

Here is the letter I sent to my MP regarding the magazine situation.

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----- Forwarded Message -----

From: Joe Zasada <joe21zasada@yahoo.com>
To: Mike Lake <mike.lake@parl.gc.ca>
Sent: Thursday, November 19, 2015 3:13 PM
Subject: Magazines - RCMP Making Laws - AGAIN

To Mike Lake, MP

Dear Mr. Lake,

The RCMP are once again creating thousands of new serious criminals with a few keystrokes.

Bulletin 72 has been in place for years, which clarifies details regarding the legality of magazine capacities for firearms. When it came out, it specifically used the example of the LAR-15 pistol magazine, which holds 10 rounds, still being a pistol magazine when used in a rifle that it happens to fit in. The RCMP have taken that example out of the bulletin, which will now provide much less clarity for law abiding firearms owners. This will likely lead to law enforcement making wrongful arrests of law abiding gun owners. I have included a PDF of that bulletin before it was changed.

As well, I have learned that Murray Smith (Manager, Specialized Firearms Support Services, Firearms Investigative and Enforcement Services Directorate, Canadian Firearms Program, RCMP) was heard referring to this as "The Year of the Magazine" at CANSEC just a few months ago. Allegedly this is a reference to an ongoing effort by the RCMP to limit LAR-15, Beowulf, and similar magazines' use. It is expected that whatever changes they intend to implement in order to obtain the goal of sidelining these magazines' use will be rolled out mere weeks ahead of the upcoming election.

The RCMP had previously interpreted the law as saying these magazines are perfectly legal to import, purchase, and use, regardless of what firearm they are used in. Since the LAR-15 magazine was introduced into the Canadian market, countless thousands have been sold and are used by competitors in firearms marksmanship competitions. The RCMP had specifically said these were legal and in compliance with the firearms act; the example was specifically written into the bulletin to clarify any misunderstandings of the firearms act by businesses, end users, and law enforcement.

The RCMP have the ability to effectively make laws as they see fit because Parliament has delegated that authority to them by way of the firearms act; all other government departments (customs, foreign affairs, provincial fish/game enforcement, etc) all refer to them in these matters. However, the RCMP have proven time and again to be hostile to law abiding licensed firearms owners. This ability needs to be fully removed from law enforcement and un-elected bureaucrats; unfortunately, C-42 did not do this sufficiently.

I was also informed that this past weekend, a licensed firearm holder was charged with three counts of "possession of a prohibited device" - he had three of these magazines in question, and was searched at a checkstop. Now, he will be forced to pay for his legal defence, which could cost tens of thousands of dollars, risk a criminal charge that carries up to 10 years in prison, and face a criminal record; as well, it is common practice for a court to order civil forfeiture of all owned firearms.

The RCMP have every licensee's contact information. Did they send out a letter, telling people that they have changed their long standing opinion that these magazines are legal? No. Did they tell businesses that had previously legally imported these magazines to stop selling them? No. Did they advertise in media, or even issue a press release? No. Do they even have authority in the legislation to "classify" magazines? No.

To causally toss severe criminal charges on an innocent, law abiding, licensed person to forward a political agenda is wrong, and it certainly does not sound appropriate for the national police agency of a democratic, free, developed society.

I am asking that the Minister of Public Safety reign in these bureaucrats, and that the Conservative Opposition hold the Government and it's departments to account. The RCMP and the CFOs are continuing use every power and ability they have under the firearms act to harass law abiding firearms owners. The statistics show licensed firearms owners are the least likely group to commit a crime, and rifles of any type are rarely used in crimes. The Vancouver Police reported that fully 99% of the firearms found at crime scenes are illegal firearms that were never brought into the country by legal means to begin with.

For reference, I have included a PDF of the bulletin prior to the change being made. The current page in question is at <http://www.rcmp-grc.gc.ca/cfp-pcaf/bulletins/bus-ent/20110323-72-eng.htm>

Unfortunately, C-42 did not limit the RCMP's ability to interpret the laws, and now they appear to be pushing an agenda against peaceable Canadians.
Thank you for your consideration.

Joe Zasada

How Bulletin 72 Read as of 5 May 2015:

4. Magazines designed for one firearm but used in a different firearm

The maximum permitted capacity of a magazine is determined by the kind of firearm it is designed or manufactured for use in and not the kind of firearm it might actually be used in. As a consequence, the maximum permitted capacity remains the same regardless of which firearm it might be used in.

Example:

The Marlin model 45 (Camp Carbine) rifle chambered for 45 Auto caliber uses magazines designed and manufactured for the Colt 1911 handgun, therefore the seven round and eight round capacities are permitted. A similar example is the 10 round capacity magazine for the Rock River Arms LAR-15 pistol, regardless of the kind of firearm it is actually used in.

How Bulletin 72 Currently Reads:

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Example:

The Marlin model 45 (Camp Carbine) rifle chambered for 45 Auto caliber uses magazines designed and manufactured for the Colt 1911 handgun, therefore the seven round and eight round capacities are permitted.

[Home](#) > [Canadian Firearms Program](#) > [CFP Special Bulletins](#) > [Businesses](#) > Maximum Permitted Magazine Capacity

Maximum Permitted Magazine Capacity

Special Bulletin for Businesses No. 72

Background

The maximum capacity of a cartridge magazine is set out in Part 4 of the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*. The Regulations prescribe “prohibited devices”, and a magazine that has a capacity which exceeds the maximum permitted capacity is a prohibited device. Businesses can be in possession of prohibited devices if appropriately licensed. However, individuals may not possess prohibited devices.

The magazine regulations have been in force since 1993. However, in recent years, new cartridge magazines have been introduced which have resulted in novel situations as it concerns the application of the Regulations. There has been no change to the Regulations. Nonetheless, the application of the existing Regulations to a few new products has given the appearance of a change in the law. This has been particularly evident in the case of cartridge magazines designed or manufactured for more than one type of firearm.

Purpose

The purpose of this bulletin is to provide greater clarity on the maximum permitted capacity of cartridge magazines designed or manufactured for use in more than one kind of firearm. Note that the maximum permitted capacity of a magazine is determined by the physical characteristics of the firearm it is designed or manufactured for and the type of ammunition for which it is designed. The maximum permitted capacity of the magazine does not depend on the classification of the firearm, nor does the magazine capacity influence the classification of the firearm.

Current Issues

1. Magazines designed or manufactured for both rimfire calibre rifles and handguns

Magazines designed to contain rimfire cartridges and designed or manufactured for use in a rifle do not have a regulated capacity. However, magazines designed to contain rimfire cartridges and designed or manufactured for use in a semiautomatic handgun are limited to 10 cartridges. Magazines designed or manufactured for use in both rifles and semiautomatic handguns are subject to the handgun limit of 10 cartridges.

Example:

Smith & Wesson M&P 15-22 rifle and 15-22P pistol chambered for 22LR caliber:

- the 10 round magazine is unregulated
- the 25 round magazine is a prohibited device

Example 2*: The Ruger BX-25 magazine, chambered for 22 LR calibre, is designed and manufactured for use in the Ruger SR22 rifle, the 10/22 family of rifles/carbines and the 22 Charger handgun. As a result, this magazine is a prohibited device unless modified so its capacity is 10 cartridges or less. (*This information was not included in the original version of this bulletin, but was added on 2013-09-05.)

2. Magazines designed or manufactured for both centrefire calibre rifles and handguns

Magazines designed to contain centrefire cartridges and designed or manufactured for use in a semiautomatic rifle are limited to five cartridges. However, magazines designed to contain centrefire cartridges and designed or manufactured for use in a semiautomatic handgun are limited to 10 cartridges. Magazines designed or manufactured for use in both semiautomatic rifles and semiautomatic handguns are subject to the limit of five cartridges.

Example:

Hi-Point rifle and handgun chambered for 9mm Luger caliber:

- magazine capacities over five rounds are prohibited.

3. Magazines designed or manufactured for both centrefire calibre semiautomatic rifles and other (non-semiautomatic) rifles

Magazines designed to contain centrefire cartridges and designed or manufactured for use in a semiautomatic rifle are limited to five cartridges. However, magazines designed to contain centrefire cartridges and designed or

manufactured for use in a rifle other than a semiautomatic or automatic rifle, do not have a regulated capacity. Magazines that are designed or manufactured for use in both semiautomatic rifles and other (non-semiautomatic) rifles are subject to the semiautomatic rifle limit of five cartridges.

Example:

Remington model 7615 pump action rifle chambered for 223 Remington caliber:

- the 10 round magazine is prohibited
- the five round magazine is unregulated

4. Magazines designed for one firearm but used in a different firearm

The maximum permitted capacity of a magazine is determined by the kind of firearm it is designed or manufactured for use in and not the kind of firearm it might actually be used in. As a consequence, the maximum permitted capacity remains the same regardless of which firearm it might be used in.

Example:

The Marlin model 45 (Camp Carbine) rifle chambered for 45 Auto caliber uses magazines designed and manufactured for the Colt 1911 handgun, therefore the seven round and eight round capacities are permitted. A similar example is the 10 round capacity magazine for the Rock River Arms LAR-15 pistol, regardless of the kind of firearm it is actually used in.

5. Magazines for semiautomatic handguns which contain more than ten (10) rounds of a different calibre

Magazines designed to contain centrefire cartridges and designed or manufactured for use in a semiautomatic handgun, are limited to 10 cartridges. The capacity is measured by the kind of cartridge the magazine was designed to contain. In some cases the magazine will be capable of containing more than 10 rounds of a different caliber; however that is not relevant in the determination of the maximum permitted capacity.

Example:

Heckler and Koch P7 pistol chambered for 9mm Luger caliber:

The magazine designed for the 40 S&W calibre variant of the pistol will hold 13 cartridges of 9mm Luger calibre and function in the 9mm Luger calibre P7 pistol. This is permissible as the maximum permitted capacity of the 40 S&W calibre magazine must be measured by the number of 40 S&W calibre cartridges it is capable of holding, which is 10 such cartridges in the case of the HK P7 pistol magazine.

For more information, please contact the RCMP Canadian Firearms Program by one of the following methods:

telephone: 1 800-731-4000 ext. **2542**

web site: www.rcmp-grc.gc.ca/cfp-pcaf/index-eng.htm

e-mail: cfp-pcaf@rcmp-grc.gc.ca

This bulletin is intended to provide general information only. For legal references, please refer to the *Firearms Act*, *the Criminal Code* and Regulations. Provincial, territorial and municipal laws, regulations and policies may also apply.

Le présent bulletin est également disponible en [français](#)

Date Modified: 2013-09-05