsel/Avocate

Public Safety Legal Services/Services juridiques Sécurité publique
269 Laurier Ave. West, 16th floor/269 ave Laurier ouest, 16e étage
Ottawa, Ontario K1A 0P8
☎ 613-990-2624
Government of Canada/Gouvernement du Canada

SOLICITOR CLIENT PRIVILEGE

From: Doyle, Ryan

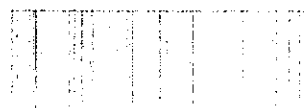
Sent: April 14, 2011 9:53 AM

To: Clarke, Paula (Justice); Fresco, Juline; Smith, Murray (RCMP-GRC); Walter, Sharon (RCMP-GRC); Guénette, Christine; Syme, Christina; Maurice, Sandra; Hum, Suzing

Cc: Smith, Joel (RCMP-GRC); McDougall, Scott (RCMP-GRC); Sevigny, Linda (RCMP-GRC); 'Glushek, Phaedra'; Abramowitz, Robert

Subject: [REDACTED]

Morning all,



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.dovle@ps.gc.ca

Telephone | Téléphone 613-990-2721 / Facsimile | Télécopieur 613-954-4808 / Secure 613-991-6669 / Blackberry 613-240-4403
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**Pages 131 to / à 134
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23

**of the Access to Information Act
de la Loi sur l'accès à l'information**



1. **MINISTERIAL CORRESPONDENCE:** Week of June 09 to June 15, 2011

Total incoming: 270

Correspondence: 157

Form letters: 113

s.21(1)(a)

s.23

Top Issues (Correspondence)

29 Law

Top Issues (Form Letters)

96

Signed Letters: 32

VIP Correspondence:

Received this week: 2

Closed this week: 2

Active: 21

**Pages 136 to / à 138
are withheld pursuant to sections
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21(1)(a), 23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

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**is withheld pursuant to sections
est retenue en vertu des articles**

19(1), 23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Sharon Walter -

s.23

From: "Clarke, Paula" <paula.clarke@justice.gc.ca>
To: "Murdock, Lyndon" <Lyndon.Murdock@ps-sp.gc.ca>, "Murray Smith"
<Murray.A.Smith@rcmp-grc.gc.ca>, "Linda Sevigny" <linda.sevigny@rcmp-
grc.gc.ca>, "Scott McDougall" <Scott.McDougall@rcmp-grc.gc.ca>, Guénette,
Christine <Christine.Guenette@ps-sp.gc.ca>, "Walter, Sharon (RCMP)"
<Sharon.Walter@rcmp-grc.gc.ca>
Date: 10/20/2011 3:32 PM
Subject:
CC: "Bartlett, William" <WBartlett@justice.gc.ca>
Attachments:

Colleagues

Thank you for your attention and sorry for the very very short turn around time.

Paula

s.23

Paula Clarke

Counsel / Avocate

Department of Justice / Ministère de la Justice Canada

Criminal Law Policy Section / Section de la politique en matière de droit pénal

Room 5064 East Memorial Building / Édifice commémoratif de l'Est, 5^{ème} étage

284 Wellington Street / 284 rue Wellington

Ottawa, Ontario

K1A 0H8

tel (613) 957-4728

fax (613) 941-9310

paclarke@justice.gc.ca

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Page 142

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23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Sharon Walter - RE: [REDACTED]

From: Sharon Walter
To: Linda Seigny
Date: 10/21/2011 4:32 PM
Subject: RE: [REDACTED]

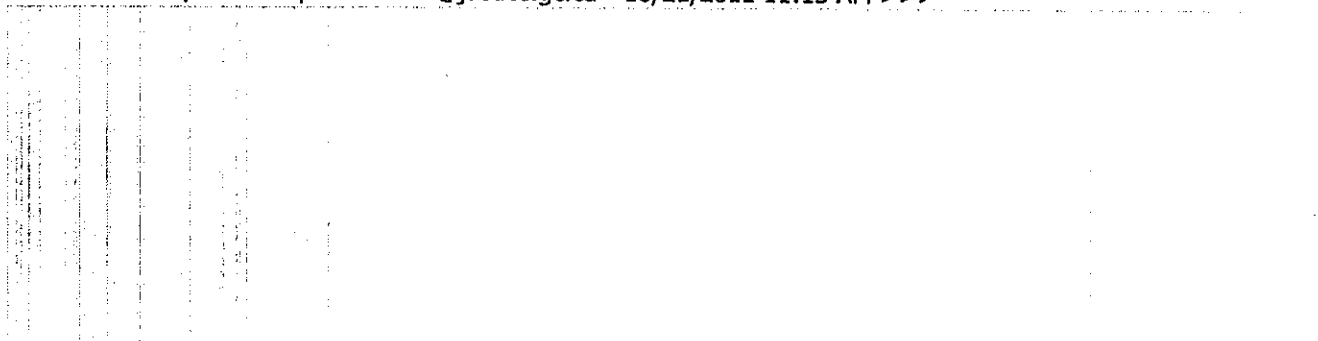
s.23

Hi Linda:
A couple of comments:

Thanks
Sharon

s.23

>>> "Clarke, Paula" <paula.clarke@justice.gc.ca> 10/21/2011 11:15 AM >>>



Thanks

Paula

-----Original Message-----

From: Linda Sevigny [mailto:linda.sevigny@rcmp-grc.gc.ca]
Sent: October 20, 2011 4:21 PM
To: Clarke, Paula; Christine.Guenette@ps-sp.gc.ca; Lyndon.Murdock@ps-sp.gc.ca; Murray Smith; Scott McDougall; Walter, Sharon (RCMP)
Cc: Bartlett, William
Subject: Re: [REDACTED]

I am AOL tomorrow so here is my quick reply.

[REDACTED] Thanks.

-----Original Message-----

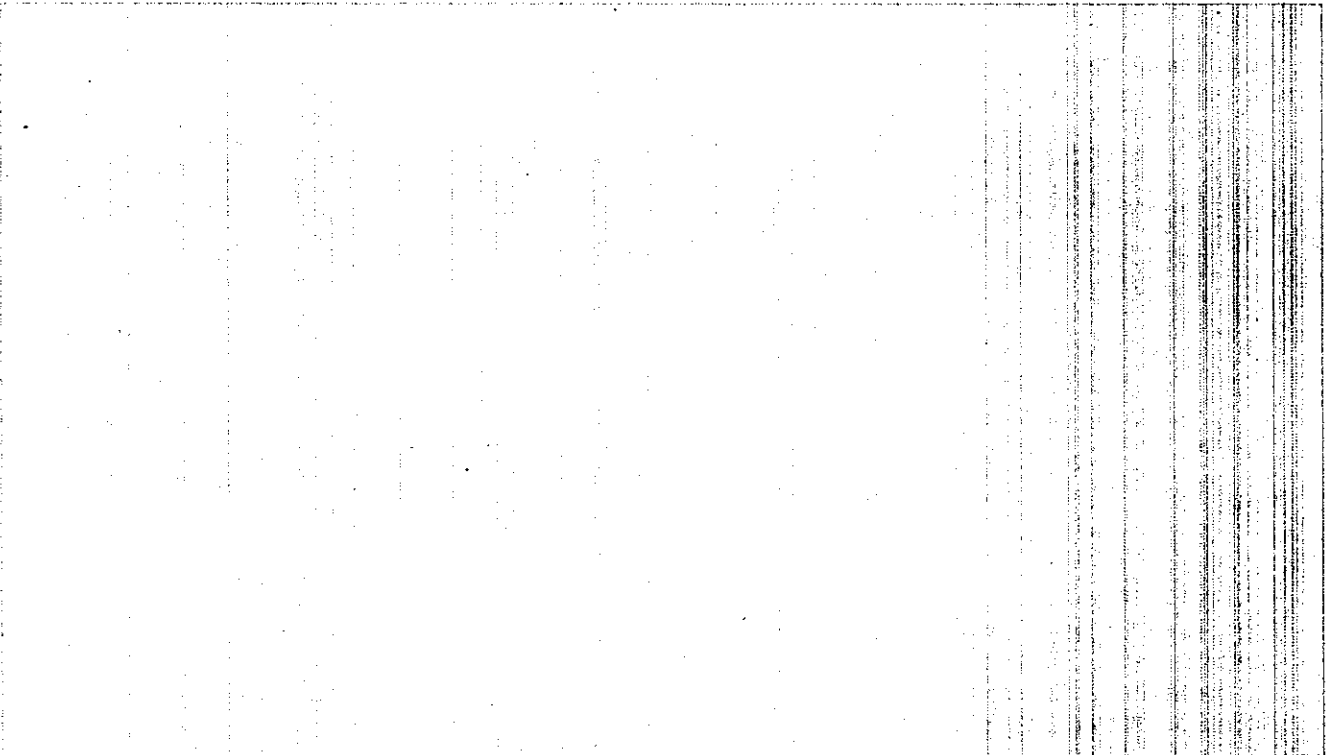
From: "Clarke, Paula" <paula.clarke@justice.gc.ca>
To: McDougall, Scott <Scott.McDougall@rcmp-grc.gc.ca>
To: Sevigny, Linda <linda.sevigny@rcmp-grc.gc.ca>
To: Walter, Sharon <Sharon.Walter@rcmp-grc.gc.ca>
To: Smith, Murray <Murray.A.Smith@rcmp-grc.gc.ca>
Cc: Bartlett, William <WBartlet@justice.gc.ca>
To: <Christine.Guenette@ps-sp.gc.ca>
To: Murdock, Lyndon <Lyndon.Murdock@ps-sp.gc.ca>

Sent: 10/20/2011 15:31:44

Subject: [REDACTED]

Colleagues





Thank you for your attention and sorry for the very very short turn around time.

Paula

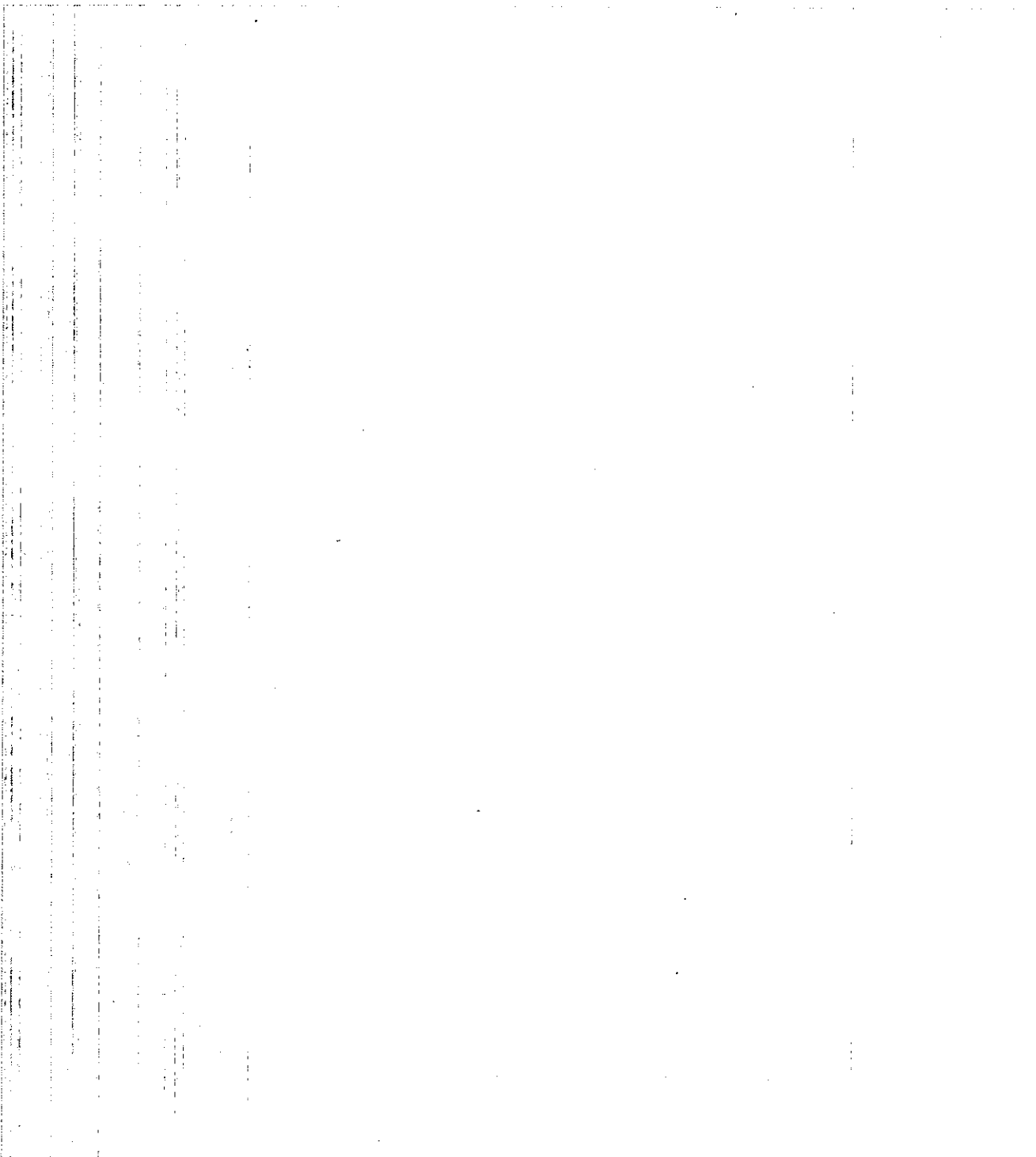
Paula Clarke
Counsel / Avocate
Department of Justice / Ministère de la Justice Canada
Criminal Law Policy Section / Section de la politique en matière de droit pénal
Room 5064 East Memorial Building / Édifice commémoratif de l'Est. 5ième étage
284 Wellington Street / 284 rue Wellington
Ottawa, Ontario
K1A 0H8
tel (613) 957-4728
fax (613) 941-9310
paclarke@justice.gc.ca

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s.23

Sharon Walter -

From: Sharon Walter
To: Robichaud, Nicole
Date: 10/21/2011 1:21 PM
Subject: Re: Fwd:



**Pages 147 to / à 148
are withheld pursuant to section
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23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.23

Morasse, Eveline

From: Knezevic, Vesna
Sent: Saturday, January 21, 2012 9:17 AM
To: Abramowitz, Robert
Subject: Re: [REDACTED]

Thank you Rob.
Have a good weekend.
Vesna

From: Abramowitz, Robert
Sent: Friday, January 20, 2012 05:56 PM
To: Knezevic, Vesna
Cc: Abramowitz, Robert
Subject: Re: [REDACTED]

[REDACTED]

Rob

From: Knezevic, Vesna
Sent: Friday, January 20, 2012 12:17 PM
To: Abramowitz, Robert
Subject: classification

Hello Rob, hope things are going well for you.

[REDACTED]

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

Morasse, Eveline

From: Knezevic, Vesna
Sent: Monday, January 23, 2012 3:45 PM
To: Abramowitz, Robert
Cc: Fresco, Juline; Dawson, Donald
Subject: RE: [REDACTED]

s.23

[REDACTED]
Vesna

From: Abramowitz, Robert
Sent: January-23-12 3:12 PM
To: Knezevic, Vesna
Cc: Fresco, Juline; Dawson, Donald; Abramowitz, Robert
Subject: RE: Question re firearms classification regime

Protected: Solicitor-Client Privilege

Vesna,

[REDACTED]

Rob

From: Knezevic, Vesna
Sent: January-23-12 11:20 AM
To: Abramowitz, Robert
Cc: Fresco, Juline; Dawson, Donald
Subject: RE: [REDACTED]

Thank you very much Rob.
Vesna

From: Abramowitz, Robert
Sent: January-23-12 11:10 AM
To: Knezevic, Vesna
Cc: Fresco, Juline; Dawson, Donald; Abramowitz, Robert
Subject: RE: Question re firearms classification regime

Juline,

[REDACTED]

Vesna,

[REDACTED]

s.23

Thank you,

s.23

Juline

From: Knezevic, Vesna
Sent: Monday, January 23, 2012 9:33 AM
To: Fresco, Juline
Subject: [REDACTED]

Good Morning Juline,

[REDACTED]

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



Department of Justice
Canada

Ministère de la Justice
Canada

s.21(1)(a)

s.23

NUMERO DU DOSSIER/FILE #:2012-022054

COTE DE SECURITE/SECURITY CLASSIFICATION: PROTECTED B

TITRE/TITLE:

SOMMAIRE EXÉCUTIF/EXECUTIVE SUMMARY

- In a letter dated October 5, 2012 (Annex 1), the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee) asked whether the *Regulations Prescribing Exclusions from Certain Definitions of the Criminal Code (International Sporting Competition Handguns)* SOR/98-465 (the Sporting Handguns Regulations), and the definition of “prohibited firearm” and “prohibited device” in section 84(1) of the *Criminal Code*, will be revised and updated.

Approbation/signature du ministre demandée pour le/Minister's signature/approval requested by:

February 22, 2013

Soumis par (secteur)/Submitted by (Sector):

Policy Sector

Responsable dans l'équipe du SM/Lead in the DM Team:

Salim Fakirani

Revue dans l'ULM par/Edited in the MLU by:

Lindsey Murphy

Soumis au CM/Submitted to MO: February 14, 2013

000153



Department of Justice
Canada

Ministère de la Justice
Canada

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s.23

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FOR APPROVAL

2012-022054

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Sporting Handguns Regulations)

ISSUE

In a letter dated October 5, 2012 (Annex 1), the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee) asked whether the *Regulations Prescribing Exclusions from Certain Definitions of the Criminal Code (International Sporting Competition Handguns)* SOR/98-465 (the Sporting Handguns Regulations), and the definition of “prohibited firearm” and “prohibited device” in section 84(1) of the *Criminal Code*, will be updated. Your approval is sought for the proposed departmental response for Deputy Minister Pentney’s signature (Annex 2).

BACKGROUND

The Joint Committee addressed their letter to the Deputy Minister of Public Safety, as the Minister of Public Safety has the general lead on firearms policy; however, the proposed response will be from Deputy Minister Pentney as the Sporting Handguns Regulations are made pursuant to subsections 84(1) and 117.15(12) of the *Criminal Code* and therefore fall within your area of responsibility.

The Joint Committee requests that: (1) the schedule to the Sporting Handguns Regulations—which contains the list of handguns that are excluded from the “prohibited handgun” part of the definition of “prohibited firearm” and “prohibited device” in the *Criminal Code* when used in “international sporting competitions governed by the rules of the International Sporting Union”—be updated; and (2) that subsection 84(1) of the *Criminal Code* be amended to reflect the name change of the International Sporting Union to the International Shooting Sport Federation.

The Sporting Handguns Regulations were enacted in 1998 and were last updated in 2000. They are, in fact, outdated. For example, 32 Smith and Wesson Long calibre handguns on the list of exempted firearms are no longer in production; the replacement models for these models are not included on the list; and, out of the 37 firearms that are exempted in the Regulations, a number of 22 short calibre handguns on the list are no longer used in international competitions.

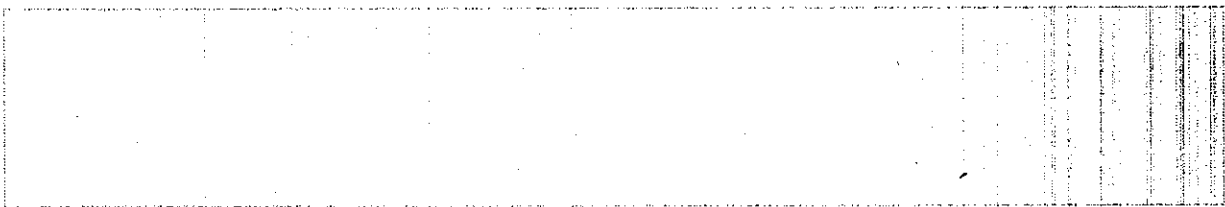


Page 155

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ANNEXES [2]

Annex 1: Letter from the Joint Committee, dated October 5, 2012

s.21(1)(a)

Annex 2:

s.23

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

- ☐ I CONCUR.
- ☐ I DO NOT CONCUR.
- ☐ OTHER INSTRUCTIONS:

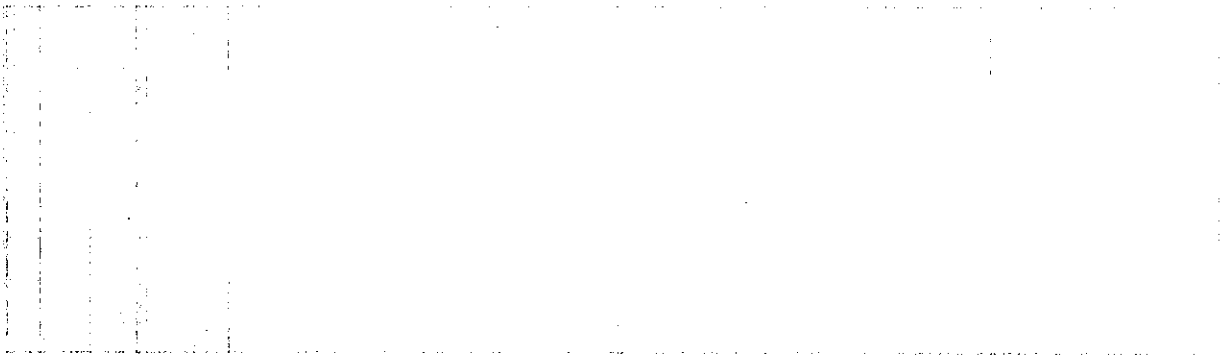
The Honourable Rob Nicholson

Date

s.21(1)(a)

Mr. Peter Bernhardt
General Counsel
Standing Joint Committee for
the Scrutiny of Regulations
c/o The Senate
Ottawa, ON K1A 0A4

Dear Mr. Bernhardt:



Yours sincerely,

William F. Pentney

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada

STANDING JOINT COMMITTEE
FOR
THE SCRUTINY OF REGULATIONS

c/o THE SENATE, OTTAWA K1A 0A4
TEL: 995-0751
FAX: 943-2109

JOINT CHAIRS

SENATOR BOB RUNCIMAN
CHRIS CHARLTON, M.P.

VICE-CHAIRS

GARRY BREITKREUZ, M.P.
MASSIMO PACETTI, M.P.

DEPUTY MINISTER'S
PUBLIC SAFETY CANADA



2012 OCT 11 P 2:32

COMITÉ MIXTE PERMANENT
D'EXAMEN DE LA RÉGLEMENTATION

c/o LE SÉNAT, OTTAWA K1A 0A4
TEL: 995-0751
TÉLÉCOPIEUR: 943-2109

CO-PRÉSIDENTS

SÉNATEUR BOB RUNCIMAN
CHRIS CHARLTON, DÉPUTÉE

VICE-PRÉSIDENTS

GARRY BREITKREUZ, DÉPUTÉ
MASSIMO PACETTI, DÉPUTÉ

October 5, 2012

① Mr. Graham Flack
Acting Deputy Minister
Department of Public Safety
269 Laurier Avenue West, Room 19B-1900
OTTAWA, Ontario K1A 0P8

② Richard Wey, c.c. Paul MacKinnon
for copy - BF: October 19

Reçu
Sécurité publique
Canada

2012 OCT 11 AM 9:16

Received
Public Safety Canada

Dear Mr. Flack:

Our File: SOR/98-465, Regulations Prescribing Exclusions from Certain
Definitions of the Criminal Code (International
Sporting Competition Handguns)

The definitions of "prohibited device" and "prohibited firearm" in subsection 84(1) of the *Criminal Code* exclude certain handguns and barrels that are prescribed by regulation, where the handgun or barrel "is for use in international shooting competitions governed by the rules of the International Shooting Union". The *Regulations Prescribing Exclusions from Certain Definitions of the Criminal Code (International Sporting Competition Handguns)* in turn set out a list, by make, model and calibre, of handguns excluded from the prohibited firearms class, and exclude from the class of prohibited devices barrels which are components or parts of such handguns.

At the outset, I note that while the definitions of "prohibited device" and "prohibited firearm" in subsection 84(1) of the *Criminal Code* refer to the International Shooting Union, the name of this organization was changed to the International Shooting Sport Federation in 1998. The references in the definitions in question are thus obsolete and should be updated.

I also note that the Schedule to the Regulations, which contains the actual list of excluded handguns, has not been amended since 2000. It has been drawn to my attention that a number of the weapons listed in the Schedule are of a calibre no longer used in competitions governed by the rules of the International Shooting Sport Federation. In addition, it is apparently the case that some weapons now

- 2 -

used in competitions governed by the rules of the International Shooting Sport Federation are not listed in the Schedule.

At the time of the making of these Regulations, the accompanying Regulatory Impact Analysis Statement described the purpose of the Regulations as being to ensure that the inclusion of certain handguns and barrels in the prohibited class did not affect the participation of Canadian athletes in international events. It was also stated that the Regulations would provide a flexible instrument that "can be amended from time to time to deal with further developments in these areas in an effective and timely manner". This seems to have proved not to be the case. Will the Regulations be revised and updated in the near future?

I look forward to receiving your reply.

Yours sincerely,



Peter Bernhardt
General Counsel

/mn

From: "Clarke, Paula" <paula.clarke@justice.gc.ca>
To: "Murray Smith" <Murray.A.Smith@rcmp-grc.gc.ca>, "Doyle, Ryan" <Ryan.Doyle@ps-sp.gc.ca>, "Syme, Christina" <Christina.Syme@ps-sp.gc.ca>, "Lyndon Murdock" <Lyndon.Murdock@ps-sp.gc.ca>, "Linda Sevigny" <linda.sevigny@rcmp-grc.gc.ca>, Guénette, Christine <Christine.Guenette@ps-sp.gc.ca>, "Bartlett, William" <william.bartlett@justice.gc.ca>, "Walter, Sharon (RCMP)" <Sharon.Walter@rcmp-grc.gc.ca>, "Scott McDougall" <Scott.McDougall@rcmp-grc.gc.ca>
Date: 2012-03-28 10:26 AM
Subject: FW: I

s.23

Attachments:

All,

Thanks,

Paula

Paula Clarke
Counsel / Avocate

(2012-03-28) Marilyn Bartolome-White - FW:

Page 2

Department of Justice / Ministère de la Justice Canada
Criminal Law Policy Section / Section de la politique en matière de droit pénal
Room 5064 East Memorial Building / Édifice commémoratif de l'Est. 5ième étage
284 Wellington Street / 284 rue Wellington
Ottawa, Ontario
K1A 0H8
tel (613) 957-4728
fax (613) 941-9310
paclarke@justice.gc.ca

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Morasse, Eveline

From: Clarke, Paula <paula.clarke@justice.gc.ca>
Sent: Wednesday, March 28, 2012 10:56 AM
To: Abramowitz, Robert
Subject: FW:

Attachments:

FYI.

From: Clarke, Paula
Sent: March 28, 2012 10:26 AM
To: 'Murray Smith'; 'Doyle, Ryan'; 'Syme, Christina'; Lyndon Murdock; Linda Sevigny; 'Guénette, Christine'; Bartlett, William; Walter, Sharon (RCMP); Scott McDougall
Subject: FW:

All,

Thanks,

Paula

Paula Clarke
Counsel / Avocate
Department of Justice / Ministère de la Justice Canada
Criminal Law Policy Section / Section de la politique en matière de droit pénal
Room 5064 East Memorial Building / Édifice commémoratif de l'Est, 5^{ième} étage

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K1A 0H8
tel (613) 957-4728
fax (613) 941-9310
paclarke@justice.gc.ca

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Marilyn Bartolome-White - Meeting March 29, 2012 to Standing

Pa

From: Sharon Walter
To: Carlotti, Constance
CC: Marilyn Bartolome-White; Sevigny, Linda
Date: 2012-03-30 08:54 AM
Subject: Meeting March 29, 2012 to Standing Joint Committee for the Scrutiny of Regulations -
Re: Regulations Prescribing Certain Firearms and other Weapons 3.1(a)(i) (b)

Much appreciated.

Sharon

>>> Constance Carlotti 3/30/2012 8:36 AM >>>
Good Morning Sharon,

s.21(1)(b)

s.23

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

variant

Sharon Walter

s.23

From: "Clarke, Paula" <paula.clarke@justice.gc.ca>
To: "Gurd Gross, Philippe" <Philippe.GurdGross@justice.gc.ca>, "Bourdages, Jacinthe" <Jacinthe.Bourdages@justice.gc.ca>, "Doyle, Ryan" <Ryan.Doyle@ps-sp.gc.ca>, "Scott McDougall" <Scott.McDougall@rcmp-grc.gc.ca>, "Walter, Sharon (RCMP)" <Sharon.Walter@rcmp-grc.gc.ca>, "Linda Sevigny" <linda.sevigny@rcmp-grc.gc.ca>, "Kimberley Glass" <Kimberley.Glass@rcmp-grc.gc.ca>, "Bartlett, William" <william.bartlett@justice.gc.ca>
Date: 6/18/2012 1:22 PM
Subject:
CC: "Menard, Daniel" <Daniel.Menard@ps-sp.gc.ca>
Attachments: Scanned from P0763001.pdf

<<Scanned from P0763001.pdf>>

Paula Clarke

Counsel / Avocate

Department of Justice / Ministère de la Justice Canada

Criminal Law Policy Section / Section de la politique en matière de droit pénal

Room 5064 East Memorial Building / Édifice commémoratif de l'Est, 5^{ième} étage

284 Wellington Street / 284 rue Wellington

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K1A 0H8

tel (613) 957-4728

fax (613) 941-9310

paclarke@justice.gc.ca

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sont retenues en vertu de l'article**

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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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sont retenues en vertu des articles

21(1)(a), 23

of the Access to Information Act
de la Loi sur l'accès à l'information

Nicole Robichaud -

From: "Clarke, Paula" <paula.clarke@justice.gc.ca>
To: "Murray Smith" <Murray.A.Smith@rcmp-grc.gc.ca>, "Syme, Christina"
<Christina.Syme@ps-sp.gc.ca>, "Lyndon Murdock" <Lyndon.Murdock@ps-sp.gc.ca>,
s.23 "Linda Sevigny" <linda.sevigny@rcmp-grc.gc.ca>, Guénette,
Christine <Christine.Guenette@ps-sp.gc.ca>, "Bartlett, William"
<william.bartlett@justice.gc.ca>, "Robichaud, Nicole (RCMP)" <Nicole.Robichaud@rcmp-
grc.gc.ca>, "Scott McDougall" <Scott.McDougall@rcmp-grc.gc.ca>, "Martin (CBSA-ASFC)"
'Burt' <Martin.Burt@cbsa-asfc.gc.ca>, <Paul.Galveias@international.gc.ca>, "Bourdages,
Jacinthe" <Jacinthe.Bourdages@justice.gc.ca>, "Walsh, Stephanie-CBSA"
<Stephanie.Walsh@cbsa-asfc.gc.ca>, "Knezevic, Vesna" <Vesna.Knezevic@ps-sp.gc.ca>
Date: 11/8/2012 1:52 PM
Subject:

Paula Clarke

Counsel / Avocate

Department of Justice / Ministère de la Justice Canada

Criminal Law Policy Section / Section de la politique en matière de droit pénal

Room 5064 East Memorial Building / Édifice commémoratif de l'Est, 5^{ième} étage

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tel (613) 957-4728

fax (613) 941-9310

paclarke@justice.gc.ca

s.23

Pensez vert avant d'imprimer  Before printing, think green

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Morasse, Eveline

From: Knezevic, Vesna
Sent: Tuesday, November 27, 2012 10:36 AM
To: Abramowitz, Robert
Subject: RE: [REDACTED]

Hi Rob,

Vesna

From: Abramowitz, Robert
Sent: November-27-12 10:34 AM
To: Knezevic, Vesna
Cc: Guénette, Christine; Murdock, Lyndon; Abramowitz, Robert
Subject: RE: [REDACTED]

Protected: Solicitor-Client Privilege

Vesna,

Rob

From: Knezevic, Vesna
Sent: November-26-12 12:04 PM
To: Abramowitz, Robert
Cc: Guénette, Christine; Murdock, Lyndon
Subject: [REDACTED]

Good Morning Rob,

s.23

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

From: Abramowitz, Robert
Sent: November-09-12 8:43 AM
To: Knezevic, Vesna; Murdock, Lyndon
Cc: Guénette, Christine; Abramowitz, Robert
Subject: Re: [REDACTED]

Protected: Solicitor-Client Priv.

s.23

Regards,

Rob

From: Knezevic, Vesna

Sent: Thursday, November 08, 2012 04:15 PM

To: Murdock, Lyndon; Abramowitz, Robert

Cc: Guénette, Christine

Subject:

Lyndon and Rob,

Thanks

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

s.23

Morasse, Eveline

From: Abramowitz, Robert
Sent: Wednesday, November 28, 2012 1:11 PM
To: Knezevic, Vesna
Cc: Guénette, Christine; Abramowitz, Robert
Subject: RE: [REDACTED]

Noted. Thanks.

From: Knezevic, Vesna
Sent: November-28-12 1:10 PM
To: Abramowitz, Robert
Cc: Guénette, Christine
Subject: FW: Classification regs - definitions

[REDACTED]
Vesna

From: Clarke, Paula [<mailto:paula.clarke@justice.gc.ca>]
Sent: November-28-12 12:48 PM
To: Knezevic, Vesna; Murray.A.Smith@rcmp-grc.gc.ca
Cc: Linda Sevigny; Guénette, Christine
Subject: RE: [REDACTED]

From: Knezevic, Vesna [<mailto:Vesna.Knezevic@ps-sp.gc.ca>]
Sent: November 28, 2012 12:01 PM
To: Clarke, Paula; Murray Smith (Murray.A.Smith@rcmp-grc.gc.ca)
Cc: 'Linda Sevigny'; Guénette, Christine
Subject: [REDACTED]

Good Morning Paula and Murray,

Thank you

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

s.21(1)(a)

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Ministère de la Justice
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2012-022601

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

ISSUE

A letter from the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee), dated October 10, 2012, was sent to the former Deputy Minister seeking confirmation that the Department of Justice will make three amendments 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).



BACKGROUND

In a series of letters between the Joint Committee and the Department of Justice dating back to 2005, the Joint Committee has requested that officials provide answers to three issues regarding the Regulations. The Regulations are made pursuant to section 84 of the *Criminal Code* and establish the classification regime for prescribing certain firearms and other weapons and devices as prohibited or restricted.

Accepted amendment

The first issue raised by the Joint Committee was a concern that the English version of section 5 of the Regulations is ambiguous and could be inconsistent with the French version and the enabling power of the *Criminal Code*. The diverging interpretations of the English version are whether components and parts of accessories are covered as well as the components and parts of weapons themselves. The English version can be interpreted as covering the components and parts of both. The French version, on the other hand, and the enabling power in section 84 of the *Criminal Code* cover only the components and parts of weapons.

In a letter to the Committee, dated December 2, 2011, the Department of Justice undertook to recommend to the Minister that the English version of section 5 be amended to more closely align with the French version. The draft amending regulations are currently being reviewed by the Deputy Minister's Office.

s.21(1)(a)

s.23

Rejected amendments

The second issue the Committee raised involves the term "commonly available in Canada" being used as a criterion to distinguish between two cartridge magazine limits for semi-automatic handguns. These are found in section 3, Part 4, of the Schedule to the Regulations. The Committee is of the view that the term is unclear and requires a definition in the Regulations. The third issue is with the term "variant". The Joint Committee is of the view that the term is vague and that a definition of this term should also be added to the Regulations.

In its response of December 2, 2011, the Department declined to recommend to the Minister of Justice that a definition for "commonly available in Canada" should be added to the Regulations and stated that it was awaiting the outcome of two cases before the Ontario courts before making a recommendation on whether a definition of "variant" should be added to the Regulations. On March 15, 2012, the Joint Committee considered the December 2, 2011, response of the Department of Justice and, in a letter dated March 22, 2012, the Joint Committee rejected the Department's rationale concerning "variants" and "commonly available in Canada" and requested a response to these two issues. The Department sent a letter to the Joint Committee dated June 20, 2012, indicating that officials would review the issues in depth in the fall of 2012.

ANNEXES [1]

Annex 2: Response letter of December 2, 2011

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

- ☐ I CONCUR.
- ☐ I DO NOT CONCUR.
- ☐ OTHER INSTRUCTIONS:

The Honourable Rob Nicholson

Date

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Maloney, Amber

From: Martin, Karen
Sent: 2012-Dec-07 4:33 PM
To: * SADMO/Admin
Cc: * CLP SGC/Office; Clarke, Paula; Fraser, Liz
Subject: [REDACTED]
Importance: High

Revised and re-approved by Carole Morency, Acting DG/SGC, CLPS.

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

Tracked version:

[illegible]

Karen Martin
Administrative Officer | Agente administrative
Senior General Counsel's Office | Bureau de l'avocat général principal
Criminal Law Policy Section | Section de la politique en droit pénal
284 Wellington Street, EMB 5107 | 284 rue Wellington, ECE-5107
Ottawa (Ontario) K1A 0H8
karen.martin@justice.gc.ca
Telephone | Téléphone: (613) 957-4732
Facsimile | Télécopieur: (613) 957-6374
Government of Canada | Gouvernement du Canada

From: Elgin, Anik
Sent: December 7, 2012 11:41 AM
To: Clarke, Paula
Cc: * SADMO/Admin
Subject:
Importance: High

Good afternoon Paula-

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Thank you!
Anik

Anik Elgin
Briefings Officer / Agente de breffages
Ministerial Liaison Unit / Unité de la liaison ministérielle
Department of Justice Canada / Ministère de la Justice Canada
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Government of Canada | Gouvernement du Canada

s.21(1)(a)

s.23

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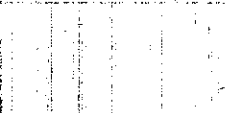
2012-022601

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

ISSUE

A letter from the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee), dated October 10, 2012, was sent to the former Deputy Minister seeking confirmation that the Department of Justice will make three amendment 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).



BACKGROUND

In a series of letters between the Joint Committee and the Department of Justice dating back to 2005, the Joint Committee has requested that officials provide answers to three issues regarding the Regulations. The Regulations are made pursuant to section 84 of the *Criminal Code* and establish the classification regime for prescribing certain firearms and other weapons and devices as prohibited or restricted.

Accepted amendment

The first issue raised by the Joint Committee was a concern that the English version of section 5 of the Regulations is ambiguous and could be inconsistent with the French version and the enabling power of the *Criminal Code*. The diverging interpretations of the English version are whether components and parts of accessories are covered as well as the components and parts of weapons themselves. The English version can be interpreted as covering the components and parts of both. The French version, on the other hand, and the enabling power in section 84 of the *Criminal Code* cover only the components and parts of weapons.

In a letter to the Committee, dated December 2, 2011, the Department of Justice undertook to recommend to the Minister that the English version of section 5 be amended to more closely align with the French version. The draft amending regulations are currently being reviewed by the Deputy Minister's Office.

s.21(1)(a).

s.23

Rejected amendments

The second issue the Committee raised involves the term "commonly available in Canada" being used as a criterion to distinguish between two cartridge magazine limits for semi-automatic handguns. These are found in section 3, Part 4, of the Schedule to the Regulations. The Committee is of the view that the term is unclear and requires a definition in the Regulations. The third issue is with the term "variant". The Joint Committee is of the view that the term is vague and that a definition of this term should also be added to the Regulations.

In its response of December 2, 2011, the Department declined to recommend to the Minister of Justice that a definition for "commonly available in Canada" should be added to the Regulations and stated that it was awaiting the outcome of two cases before the Ontario courts before making a recommendation on whether a definition of "variant" should be added to the Regulations. On March 15, 2012, the Joint Committee considered the December 2, 2011, response of the Department of Justice and, in a letter dated March 22, 2012, the Joint Committee rejected the Department's rationale concerning "variants" and "commonly available in Canada" and requested a response to these two issues. The Department sent a letter to the Joint Committee dated June 20, 2012, indicating that officials would review the issues in depth in the fall of 2012.

ANNEXES [1]

Annex 2: Response letter of December 2, 2011

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

- ☐ I CONCUR.
- ☐ I DO NOT CONCUR.
- ☐ OTHER INSTRUCTIONS:

The Honourable Rob Nicholson

Date

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Department of Justice Ministère de la Justice
Canada Canada

Ottawa, Canada
K1A 0H8

UEC 02 2011

Mr. Peter Bernhardt
General Counsel
Standing Joint Committee for the Scrutiny of Regulations
c/o The Senate
Ottawa, Ontario K1A 0A4

Dear Mr. Bernhardt:

I am writing in response to your letter of August 3, 2011, in which you requested a reply to your earlier correspondence inquiring about the status of our work regarding the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (the "Regulations"). I regret the delay in responding.

I am pleased to report that with regard to section 5 of the Regulations, the Interdepartmental Working Group agrees that an amendment to the English version of section 5 would clarify its meaning and more closely align it with the French version. Accordingly, we have recommended that such an amendment be made at the earliest opportunity.

The Interdepartmental Working Group has revisited the issue of whether an elaboration of the phrase "commonly available in Canada" is necessary, and has concluded that it would not provide additional guidance to the courts. In cases where the meaning of phrase "commonly available in Canada" is at issue, it will ultimately be determined by the courts based on an ordinary meaning of the expression and the specific facts of each case. Moreover, the phrase has not attracted litigation and, as such, there is no compelling evidence that any further elaboration is needed. Accordingly, the Department of Justice will not be recommending an amendment to subparagraph 3(1)(a)(i) and paragraph 3(1)(b) in Part 4 of the Regulations.

In regard to the variant issue, in *R. v. Henderson*, the Ontario Court of Appeal recently confirmed the decision of the Ontario Superior Court of Justice that the decision of the Registrar to refuse to issue a registration certificate for an unnamed variant was reasonable. In addition, there is a case currently being argued before the Ontario Court of Justice that involves a *Charter* challenge to the term "variant" in the Regulations in the context of a criminal prosecution. It is the view of the Interdepartmental Working Group

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- 2 -

that it would be premature to decide whether to define the term "variant" while the while the Ontario Court of Justice is considering the issue. We will be considering the impacts of these cases, if any, once both final decisions are rendered.

Sincerely,



Phaedra Glushek
A/Senior Counsel and Director | Avocate-conseil et directrice par intérim
Ministerial Secretariat | Secrétariat ministériel
Department of Justice Canada | Ministère de la Justice Canada

**Pages 249 to / à 260
are withheld pursuant to sections
sont retenues en vertu des articles**

21(1)(a), 23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.21(1)(a)

s.23



Department of Justice
Canada

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2013-0137692-022601

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

ISSUE

A letter from the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee), dated October 10, 2012, was sent to the former Deputy Minister seeking confirmation that the Department of Justice will make three amendment 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).

BACKGROUND

In a series of letters between the Joint Committee and the Department of Justice dating back to 2005, the Joint Committee has requested that officials provide answers to three issues regarding the Regulations. The Regulations are made pursuant to section 84 of the *Criminal Code* and establish the classification regime for prescribing certain firearms and other weapons and devices as prohibited or restricted.

Accepted amendment

The first issue raised by the Joint Committee was a concern that the English version of section 5 of the Regulations is ambiguous and could be inconsistent with the French version and the enabling power of the *Criminal Code*. The diverging interpretations of the English version are whether components and parts of accessories are covered as well as the components and parts of weapons themselves. The English version can be interpreted as covering the components and parts of both. The French version, on the other hand, and the enabling power in section 84 of the *Criminal Code* cover only the components and parts of weapons.

In a letter to the Committee, dated December 2, 2011 (Annex 2), the Department of Justice undertook to recommend to the Minister that the English version of section 5 be amended to more closely align with the French version.

s.21(1)(a)
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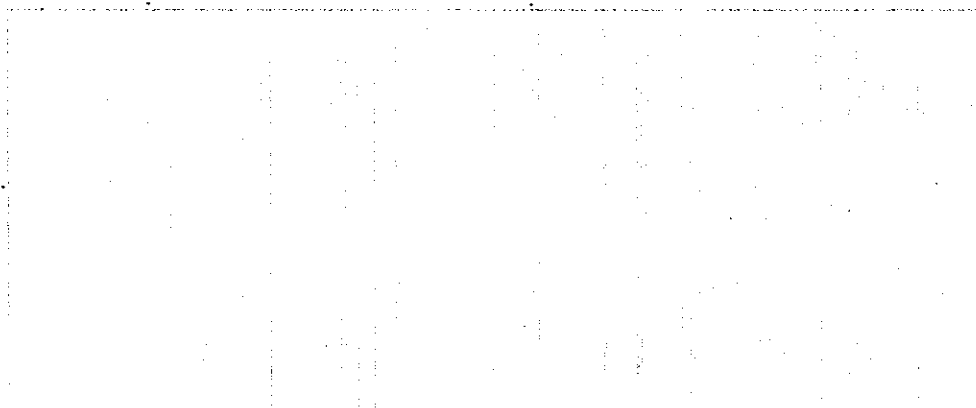
Rejected amendments

The second issue the Committee raised involves the term "commonly available in Canada" being used as a criterion to distinguish between two cartridge magazine limits for semi-automatic handguns. These are found in section 3, Part 4, of the Schedule to the Regulations. The Committee is of the view that the term is unclear and requires a definition in the Regulations. The third issue is with the term "variant". The Joint Committee is of the view that the term is vague and that a definition of this term should also be added to the Regulations.

In its response of December 2, 2011, the Department declined to recommend to the Minister of Justice that a definition for "commonly available in Canada" should be added to the Regulations and stated that it was awaiting the outcome of two cases before the Ontario courts before making a recommendation on whether a definition of "variant" should be added to the Regulations. On March 15, 2012, the Joint Committee considered the December 2, 2011, response of the Department of Justice and, in a letter dated March 22, 2012, the Joint Committee rejected the Department's rationale concerning "variants" and "commonly available in Canada" and requested a response to these two issues. The Department sent a letter to the Joint Committee dated June 20, 2012, indicating that officials would review the issues in depth in the fall of 2012.

s.21(1)(a)

s.23



ANNEXES [1]

Annex 1:

Annex 2: Response Letter from Phaedra Glushek dated December 2, 2011

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

☐ I CONCUR.

☐ I DO NOT CONCUR.

☐ OTHER INSTRUCTIONS:

The Honourable Peter MacKay ~~Rob Nicholson~~

Date

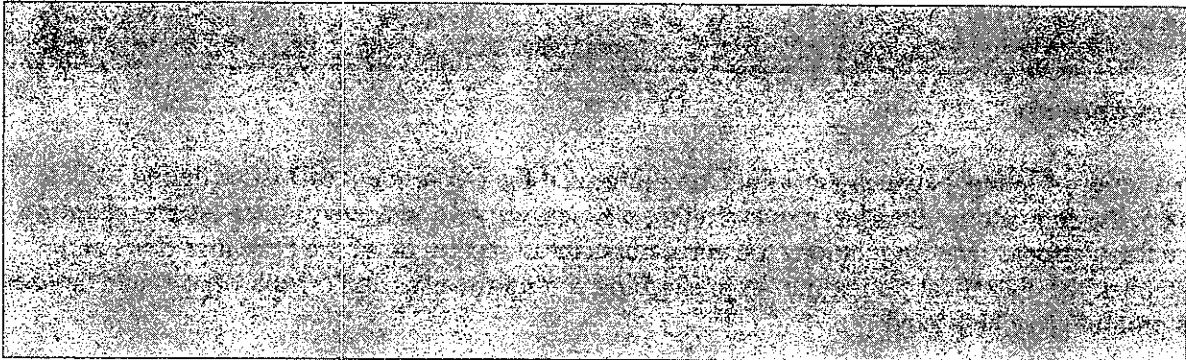
s.21(1)(a)  Department of Justice Canada
s.23 Ministère de la Justice Canada
s.19(1)

NUMERO DU DOSSIER / FILE #:2012-022601
COTE DE SÉCURITÉ / SECURITY CLASSIFICATION: PROTECTED B

TITRE/TITLE: Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

SOMMAIRE EXÉCUTIF / EXECUTIVE SUMMARY

- A letter from the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee), dated October 10, 2012, was sent to the former Deputy Minister seeking confirmation that the Department of Justice will make three amendments to the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*.
- The requested amendments are: 1) an amendment to the English version of section 5 to more closely align it to the French version; 2) adding a definition for the term “commonly available in Canada;” and 3) adding a definition for the term “variant”.



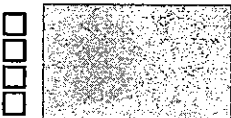
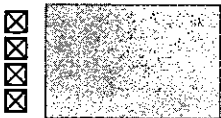
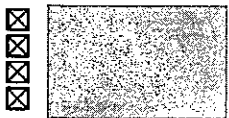
Approbation/signature du ministre demandée pour le / Minister's signature/approval requested by:

December 19, 2012

Soumis par (secteur) / Submitted by (Sector): Policy Sector
Responsable dans l'équipe du SM / Lead in the DM Team: Salim Fakirani
Revue dans l'ULM par / Edited in the MLU by: Lindsey Murphy

À remplir par l'ULM / To be completed by MLU

Responsable dans le cabinet du Ministre / Lead in the Minister's Office: 



Soumis au CM/Submitted to MO: December 14, 2012



Department of Justice
Canada

Ministère de la Justice
Canada

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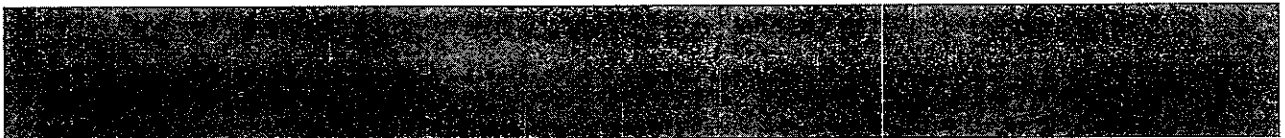
2012-022601

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

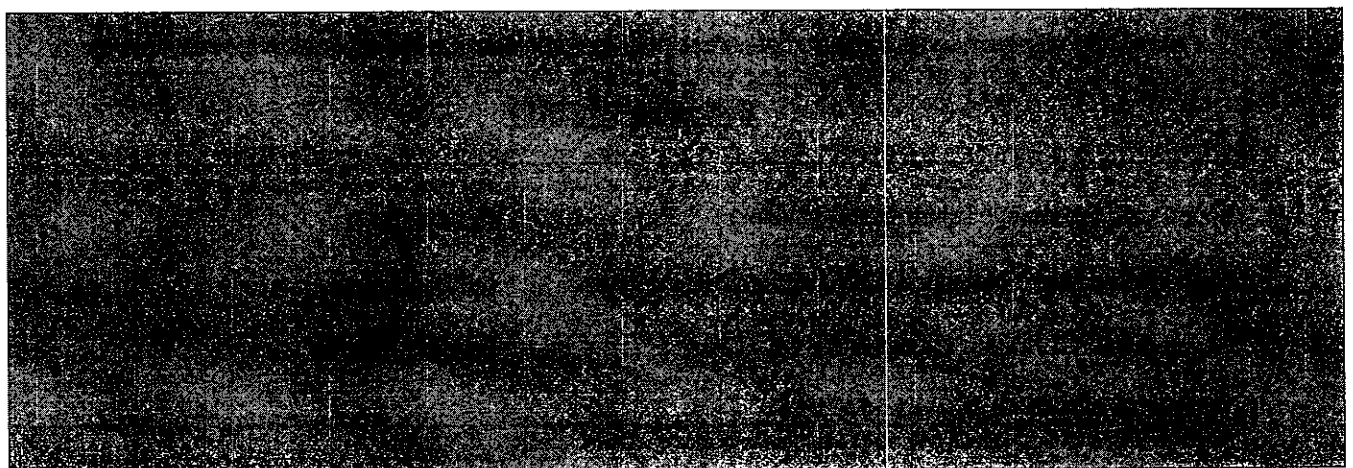
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**is withheld pursuant to sections
est retenue en vertu des articles**

21(1)(a), 23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

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ANNEXES [1]

Annex 1:

Annex 2: Response Letter from Phaedra Glushek dated December 2, 2011

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

☐ **I CONCUR.**

☐ **I DO NOT CONCUR.**

☐ **OTHER INSTRUCTIONS:**

The Honourable Rob Nicholson

Date

Page 268

**is withheld pursuant to section
est retenue en vertu de l'article**

21(1)(a)

**of the Access to Information Act
de la Loi sur l'accès à l'information**



Department of Justice Ministère de la Justice
Canada Canada

Ottawa, Canada
K1A 0H8

DEC 02 2011

Mr. Peter Bernhardt
General Counsel
Standing Joint Committee for the Scrutiny of Regulations
c/o The Senate
Ottawa, Ontario K1A 0A4

Dear Mr. Bernhardt:

I am writing in response to your letter of August 3, 2011, in which you requested a reply to your earlier correspondence inquiring about the status of our work regarding the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (the "Regulations"). I regret the delay in responding.

I am pleased to report that with regard to section 5 of the Regulations, the Interdepartmental Working Group agrees that an amendment to the English version of section 5 would clarify its meaning and more closely align it with the French version. Accordingly, we have recommended that such an amendment be made at the earliest opportunity.

The Interdepartmental Working Group has revisited the issue of whether an elaboration of the phrase "commonly available in Canada" is necessary, and has concluded that it would not provide additional guidance to the courts. In cases where the meaning of phrase "commonly available in Canada" is at issue, it will ultimately be determined by the courts based on an ordinary meaning of the expression and the specific facts of each case. Moreover, the phrase has not attracted litigation and, as such, there is no compelling evidence that any further elaboration is needed. Accordingly, the Department of Justice will not be recommending an amendment to subparagraph 3(1)(a)(i) and paragraph 3(1)(b) in Part 4 of the Regulations.

In regard to the variant issue, in *R. v. Henderson*, the Ontario Court of Appeal recently confirmed the decision of the Ontario Superior Court of Justice that the decision of the Registrar to refuse to issue a registration certificate for an unnamed variant was reasonable. In addition, there is a case currently being argued before the Ontario Court of Justice that involves a *Charter* challenge to the term "variant" in the Regulations in the context of a criminal prosecution. It is the view of the Interdepartmental Working Group

Canada

- 2 -

that it would be premature to decide whether to define the term "variant" while the while the Ontario Court of Justice is considering the issue. We will be considering the impacts of these cases, if any, once both final decisions are rendered.

Sincerely,



Phaedra Glushek
A/Senior Counsel and Director | Avocate-conseil et directrice par intérim
Ministerial Secretariat | Secrétariat ministériel
Department of Justice Canada | Ministère de la Justice Canada

Maloney, Amber

From: Warden, Tanya
Sent: 2013-Sep-10 10:04 AM
To: * SADM/Admin
Cc: * CLP SGC/Admin; Clarke, Paula; Leblond, Sophie
Subject: FW: 2013-013769 Standing Joint Committee
Attachments: revs Sep 9 2013-2013-013769BN Scrutiny of Regulations - Letter to Standing Committee FINAL(2).docx; revs sept 9 2013-2013-013769 ES Scrutiny of Regulations - Letter to Standing Committee.docx; Annex 2.pdf; Annex 1.docx

Approved by / approuvé par Carole Morency, A/Director General and A/SGC – the hard copy will be forwarded to your office shortly.

Paula/Sophie – A few changes/corrections were made by Carole. Please save this version.

Cheers,

Tanya Warden
Executive Assistant / Adjointe exécutive
613-957-4951



Ministère de la Justice
Canada

s.21(1)(a)

s.23

NUMERO DU DOSSIER / FILE #:2013-013769

COTE DE SÉCURITÉ / SECURITY CLASSIFICATION: PROTECTED B

TITRE/TITLE: Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

SOMMAIRE EXÉCUTIF / EXECUTIVE SUMMARY

- A letter from the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee), dated October 10, 2012, was sent to the Deputy Minister of Justice seeking confirmation that the Department of Justice will make three amendments to the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*.
- The requested amendments are: 1) an amendment to the English version of section 5 to more closely align it to the French version; 2) adding a definition for the term "commonly available in Canada;" and 3) adding a definition for the term "variant".

Approbation/signature du ministre demandée pour le / Minister's signature/approval requested by:

October 18, 2013

Soumis par (secteur) / Submitted by (Sector):

Policy Sector

Responsable dans l'équipe du SM / Lead in the DM Team:

Revue dans l'ULM par / Edited in the MLU by:

Soumis au CM/Submitted to MO:



Department of Justice
Canada

Ministère de la Justice
Canada

Protected B
FOR APPROVAL

2013-013769

s.21(1)(a)

s.23

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

ISSUE

A letter from the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee), dated October 10, 2012, was sent to the Deputy Minister of Justice seeking confirmation that the Department of Justice will make three amendment 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).

BACKGROUND

In a series of letters between the Joint Committee and the Department of Justice dating back to 2005, the Joint Committee has requested that officials provide answers to three issues regarding the Regulations. The Regulations are made pursuant to section 84 of the *Criminal Code* and establish the classification regime for prescribing certain firearms and other weapons and devices as prohibited or restricted.

Accepted amendment

The first issue raised by the Joint Committee was a concern that the English version of section 5 of the Regulations is ambiguous and could be inconsistent with the French version and the enabling power of the *Criminal Code*. The diverging interpretations of the English version are whether components and parts of accessories are covered as well as the components and parts of weapons themselves. The English version can be interpreted as covering the components and parts of both. The French version, on the other hand, and the enabling power in section 84 of the *Criminal Code* cover only the components and parts of weapons.

In a letter to the Committee dated December 2, 2011 (Annex 2), the Department of Justice undertook to recommend to the Minister that the English version of section 5 be amended to more closely align with the French version.

Rejected amendments

The second issue raised by the Committee involves the term “commonly available in Canada” being used as a criterion to distinguish between two cartridge magazine limits for semi-automatic handguns. These are found in section 3, Part 4, of the Schedule to the Regulations. The Committee is of the view that the term is unclear and requires a definition in the Regulations. The third issue is with the term “variant”. The Joint Committee is of the view that the term is vague and that a definition of this term should also be added to the Regulations.

In its response of December 2, 2011, the Department declined to recommend to the Minister of Justice that a definition for “commonly available in Canada” should be added to the Regulations and stated that it was awaiting the outcome of two cases before the Ontario courts before making a recommendation on whether a definition of “variant” should be added to the Regulations. On March 15, 2012, the Joint Committee considered the December 2, 2011, response of the Department of Justice and, in a letter dated March 22, 2012, the Joint Committee rejected the Department’s rationale concerning “variants” and “commonly available in Canada” and requested a response to these two issues. The Department sent a letter to the Joint Committee dated June 20, 2012, indicating that officials would review the issues in depth in the fall of 2012.

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

ANNEXES [2]

Annex 1:

Annex 2: Response Letter from Phaedra Glushek dated December 2, 2011

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

☐ I CONCUR.

☐ I DO NOT CONCUR.

☐ OTHER INSTRUCTIONS:

The Honourable Peter MacKay

Date

Page 276

**is withheld pursuant to section
est retenue en vertu de l'article**

21(1)(a)

**of the Access to Information Act
de la Loi sur l'accès à l'information**



Department of Justice
Canada

Ministère de la Justice
Canada

Ottawa, Canada
K1A 0H8

DEC 02 2011

Mr. Peter Bernhardt
General Counsel
Standing Joint Committee for the Scrutiny of Regulations
c/o The Senate
Ottawa, Ontario K1A 0A4

Dear Mr. Bernhardt:

I am writing in response to your letter of August 3, 2011, in which you requested a reply to your earlier correspondence inquiring about the status of our work regarding the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (the "Regulations"). I regret the delay in responding.

I am pleased to report that with regard to section 5 of the Regulations, the Interdepartmental Working Group agrees that an amendment to the English version of section 5 would clarify its meaning and more closely align it with the French version. Accordingly, we have recommended that such an amendment be made at the earliest opportunity.

The Interdepartmental Working Group has revisited the issue of whether an elaboration of the phrase "commonly available in Canada" is necessary, and has concluded that it would not provide additional guidance to the courts. In cases where the meaning of phrase "commonly available in Canada" is at issue, it will ultimately be determined by the courts based on an ordinary meaning of the expression and the specific facts of each case. Moreover, the phrase has not attracted litigation and, as such, there is no compelling evidence that any further elaboration is needed. Accordingly, the Department of Justice will not be recommending an amendment to subparagraph 3(1)(a)(i) and paragraph 3(1)(b) in Part 4 of the Regulations.

In regard to the variant issue, in *R. v. Henderson*, the Ontario Court of Appeal recently confirmed the decision of the Ontario Superior Court of Justice that the decision of the Registrar to refuse to issue a registration certificate for an unnamed variant was reasonable. In addition, there is a case currently being argued before the Ontario Court of Justice that involves a *Charter* challenge to the term "variant" in the Regulations in the context of a criminal prosecution. It is the view of the Interdepartmental Working Group

Canada

- 2 -

that it would be premature to decide whether to define the term "variant" while the while the Ontario Court of Justice is considering the issue. We will be considering the impacts of these cases, if any, once both final decisions are rendered.

Sincerely,



Phaedra Glushek
A/Senior Counsel and Director | Avocate-conseil et directrice par intérim
Ministerial Secretariat | Secrétariat ministériel
Department of Justice Canada | Ministère de la Justice Canada



Department of Justice
Canada

Ministère de la Justice
Canada

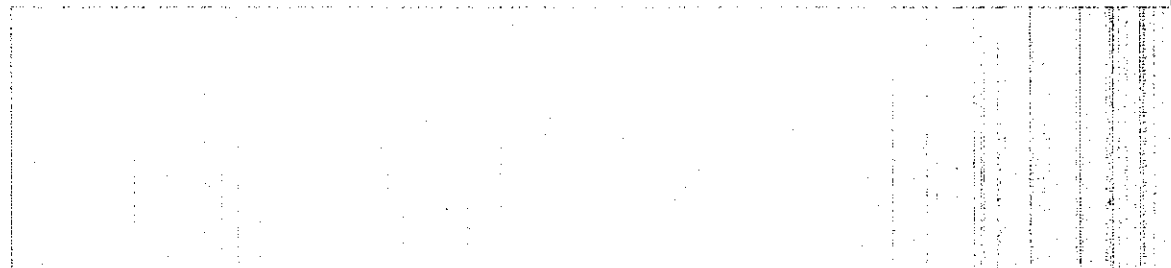
s.21(1)(a)
s.23

NUMERO DU DOSSIER / FILE #:2013-013769
COTE DE SÉCURITÉ / SECURITY CLASSIFICATION: PROTECTED B

TITRE/TITLE: Response Letter to the Standing Joint Committee on Scrutiny of Regulations (Firearms Classification Regulations)

SOMMAIRE EXÉCUTIF / EXECUTIVE SUMMARY

- A letter from the Standing Joint Committee on Scrutiny of Regulations (the Committee), dated October 10, 2012 (as well as a follow-up letter dated July 9, 2013), was sent to the Deputy Minister of Justice seeking confirmation that the Department of Justice will make three amendments to the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*.
- The requested amendments are: 1) an amendment to the English version of section 5 to more closely align it to the French version; 2) adding a definition for the term "commonly available in Canada;" and 3) adding a definition for the term "variant".
- Departmental officials recommend that the Government proceed with the amendment to the English version of section 5, but not the other two proposed amendments.



Approbation/signature du ministre demandée pour le / Minister's signature/approval requested by:

October 18, 2013

Soumis par (secteur) / Submitted by (Sector):

Policy Sector

Responsable dans l'équipe du SM / Lead in the DM Team:

Salim Fakirani

Revue dans l'ULM par / Edited in the MLU by:

John Maker

Soumis au CM/Submitted to MO: October 10, 2013



Department of Justice
Canada

Ministère de la Justice
Canada

s.21(1)(a)

s.23

Protected B
FOR APPROVAL

2013-013769

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee on Scrutiny of Regulations (Firearms Classification Regulations)

ISSUE

A letter from the Standing Joint Committee on Scrutiny of Regulations (the Committee), dated October 10, 2012 (Annex 1), was sent to the Deputy Minister of Justice seeking confirmation that the Department of Justice will make three amendment 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).

BACKGROUND

In a series of letters between the Committee and the Department of Justice dating back to 2005, the Committee has requested that officials provide answers to three issues regarding the Regulations. The Regulations are made pursuant to section 84 of the *Criminal Code* and establish the classification regime for prescribing certain firearms and other weapons and devices as prohibited or restricted.

Page 281

**is withheld pursuant to sections
est retenue en vertu des articles**

21(1)(a), 23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

ANNEXES [4]

Annex 1: Letter from the Standing Joint Committee on Scrutiny of Regulations, dated October 10, 2012

Annex 2:

Annex 3: Response Letter from Phaedra Glushek, dated December 2, 2011

Annex 4: Response Letter from Phaedra Glushek, dated June 20, 2012

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

☐ **I CONCUR.**

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

☐ **I DO NOT CONCUR.**

☐ **OTHER INSTRUCTIONS:**

The Honourable Peter MacKay

Date

Deputy Minister's Office / Cabinet du Sous-Ministre
Routing Slip / Feuille de contrôle

Letter Date / Date de Lettre:

Dep't #: 2012-020207

Author/
Auteur: Peter Bernhardt
Counsel
The Senate

Doc Type / Type de doc: LET

Due Date / Date d'échéance: 2012-11-06

Ottawa ON K1A 0A4

Assigned To / Assigné à:

Asgn Date /
Date assigné:
2012-10-22

BF Date /
Date rappel:
2012-11-06

Ret. Date /
Date de retour:
2012-10-22

CS-MS P. Glushek
ACTION To coordinate response for DM's signature

Synopsis / Précis: SOR/98-462: REGULATIONS PRESCRIBING CERTAIN FIREARMS AND OTHER WEAPONS,
COMPONENTS AND PARTS OF WEAPONS, ACCESSORIES, CARTRIDGE MAGAZINES, AMMUNITIONS AND
PROJECTILES AS PROHIBITED OR RESTRICTED.

REQUEST BRIEFING NOTE	☐	DEMANDER NOTE DE SYNTHÈSE
YOUR RECOMMENDATION	☐	VOTRE RECOMMANDATION
ACTION AT YOUR DISCRETION	☐	DONNER SUITE À VOTRE DISCRÉTION
DRAFT RESPONSE FOR DM SIGNATURE	☐	FAIRE UN PROJET DE RÉPONSE POUR LA SIGNATURE DU SM
ACTION	☐	ACTION
DIRECT REPLY WITH COPY TO DMO	☐	POUR RÉPONSE ET COPIE AU BSM
FOR REVISION (UPDATE)	☐	POUR RÉVISION (METTRE À JOUR)
TO ATTEND IF INTERESTED (PLEASE INFORM DMO OF DECISION)	☐	PARTICIPATION SI VOUS ÊTES INTÉRESSÉ (S.V.P. AVISEZ LE BSM DE LA DÉCISION)
FOR CORRECTIONS	☐	POUR CORRECTIONS
FOR INFORMATION	☐	POUR INFORMATION

Additional Comments / Remarques additionnelles:

CC: S. Fakirani
CC:

CC:
CC:

CC:
CC:

CC:
CC:

Closed / Fermé:

File Away / Classer: PENDING(HC)

**STANDING JOINT COMMITTEE
FOR
THE SCRUTINY OF REGULATIONS**

c/o THE SENATE, OTTAWA K1A 0A4
TEL: 995-0751
FAX: 943-2109

JOINT CHAIRS

**SENATOR BOB RUNCIMAN
CHRIS CHARLTON, M.P.**

VICE-CHAIRS

**GARRY BREITKREUZ, M.P.
MASSIMO PACETTI, M.P.**



CANADA

**COMITÉ MIXTE PERMANENT
D'EXAMEN DE LA RÉGLEMENTATION**

c/s LE SÉNAT, OTTAWA K1A 0A4
TEL: 995-0751
TÉLÉCOPIEUR: 943-2109

CO-PRÉSIDENTS

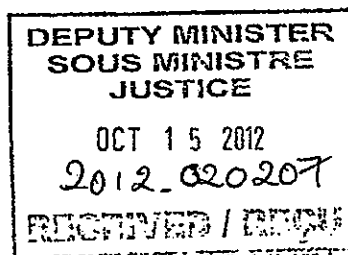
**SÉNATEUR BOB RUNCIMAN
CHRIS CHARLTON, DÉPUTÉE**

VICE-PRÉSIDENTS

**GARRY BREITKREUZ, DÉPUTÉ
MASSIMO PACETTI, DÉPUTÉ**

October 10, 2012

Mr. Myles J. Kirvan
Deputy Minister and Deputy Attorney
General of Canada
Department of Justice
EMB, Room 4121
284 Wellington Street
Ottawa, Ontario
K1A 0H8



Dear Mr. Kirvan:

Our File: SOR/98-462, Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted

Reference is made to my letter of March 22, 2012 concerning the above-mentioned Regulations.

In that letter, I conveyed to the Department of Justice the view of the Joint Committee that a definition of "commonly available in Canada" should be added to the Regulations. An objective meaning of this term is apparently found in the Firearms Reference Table maintained by the RCMP, and members see no reason why this meaning ought not to be set out in the Regulations themselves. Similarly, if the question of whether a weapon is a "variant" of a prohibited or restricted weapon is determined on the basis of considerations used in deciding whether to include a weapon as a variant in the Firearms Reference Table, these same considerations should form the basis for a definition of the term "variant" for purposes of the Regulations.

- 2 -

I also indicated that the Committee expected to have the Department's reply in hand before Parliament adjourned in June. By letter dated June 20, 2012, Ms. Phaedra Glushek advised simply that the Department "will be reviewing this issue in more depth in the upcoming months and will respond to you in the fall of 2012."

This file was again before the Committee on October 4, 2012. No further correspondence having been received, I was instructed to seek your confirmation that the amendments necessary to address the Committee's concerns will in fact be made.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Peter P. Bernhardt".

Peter Bernhardt
General Counsel

Encl.

/mn

Page 286

**is withheld pursuant to section
est retenue en vertu de l'article**

21(1)(a)

**of the Access to Information Act
de la Loi sur l'accès à l'information**



Department of Justice Ministère de la Justice
Canada Canada

Ottawa, Canada
K1A 0H8

DEC 02 2011

Mr. Peter Bernhardt
General Counsel
Standing Joint Committee for the Scrutiny of Regulations
c/o The Senate
Ottawa, Ontario K1A 0A4

Dear Mr. Bernhardt:

I am writing in response to your letter of August 3, 2011, in which you requested a reply to your earlier correspondence inquiring about the status of our work regarding the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted* (the "Regulations"). I regret the delay in responding.

I am pleased to report that with regard to section 5 of the Regulations, the Interdepartmental Working Group agrees that an amendment to the English version of section 5 would clarify its meaning and more closely align it with the French version. Accordingly, we have recommended that such an amendment be made at the earliest opportunity.

The Interdepartmental Working Group has revisited the issue of whether an elaboration of the phrase "commonly available in Canada" is necessary, and has concluded that it would not provide additional guidance to the courts. In cases where the meaning of phrase "commonly available in Canada" is at issue, it will ultimately be determined by the courts based on an ordinary meaning of the expression and the specific facts of each case. Moreover, the phrase has not attracted litigation and, as such, there is no compelling evidence that any further elaboration is needed. Accordingly, the Department of Justice will not be recommending an amendment to subparagraph 3(1)(a)(i) and paragraph 3(1)(b) in Part 4 of the Regulations.

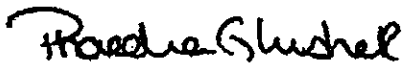
In regard to the variant issue, in *R. v. Henderson*, the Ontario Court of Appeal recently confirmed the decision of the Ontario Superior Court of Justice that the decision of the Registrar to refuse to issue a registration certificate for an unnamed variant was reasonable. In addition, there is a case currently being argued before the Ontario Court of Justice that involves a *Charter* challenge to the term "variant" in the Regulations in the context of a criminal prosecution. It is the view of the Interdepartmental Working Group

Canada

- 2 -

that it would be premature to decide whether to define the term "variant" while the while the Ontario Court of Justice is considering the issue. We will be considering the impacts of these cases, if any, once both final decisions are rendered.

Sincerely,



Phaedra Glushek
A/Senior Counsel and Director | Avocate-conseil et directrice par intérim
Ministerial Secretariat | Secrétariat ministériel
Department of Justice Canada | Ministère de la Justice Canada



Department of Justice
Canada

Ministère de la Justice
Canada

Ottawa, Canada
K1A 0H8

June 20, 2012

Mr. Peter Bernhardt
General Counsel
Standing Joint Committee for the Scrutiny of Regulations
c/o The Senate
Ottawa, ON K1A 0A4

Dear Mr. Bernhardt:

I am writing in response to your letter of March 22, 2012, concerning the Joint Committee's request that the Department of Justice confirm its intention to amend the *Regulations Prescribing Certain Firearms and other Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*, that is, to add definitions of the terms "commonly available in Canada" and "variant" to the Regulations.

The Department of Justice, in consultation with the Interdepartmental Working Group, will be reviewing this issue in more depth in the upcoming months and will respond to you in the fall of 2012.

I thank the Committee for its work and for raising this issue with the Department of Justice.

Sincerely,

A handwritten signature in black ink, reading "Phaedra Glushek".

Phaedra Glushek
A/Senior Counsel and Director
Ministerial Secretariat

Canada



Department of Justice
Canada

Ministère de la Justice
Canada

s.21(1)(a)

s.23

s.19(1)

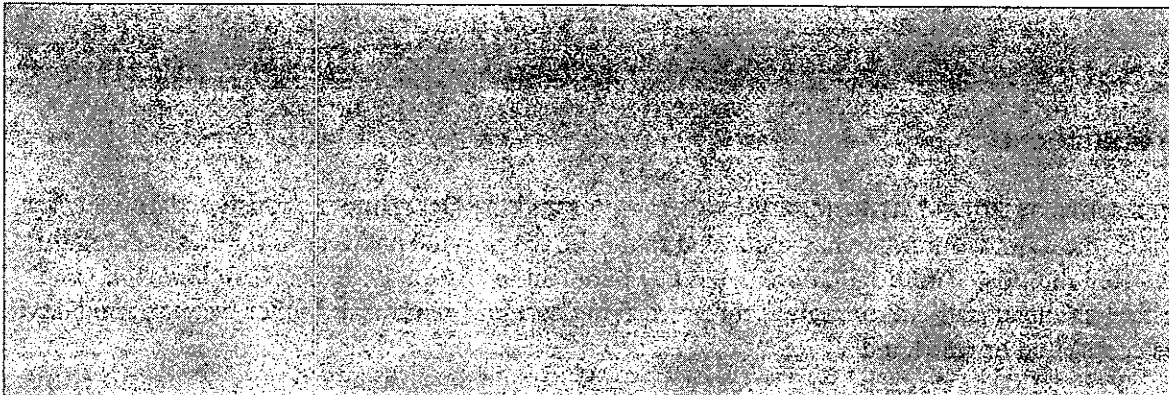
NUMERO DU DOSSIER / FILE #:2013-013769

COTE DE SÉCURITÉ / SECURITY CLASSIFICATION: PROTECTED B

TITRE/TITLE: Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

SOMMAIRE EXÉCUTIF / EXECUTIVE SUMMARY

- A letter from the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee), dated October 10, 2012, was sent to the former Deputy Minister seeking confirmation that the Department of Justice will make three amendments to the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*.
- The requested amendments are: 1) an amendment to the English version of section 5 to more closely align it to the French version; 2) adding a definition for the term “commonly available in Canada;” and 3) adding a definition for the term “variant”.



Approbation/signature du ministre demandée pour le / Minister's signature/approval requested by:

October 18December 19, 20132

Soumis par (secteur) / Submitted by (Sector):

Policy Sector

Responsable dans l'équipe du SM / Lead in the DM Team:

Salim Fakirani

Revue dans l'ULM par / Edited in the MLU by:

Lindsey Murphy

À remplir par l'ULM / To be completed by MLU

Responsable dans le cabinet du Ministre / Lead in the Minister's Office:

☒ MO File Copy
☒ Eric Lafleur
☒

☒
☒
☒

☐
☐
☐

☐
☐
☒ PAU

Soumis au CM/Submitted to MO: December 14, 2012



Department of Justice
Canada

Ministère de la Justice
Canada

s.21(1)(a)

s.23

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FOR APPROVAL

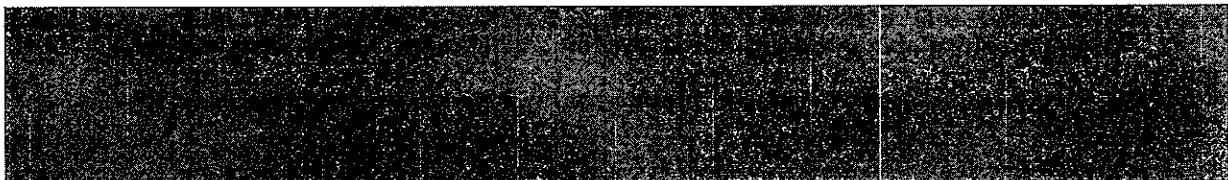
2013-013769

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee for the Scrutiny of Regulations (Firearms Classification Regulations)

ISSUE

A letter from the Standing Joint Committee for the Scrutiny of Regulations (the Joint Committee), dated October 10, 2012, was sent to the Deputy Minister of Justice seeking confirmation that the Department of Justice will make three amendment 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).



BACKGROUND

In a series of letters between the Joint Committee and the Department of Justice dating back to 2005, the Joint Committee has requested that officials provide answers to three issues regarding the Regulations. The Regulations are made pursuant to section 84 of the *Criminal Code* and establish the classification regime for prescribing certain firearms and other weapons and devices as prohibited or restricted.

Accepted amendment

The first issue raised by the Joint Committee was a concern that the English version of section 5 of the Regulations is ambiguous and could be inconsistent with the French version and the enabling power of the *Criminal Code*. The diverging interpretations of the English version are whether components and parts of accessories are covered as well as the components and parts of weapons themselves. The English version can be interpreted as covering the components and parts of both. The French version, on the other hand, and the enabling power in section 84 of the *Criminal Code* cover only the components and parts of weapons.

In a letter to the Committee dated December 2, 2011 (Annex 2), the Department of Justice undertook to recommend to the Minister that the English version of section 5 be amended to more closely align with the French version.

s.21(1)(a)

s.23

Rejected amendments

The second issue raised by the Committee involves the term “commonly available in Canada” being used as a criterion to distinguish between two cartridge magazine limits for semi-automatic handguns. These are found in section 3, Part 4, of the Schedule to the Regulations. The Committee is of the view that the term is unclear and requires a definition in the Regulations. The third issue is with the term “variant”. The Joint Committee is of the view that the term is vague and that a definition of this term should also be added to the Regulations.

In its response of December 2, 2011, the Department declined to recommend to the Minister of Justice that a definition for “commonly available in Canada” should be added to the Regulations and stated that it was awaiting the outcome of two cases before the Ontario courts before making a recommendation on whether a definition of “variant” should be added to the Regulations. On March 15, 2012, the Joint Committee considered the December 2, 2011, response of the Department of Justice and, in a letter dated March 22, 2012, the Joint Committee rejected the Department’s rationale concerning “variants” and “commonly available in Canada” and requested a response to these two issues. The Department sent a letter to the Joint Committee dated June 20, 2012, indicating that officials would review the issues in depth in the fall of 2012.

ANNEXES [1]

Annex 1:

Annex 2: Response Letter from Phaedra Glushek dated December 2, 2011

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

☐ I CONCUR.

☐ I DO NOT CONCUR.

☐ OTHER INSTRUCTIONS:

The Honourable Peter MacKay

Date

Morasse, Eveline

From: Abella, Jacob <Jacob.Abella@pco-bcp.gc.ca>
Sent: Sunday, March 02, 2014 6:49 PM
To: Shuttle, Paul; Mondou, Isabelle; Ward, Eric
Cc: Fobes, Caroline; Abramowitz, Robert
Subject: Re:

Thanks so much for this Paul. Extremely helpful and very much appreciated!

-Jacob

From: Shuttle, Paul [mailto:Paul.Shuttle@ps-sp.gc.ca]
Sent: Sunday, March 02, 2014 06:39 PM Eastern Standard Time
To: Abella, Jacob; Mondou, Isabelle; Ward, Eric
Cc: Fobes, Caroline <Caroline.Fobes@ps-sp.gc.ca>; Abramowitz, Robert <Robert.Abramowitz@ps-sp.gc.ca>; Shuttle, Paul <Paul.Shuttle@ps-sp.gc.ca>
Subject: RE:

Solicitor-Client

Thanks, Jacob

Paul Shuttle

Executive Director and Senior General Counsel | Directeur exécutif et Avocat général principal
Public Safety Canada Legal Services | Services juridiques de Sécurité publique Canada
Department of Justice Canada | Ministère de la Justice du Canada

tel. | tél. (613) 991-9375 | fax | téléc. (613) 990-8307
269 Laurier Avenue West, 16th Floor, K1A 0P8 | 269, avenue Laurier ouest, 16^e étage, K1A 0P8
email | courriel paul.shuttle@ps-sp.gc.ca

From: Abella, Jacob [<mailto:Jacob.Abella@pco-bcp.gc.ca>]
Sent: Sunday, March 02, 2014 5:25 PM
To: Shuttle, Paul; Mondou, Isabelle; Ward, Eric; Fobes, Caroline; Abramowitz, Robert
Subject: Re: [REDACTED]
Importance: High

Paul, Caroline,

[REDACTED]

[REDACTED]

Thanks for your help,

Jacob

From: Shuttle, Paul [<mailto:Paul.Shuttle@ps-sp.gc.ca>]
Sent: Sunday, March 02, 2014 10:26 AM Eastern Standard Time
To: Mondou, Isabelle; Abella, Jacob; Ward, Eric; Fobes, Caroline <Caroline.Fobes@ps-sp.gc.ca>; Abramowitz, Robert <Robert.Abramowitz@ps-sp.gc.ca>; Shuttle, Paul <Paul.Shuttle@ps-sp.gc.ca>
Subject: [REDACTED]

2

**Pages 296 to / à 297
are withheld pursuant to section
sont retenues en vertu de l'article**

23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Pages 298 to / à 300
are withheld pursuant to section
sont retenues en vertu de l'article

23

of the Access to Information Act
de la Loi sur l'accès à l'information

Page 301

**is withheld pursuant to section
est retenue en vertu de l'article**

69(1)(g) re (f)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

**Pages 302 to / à 303
are withheld pursuant to section
sont retenues en vertu de l'article**

69(1)(g) re (f)

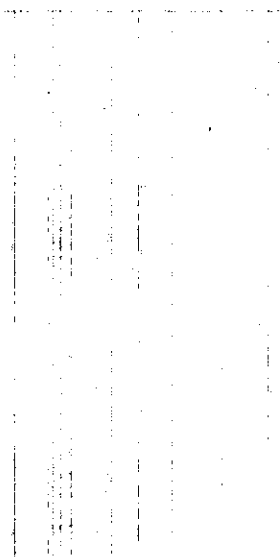
**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.23

Morasse, Eveline

From: Doyle, Ryan
Sent: Sunday, March 02, 2014 10:47 AM
To: Mcilraith, Julia; Gratton, Karine; Parrot, Isabelle
Cc: Guénette, Christine; Murdock, Lyndon; Fobes, Caroline; Abramowitz, Robert; Shuttle, Paul; Clarke, Paula; Besner, Julie
Subject: RE: [REDACTED]
Attachments: RE: [REDACTED]

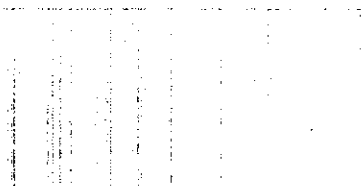
Hi Julia and Karine,



Best,
Ry

From: Mcilraith, Julia [<mailto:Julia.Mcilraith@justice.gc.ca>]
Sent: Saturday, March 01, 2014 6:54 PM
To: Doyle, Ryan
Cc: Guénette, Christine; Gratton, Karine; Murdock, Lyndon; Parrot, Isabelle; Fobes, Caroline; Abramowitz, Robert; Shuttle, Paul; Clarke, Paula; Besner, Julie
Subject: [REDACTED]

Hi Ryan



Best Regards,

Julia and Karine

Morasse, Eveline

From: Nicole Robichaud <Nicole.Robichaud@rcmp-grc.gc.ca>
Sent: Sunday, March 02, 2014 4:51 PM
To: Potter, Mark; Shuttle, Paul; Doyle, Ryan
Cc: Fobes, Caroline; Abramowitz, Robert; Sharon Walter
Subject: Re: [REDACTED]

s.23

-----Original Message-----

From: "Shuttle, Paul" <Paul.Shuttle@ps-sp.gc.ca>
Cc: Walter, Sharon <Sharon.Walter@rcmp-grc.gc.ca>
To: Robichaud, Nicole <Nicole.Robichaud@rcmp-grc.gc.ca>
Cc: Fobes, Caroline <Caroline.Fobes@ps-sp.gc.ca>
To: Potter, Mark <Mark.Potter@ps-sp.gc.ca>
Cc: Abramowitz, Robert <Robert.Abramowitz@ps-sp.gc.ca>
To: Doyle, Ryan <Ryan.Doyle@ps-sp.gc.ca>

Sent: 02/03/2014 4:31:08 PM

Subject: RE: [REDACTED]

Solicitor-Client

Thanks, Nicole.

Thank you.

s.23

Paul Shuttle

Executive Director and Senior General Counsel | Directeur exécutif et Avocat général principal Public Safety Canada
Legal Services | Services juridiques de Sécurité publique Canada Department of Justice Canada | Ministère de la Justice
du Canada

tel. | tél. (613) 991-9375 | fax | téléc. (613) 990-8307

269 Laurier Avenue West, 16th Floor, K1A 0P8 | 269, avenue Laurier ouest, 16e étage, K1A 0P8 email | courriel
paul.shuttle@ps-sp.gc.ca

-----Original Message-----

From: Nicole Robichaud [mailto:Nicole.Robichaud@rcmp-grc.gc.ca]

Sent: Sunday, March 02, 2014 4:14 PM

To: Shuttle, Paul

Cc: Sharon Walter

Subject: Re:

Hi Paul,

-----Original Message-----

From: "Shuttle, Paul" <Paul.Shuttle@ps-sp.gc.ca>

To: Walter, Sharon <Sharon.Walter@rcmp-grc.gc.ca>

To: Robichaud, Nicole <Nicole.Robichaud@rcmp-grc.gc.ca>

To: Fobes, Caroline <Caroline.Fobes@ps-sp.gc.ca>

To: Abramowitz, Robert <Robert.Abramowitz@ps-sp.gc.ca>

Sent: 02/03/2014 3:16:42 PM

Subject: Fw:

Nicole

As per your recent request.

Paul Shuttle

From: Mcilraith, Julia [mailto:Julia.Mcilraith@justice.gc.ca]

s.23

Sent: Sunday, March 02, 2014 02:23 PM

To: Doyle, Ryan

Cc: Guénette, Christine; Murdock, Lyndon; Fobes, Caroline; Abramowitz, Robert; Shuttle, Paul; Clarke, Paula
<paula.clarke@justice.gc.ca>; Besner, Julie <julie.besner@justice.gc.ca>; Parrot, Isabelle <Isabelle.Parrot@justice.gc.ca>;
Gratton, Karine <Karine.Gratton@justice.gc.ca>

Subject: RE:

Hi Ryan

Best Regards,

Julia and Karine

From: Doyle, Ryan [mailto:Ryan.Doyle@ps-sp.gc.ca]

Sent: 2014-Mar-02 10:47 AM

To: McIlraith, Julia; Gratton, Karine; Parrot, Isabelle

Cc: Guénette, Christine; Murdock, Lyndon; Fobes, Caroline (PSEPC-SPPCC); Abramowitz, Robert (PSEPC-SPPCC); Shuttle,
Paul (PSEPC-SPPCC); Clarke, Paula; Besner, Julie

Subject: RE:

Hi Julia and Karine,

s.23

Best,
Ry

From: Mcilraith, Julia [mailto:Julia.Mcilraith@justice.gc.ca]

Sent: Saturday, March 01, 2014 6:54 PM

To: Doyle, Ryan

Cc: Guénette, Christine; Gratton, Karine; Murdock, Lyndon; Parrot, Isabelle; Fobes, Caroline; Abramowitz, Robert; Shuttle, Paul; Clarke, Paula; Besner, Julie

Subject: [REDACTED]

Hi Ryan

Best Regards,

Julia and Karine

**Pages 309 to / à 312
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69(1)(g) re (f)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Morasse, Eveline

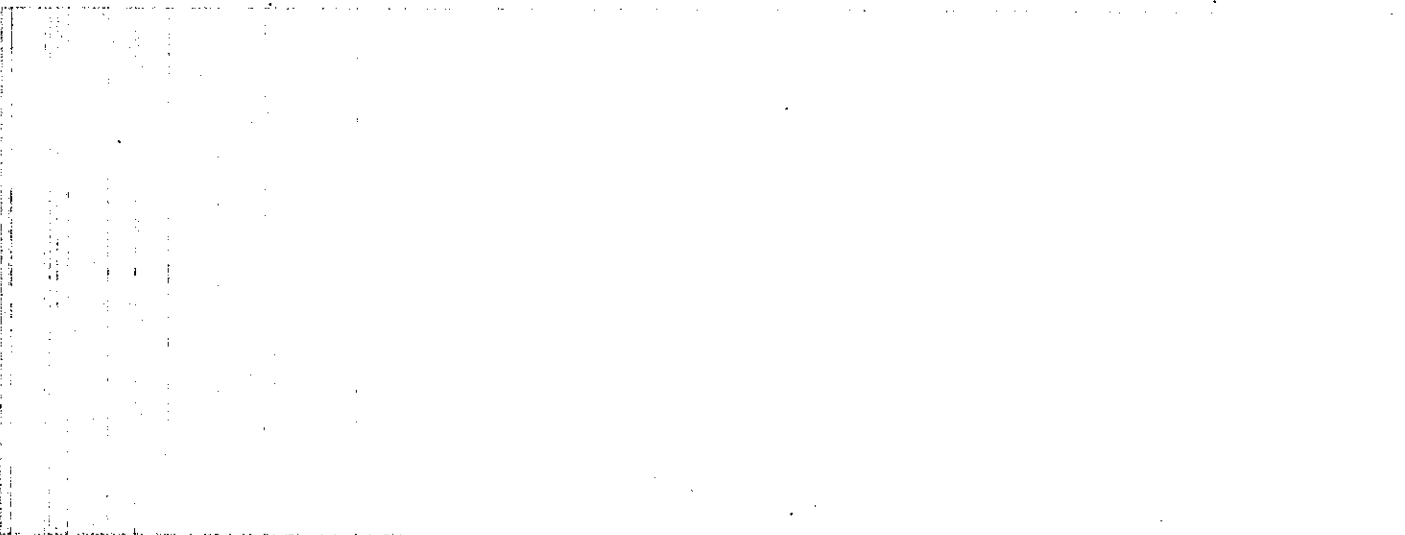
From: Fobes, Caroline
Sent: Tuesday, March 04, 2014 9:37 AM
To: 'Fyfe, Alex'; Besner, Julie; Robichaud, Nicole (RCMP); Shuttle, Paul; Zigayer, Michael; Clarke, Paula; Abella, Jacob (Jacob.Abella@pco-bcp.gc.ca); Abramowitz, Robert
Cc: McIlraith, Julia; Gratton, Karine; Beaman, Peter
Subject: RE: [REDACTED]

Here is the telephone conference information

Conference ID	2015592
Local Dial-in number	613-960-7514
Toll-free Dial-in number	1 877-413-4790

From: Fyfe, Alex [mailto:Alex.Fyfe@justice.gc.ca]
Sent: Monday, March 03, 2014 7:01 PM
To: Besner, Julie; Robichaud, Nicole (RCMP); Fobes, Caroline; Shuttle, Paul; Zigayer, Michael; Clarke, Paula
Cc: McIlraith, Julia; Gratton, Karine; Beaman, Peter
Subject: FW: [REDACTED]
Importance: High

Greetings.



Thank you.

Alex Fyfe
Senior Counsel and Assistant Director | Avocat-conseil et directeur adjoint
Headquarters Regulations Section | Section de la réglementation (Administration centrale)
tel. | tél.: (613) 957-0035

s.23

fax | téléc.: (613) 941-1193

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From: Besner, Julie

Sent: 2014 Mar 03 2:15 PM

To: Fobes, Caroline (PSEPC-SPPCC); Shuttle, Paul (PSEPC-SPPCC)

Cc: Zigayer, Michael; Piragoff, Donald; Morency, Carole; McIlraith, Julia; Gratton, Karine

Subject:

Importance: High

Thx.

Julie Besner

Counsel / Avocate

Criminal Law Policy Section / Section de la politique en matière de droit pénal

284 Wellington, 5282

Ottawa ON K1A 0H8

613-957-7302

Morasse, Eveline

From: Abramowitz, Robert
Sent: Tuesday, March 04, 2014 7:26 PM
To: Fobes, Caroline; Shuttle, Paul
Cc: Abramowitz, Robert
Subject: FW: In QP today

FYI

-----Original Message-----

From: Besner, Julie [<mailto:julie.besner@justice.gc.ca>]

Sent: March-04-14 5:52 PM

To: Clarke, Paula; Zigayer, Michael; Morency, Carole; Piragoff, Donald; Abramowitz, Robert; Fyfe, Alex; Lovell, John

Subject: In QP today

Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.): Mr. Speaker, last week, the RCMP made the unilateral decision to reclassify the Swiss Arms Classic Green carbine rifle as prohibited, extinguishing the liberties of thousands of law-abiding Canadians. This decision lacked both judicial and civilian oversight, yet it is unclear to me that it was offside our current legislation.

The Minister of Public Safety has announced amnesty to individuals affected, and the government has mused about compensation for forfeiture. While these are positive steps, they fail to address the cause of the problem. The cause is the blatant legislative deficiency.

To the Minister of Public Safety, when are we going to see specific definitions of prohibited firearms and variants thereof? When are we going to see clear regulations in place to protect law-abiding gun owners from arbitrary bureaucratic—

L'hon. Steven Blaney (ministre de la Sécurité publique et de la Protection civile, PCC): Monsieur le Président, je remercie le député de sa question. Comme je l'ai indiqué hier, nous allons mettre en place une amnistie qui va permettre à ceux qui possèdent ces armes-là de les conserver en toute légalité. Maintenant, nous allons continuer à mettre de l'avant des mesures, comme je l'ai clairement indiqué, qui mettent la sécurité publique des Canadiens en premier lieu, sans pénaliser les Canadiens. Nous examinons toutes les options en ce moment.

s.23

Morasse, Eveline

From: Besner, Julie <julie.besner@justice.gc.ca>
Sent: Sunday, March 09, 2014 1:23 PM
To: Lovell, John; Abramowitz, Robert; Robichaud, Nicole (RCMP); Walter, Sharon (RCMP);
Clarke, Paula; Fyfe, Alex; McIlraith, Julia; Parrot, Isabelle
Subject: Fw: [REDACTED]

Cc

From: Fyfe, Alex
Sent: Wednesday, March 05, 2014 07:55 PM
To: Besner, Julie
Subject: [REDACTED]

Greetings.

Cheers.

Alex Fyfe

Senior Counsel and Assistant Director | Avocat-conseil et directeur adjoint
Headquarters Regulations Section | Section de la réglementation (Administration centrale)
tel. | tél.: (613) 957-0035
fax | téléc.: (613) 941-1193

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From: Besner, Julie
Sent: 2014-Mar-04 9:35 PM
To: Fyfe, Alex
Subject: Re: [REDACTED]

s.23

From: Fyfe, Alex
Sent: Tuesday, March 04, 2014 09:29 PM
To: Besner, Julie
Subject: RE: s.117.15(2) of the Criminal Code [REDACTED]

Alex

From: Besner, Julie
Sent: Tuesday, March 04, 2014 7:12 PM
To: Fyfe, Alex
Cc: Piragoff, Donald; Morency, Carole
Subject: Fw: [REDACTED]

Thanks very much in advance:

Julie

From: Piragoff, Donald
Sent: Tuesday, March 04, 2014 05:40 PM
To: Besner, Julie; Zigayer, Michael; Clarke, Paula
Cc: Morency, Carole
Subject: FW: [REDACTED]

Donald K. Piragoff, Q.C.
Senior Assistant Deputy Minister | Sous-ministre adjoint principal
Policy Sector | Secteur des politiques
Department of Justice | Ministère de la Justice
Ottawa, ON K1A 0H8
donald.piragoff@justice.gc.ca
Telephone | Téléphone 613-957-4730
Facsimile | Télécopieur 613-957-9949
Government of Canada | Gouvernement du Canada

From: Shuttle, Paul [<mailto:Paul.Shuttle@ps-sp.gc.ca>]
Sent: 2014 Mar 04 5:35 PM
To: Pentney, William; Therrien, Daniel; Piragoff, Donald

Cc: Hoffmann, Toby; Matte, Daniel; Shuttle, Paul (PSEPC-SPPCC)
Subject: [REDACTED]

s.23

Solicitor-Client

Deputy

[REDACTED]

Paul Shuttle

Executive Director and Senior General Counsel | Directeur exécutif et Avocat général principal
Public Safety Canada Legal Services | Services juridiques de Sécurité publique Canada
Department of Justice Canada | Ministère de la Justice du Canada

tel. | tél. (613) 991-9375 | fax | téléc. (613) 990-8307
269 Laurier Avenue West, 16th Floor, K1A 0P8 | 269, avenue Laurier ouest, 16e étage, K1A 0P8
email | courriel paul.shuttle@ps-sp.gc.ca

s.23

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69(1)(g) re (f)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

s.23

Morasse, Eveline

From: Abramowitz, Robert
Sent: Monday, March 17, 2014 10:58 AM
To: Besner, Julie (julie.besner@justice.gc.ca)
Cc: Pledge, Patricia (Patricia.Pledge@justice.gc.ca); John.Lovell@justice.gc.ca; Nicole Robichaud (Nicole.Robichaud@rcmp-grc.gc.ca); Abramowitz, Robert
Subject:

Julie,

From: Abramowitz, Robert
Sent: March-11-14 1:45 PM
To: 'Nicole Robichaud'; Alex Fyfe; Besner, Julie (julie.besner@justice.gc.ca)
Cc: Sharon Walter (Sharon.Walter@rcmp-grc.gc.ca); Sugunasiri, Shalin; Abramowitz, Robert
Subject: RE:

Thanks Nicole.

Julie,

From: Nicole Robichaud [<mailto:Nicole.Robichaud@rcmp-grc.gc.ca>]
Sent: March-11-14 1:42 PM
To: Alex Fyfe; Abramowitz, Robert
Subject: RE:

Rob/Alex,

>>> "Fyfe, Alex" <Alex.Fyfe@justice.gc.ca> 2014/03/11 11:12 AM >>>

Greetings.

Cheers.

Alex Fyfe

Senior Counsel and Assistant Director | Avocat-conseil et directeur adjoint
Headquarters Regulations Section | Section de la réglementation (Administration centrale)
tel. | tél.: (613) 957-0035
fax | téléc.: (613) 941-1193

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From: Abramowitz, Robert [<mailto:Robert.Abramowitz@ps-sp.gc.ca>]
Sent: 2014-Mar-11 10:53 AM
To: Moreau, Nadine; Fyfe, Alex
Cc: Parrot, Isabelle; Besner, Julie; McIlraith, Julia; Abramowitz, Robert (PSEPC-SPPCC)
Subject: RE:

From: Moreau, Nadine [<mailto:Nadine.Moreau@justice.gc.ca>]
Sent: March-11-14 10:47 AM
To: Fyfe, Alex
Cc: Parrot, Isabelle; Abramowitz, Robert; Besner, Julie; McIlraith, Julia
Subject: RE:

Thanks.
Nadine

From: Fyfe, Alex
Sent: 2014-Mar-11 8:37 AM
To: Parrot, Isabelle; Besner, Julie; Abramowitz, Robert (PSEPC-SPPCC); McIlraith, Julia; Moreau, Nadine
Subject:
Greetings.

Cheers.

Alex Fyfe

Senior Counsel and Assistant Director | Avocat-conseil et directeur adjoint
Headquarters Regulations Section | Section de la réglementation (Administration centrale)
Legislative Services Branch | Direction des Services Législatifs
Department of Justice Canada | Ministère de la Justice Canada
275 Sparks Street, SAT 4081 | 275 rue Sparks, TSA 4081
Ottawa, Ontario K1A 0H8
alex.fyfe@justice.gc.ca
tel. | tél.: (613) 957-0035

fax | téléc.: (613) 941-1193

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Morasse, Eveline

From: Fobes, Caroline
Sent: Tuesday, April 15, 2014 1:47 PM
To: 'DTherrie@justice.gc.ca'
Cc: Shuttle, Paul; Abramowitz, Robert; 'Nicole Robichaud'
Subject: FW: FW: FW:
Attachments:

s.23

From: Fobes, Caroline
Sent: Monday, April 14, 2014 2:28 PM
To: 'Therrien, Daniel'; Fakirani, Salim (Salim.Fakirani@justice.gc.ca)
Cc: Shuttle, Paul; Abramowitz, Robert; Robichaud, Nicole (RCMP); Piragoff, Donald; Hallee, Philippe (Philippe.Hallee@justice.gc.ca)
Subject: RE: FW:

Many thanks, Daniel.

Caroline

From: Therrien, Daniel [mailto:Daniel.Therrien@justice.gc.ca]
Sent: Monday, April 14, 2014 2:03 PM
To: Fobes, Caroline
Cc: Shuttle, Paul; Abramowitz, Robert; Robichaud, Nicole (RCMP)
Subject: RE: FW:

I agree.

From: Fobes, Caroline [mailto:Caroline.Fobes@ps-sp.gc.ca]
Sent: Monday, April 14, 2014 2:01 PM
To: Therrien, Daniel

s.23

Cc: Shuttle, Paul (PSEPC-SPPCC); Abramowitz, Robert (PSEPC-SPPCC); Robichaud, Nicole (RCMP)
Subject: RE: FW:



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Pages 328 to / à 329
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23

of the Access to Information Act
de la Loi sur l'accès à l'information

s.23

Morasse, Eveline

From: Fobes, Caroline
Sent: Wednesday, April 30, 2014 6:17 PM
To: Thompson, Kathy; House, Andrew
Cc: Abramowitz, Robert; Potter, Mark; Murdock, Lyndon; Cyr, Lynne; Loiselle, Karine;
Johnson, Mark; MacEachern, Alexandra; Shuttle, Paul
Subject: Re: [REDACTED]

[REDACTED]

Many thanks,

Caroline

Solicitor-Client Privilege/Secret professionnel de l'avocat

From: Fobes, Caroline
Sent: Wednesday, April 30, 2014 06:10 PM
To: Thompson, Kathy; House, Andrew
Cc: Abramowitz, Robert; Potter, Mark; Murdock, Lyndon; Cyr, Lynne; Loiselle, Karine; Johnson, Mark; MacEachern, Alexandra
Subject: Re:

From: Thompson, Kathy
Sent: Wednesday, April 30, 2014 07:49 AM
To: House, Andrew
Cc: Fobes, Caroline; Abramowitz, Robert; Potter, Mark; Murdock, Lyndon; Cyr, Lynne; Loiselle, Karine; Johnson, Mark; MacEachern, Alexandra
Subject: RE:

Will do. Thanks

From: House, Andrew
Sent: Wednesday, April 30, 2014 7:48 AM
To: Thompson, Kathy

Cc: Fobes, Caroline; Abramowitz, Robert; Potter, Mark; Murdock, Lyndon; Cyr, Lynne; Loisel, Karine; Johnson, Mark; MacEachern, Alexandra

Subject: Re: [REDACTED]

s.23

Hi Kathy,

[REDACTED]
Tks

From: Thompson, Kathy

Sent: Wednesday, April 30, 2014 07:43 AM

To: House, Andrew

Cc: Fobes, Caroline; Abramowitz, Robert; Potter, Mark; Murdock, Lyndon; Cyr, Lynne; Loisel, Karine; Johnson, Mark; MacEachern, Alexandra

Subject: Legal Agent Appointment - Statement of Work

Good morning Andrew,

[REDACTED]
Thanks
Kathy

Solicitor-Client Privilege/Secret professionnel de l'avocat

**Pages 333 to / à 337
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69(1)(g) re (f)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Morasse, Eveline

From: Nicole Robichaud <Nicole.Robichaud@rcmp-grc.gc.ca>
Sent: Friday, June 13, 2014 11:22 AM
To: Glynis' 'Evans; Julie(julie.besner@justice.gc.ca) Besner; Abramowitz, Robert
Cc: Charleen Brenzall; Shain Widdifield; Fobes, Caroline
Subject: RE: [REDACTED]

s.23

>>> "Abramowitz, Robert" <Robert.Abramowitz@ps-sp.gc.ca> 2014/06/13 10:37 AM >>>
Glynis,

Julie,

Rob

From: Evans, Glynis [mailto:Glynis.Evans@justice.gc.ca]
Sent: June-13-14 10:17 AM
To: Abramowitz, Robert
Cc: Widdifield, Shain; Brenzall, Charleen; Robichaud, Nicole (RCMP); Fobes, Caroline
Subject: RE: [REDACTED]

Glynis
(416) 954-9025

From: Abramowitz, Robert [<mailto:Robert.Abramowitz@ps-sp.gc.ca>]
Sent: June 12, 2014 5:12 PM
To: Evans, Glynis
Cc: Widdifield, Shain; Brenzall, Charleen; Robichaud, Nicole (RCMP); Fobes, Caroline (PSEPC-SPPCC); Abramowitz, Robert (PSEPC-SPPCC)
Subject: FW: [REDACTED]

Glynis,

Rob

From: Doyle, Ryan
Sent: June-12-14 10:19 AM
To: Abramowitz, Robert
Cc: Nicole Robichaud (Nicole.Robichaud@rcmp-grc.gc.ca)
Subject: RE: [REDACTED]

Protected: Solicitor-Client and Litigation Privilege

Rob,

Best,
Ry

Ryan Doyle
Public Safety Canada | Sécurité Publique Canada
ryan.doyle@ps.gc.ca / Telephone | Téléphone 613-990-2721 / Facsimile | Télécopieur 613-954-4808 / BB : 613-240-4403

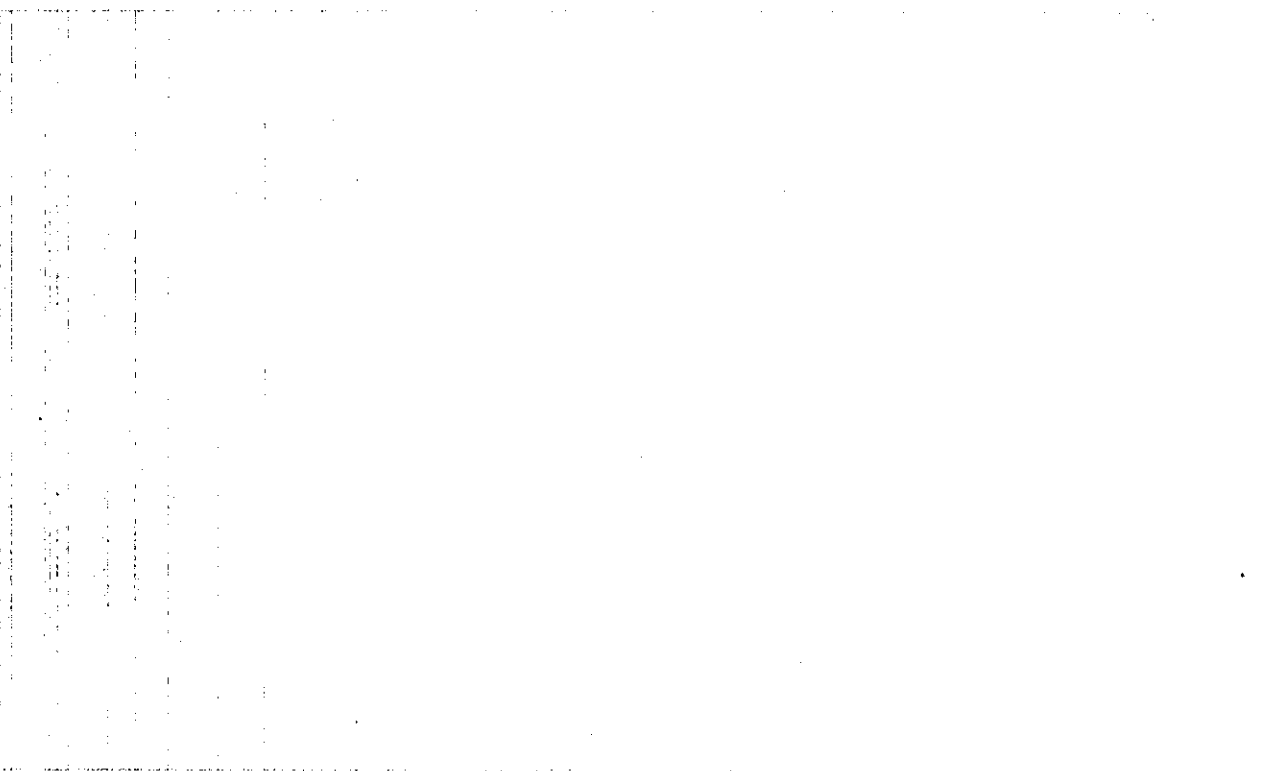
Secure 613-991-6669 / Dragon ryan.doyle@dragon.ps-sp.gc.ca

s.23

From: Abramowitz, Robert
Sent: Thursday, June 12, 2014 8:44 AM
To: Doyle, Ryan
Cc: Nicole Robichaud (Nicole.Robichaud@rcmp-grc.gc.ca); Abramowitz, Robert
Subject: FW:

Protected: Solicitor-Client and Litigation Privilege

Ryan,



Please don't hesitate to contact me if you have any questions.

Robert Abramowitz

Counsel | Conseiller juridique
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Public Safety Canada | Sécurité publique Canada
269 Laurier Ave. West
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Department of Justice
Canada

Ministère de la Justice
Canada

s.21(1)(a)

s.23

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FOR APPROVAL

2013-013771

MEMORANDUM FOR THE MINISTER

Response Letter to the Standing Joint Committee on Scrutiny of Regulations (Sporting Handguns Regulations)

ISSUE

In a letter dated October 5, 2012 (Annex 1), the Standing Joint Committee on Scrutiny of Regulations (the Committee) asked whether the *Regulations Prescribing Exclusions from Certain Definitions of the Criminal Code (International Sporting Competition Handguns)* SOR/98-465 (the Sporting Handguns Regulations) and the definition of "prohibited firearm" and "prohibited device" in section 84(1) of the *Criminal Code* will be updated. Your approval is sought for the proposed departmental response for Deputy Minister Pentney's signature.

BACKGROUND

The Committee addressed their letter to the Deputy Minister of Public Safety, as the Minister of Public Safety has the general lead on firearms policy; however, the proposed response will be from Deputy Minister Pentney as the Sporting Handguns Regulations are made pursuant to subsections 84(1) and 117.15(12) of the *Criminal Code* and therefore fall within your area of responsibility.

The Committee requests that: (1) the schedule to the Sporting Handguns Regulations—which contains the list of handguns that are excluded from the "prohibited handgun" part of the definition of "prohibited firearm" and "prohibited device" in the *Criminal Code* when used in "international sporting competitions governed by the rules of the International Sporting Union"—be updated; and (2) that subsection 84(1) of the *Criminal Code* be amended to reflect the name change of the International Sporting Union to the International Shooting Sport Federation.

The Sporting Handguns Regulations were enacted in 1998 and were last updated in 2000. They are, in fact, outdated. For example, 32 Smith and Wesson Long calibre handguns on the list of exempted firearms are no longer in production; the replacement models for these models are not included on the list; and, out of the 37 firearms that are exempted in the Regulations, a number of 22 short calibre handguns on the list are no longer used in international competitions.

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21(1)(a), 23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

ANNEXES [2]

Annex 1: Letter from the Committee, dated October 5, 2012
Annex 2:

PREPARED BY
Paula Clarke
Counsel
Criminal Law Policy Section
613-957-4728

- ☐ **I CONCUR.**
- ☐ **I DO NOT CONCUR.**
- ☐ **OTHER INSTRUCTIONS:**
-
-

s.21(1)(a)
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The Honourable Peter MacKay

Date

STANDING JOINT COMMITTEE
FOR
THE SCRUTINY OF REGULATIONS

c/o THE SENATE, OTTAWA K1A 0A4
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MASSIMO PACETTI, M.P.

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COMITÉ MIXTE PERMANENT
D'EXAMEN DE LA RÉGLEMENTATION

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GARRY BREITKREUZ, DÉPUTÉ
MASSIMO PACETTI, DÉPUTÉ

October 5, 2012

① Mr. Graham Flack
Acting Deputy Minister
Department of Public Safety
269 Laurier Avenue West, Room 19B-1900
OTTAWA, Ontario K1A 0P8

② Richard Wey, L.C. Paul MacKinnon
for reply - BF: October 19

Reçu
Sécurité Publique
Canada

2012 OCT 11 AM 9:16

Received
Public Safety Canada

Dear Mr. Flack:

Our File: SOR/98-465, Regulations Prescribing Exclusions from Certain
Definitions of the Criminal Code (International
Sporting Competition Handguns)

The definitions of "prohibited device" and "prohibited firearm" in subsection 84(1) of the *Criminal Code* exclude certain handguns and barrels that are prescribed by regulation, where the handgun or barrel "is for use in international shooting competitions governed by the rules of the International Shooting Union". The *Regulations Prescribing Exclusions from Certain Definitions of the Criminal Code (International Sporting Competition Handguns)* in turn set out a list, by make, model and calibre, of handguns excluded from the prohibited firearms class, and exclude from the class of prohibited devices barrels which are components or parts of such handguns.

At the outset, I note that while the definitions of "prohibited device" and "prohibited firearm" in subsection 84(1) of the *Criminal Code* refer to the International Shooting Union, the name of this organization was changed to the International Shooting Sport Federation in 1998. The references in the definitions in question are thus obsolete and should be updated.

I also note that the Schedule to the Regulations, which contains the actual list of excluded handguns, has not been amended since 2000. It has been drawn to my attention that a number of the weapons listed in the Schedule are of a calibre no longer used in competitions governed by the rules of the International Shooting Sport Federation. In addition, it is apparently the case that some weapons now

- 2 -

used in competitions governed by the rules of the International Shooting Sport Federation are not listed in the Schedule.

At the time of the making of these Regulations, the accompanying Regulatory Impact Analysis Statement described the purpose of the Regulations as being to ensure that the inclusion of certain handguns and barrels in the prohibited class did not affect the participation of Canadian athletes in international events. It was also stated that the Regulations would provide a flexible instrument that "can be amended from time to time to deal with further developments in these areas in an effective and timely manner". This seems to have proved not to be the case. Will the Regulations be revised and updated in the near future?

I look forward to receiving your reply.

Yours sincerely,



Peter Bernhardt
General Counsel

/mn

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**is withheld pursuant to section
est retenue en vertu de l'article**

21(1)(a)

**of the Access to Information Act
de la Loi sur l'accès à l'information**