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Chair

Mr. Daryl Kramp

Standing Committee on Public Safety and National Security

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• (0830)

[English]

The Chair (Mr. Daryl Kramp (Prince Edward—Hastings, CPC)): Good morning, everyone. Welcome to meeting number 64 of the Standing Committee on Public Safety and National Security. Today, of course, pursuant to the order of reference of Monday, April 20, we are starting our study of Bill C-42.

With us for the first hour today we have the Honourable Steven Blaney, Minister of Public Safety and Emergency Preparedness.

Welcome, Minister.

We also have accompanying him, from the Department of Public Safety and Emergency Preparedness, Kathy Thompson, assistant deputy minister, the community safety and countering crime branch. We also have with us Lyndon Murdock, the director of firearms and operational policing policy.

Welcome to all.

To our committee, might I first offer the chair's apology? If this early meeting has inconvenienced anyone, it was not the intention of the chair. I do apologize if that is the case. The minister will be called away early for cabinet purposes, so we are starting 15 minutes early to have the full time with the minister. Without any further delay, we will go ahead and get this meeting started.

Minister Blaney, you have the floor, sir, for your opening statement.

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness): Thank you, Mr. Chair.

I want to thank the members for adjusting their busy schedule to allow this meeting to take place earlier.

As you just said, Mr. Chair, I am pleased to be here today, joined by Ms. Kathy Thompson. She is our assistant deputy minister for community safety and countering crime. I'm also accompanied by the director of the firearms and operational policing policy division, Mr. Lyndon Murdock.

Mr. Chair, I'm here this morning to present the common sense firearms licensing act, which is a piece of legislation that builds on our government's record of firearms policies that keep Canadians safe without adding needless red tape for those who are predisposed to obey the law, namely, law-abiding hunters, farmers, and sport shooters.

We believe that firearm policies should be safe and also sensible. That is why we've created new prison sentences for the criminal use

of firearms, and why we've made significant investments in background checks for new applicants for firearm licences. It's also why we've removed needless red tape like the gun shows regulations and the firearms marking regulations, and why we've ended the wasteful and ineffective long-gun registry once and for all, including in my Province of Quebec.

These are policies that are safe and sensible.

[Translation]

• (0835)

The bill before us today continues along the same lines: with policies designed to increase public safety by eliminating red tape for law-abiding Canadians.

Allow me to explain briefly the key measures in this bill. I know that this aspect of the bill is of interest to my fellow member of Parliament, Bryan Hayes.

First, the act will strengthen firearms prohibitions for those convicted of spousal violence. According to a 2013 report, those most commonly committing violence against women are husbands and those in romantic relationships with the women. So it is important for public safety to make sure that firearms are taken away from individuals at risk. Anyone found guilty of an indictable offence involving domestic violence will have a firearms possession and acquisition licence withdrawn for life.

In addition, the legislation allowing the simple and safe licensing of firearms will also require new firearms owners acquiring a firearm for the first time to take the mandatory safety course. I believe that it is important for anyone wishing to acquire and possess a firearm in this country to receive the mandatory training provided by our organizations. This is not only to fully grasp the extent of the responsibility but also to understand the requirements of safety, maintenance, training, technique and knowledge involved in handling firearms.

The legislation will also remove bureaucratic obstacles to the sharing of information on the import of prohibited or restricted weapons. This will allow us to come to grips more easily with the black market and with arms trafficking. We have noticed that our legislation has gaps—especially with regard to the Canada Border Services Agency—that can be used by those wishing to import weapons into the country illegally. That is why we are going to clarify the legislation to allow the Canada Border Services Agency to share information with the Royal Canadian Mounted Police and to close all the loopholes that illegal traffickers could exploit.

These three specific measures in the bill will improve the safety of Canadians.

[English]

The legislation will also help ensure that our firearms policies are sensible. That is why the legislation will merge the “possession-only” licence with the “possession and acquisition” licence. My colleagues from the NDP may remember that this was a measure that was suggested by the late Jack Layton. It does not make sense that individuals who have owned firearms for many years would not be allowed to make new purchases with their own hard-earned money. The bill before us today will give purchasing power to approximately 600,000 experienced and law-abiding firearms owners.

The legislation will also create a six-month grace period at the end of a five-year firearms licence. As you know, Mr. Chair, the firearms licence is valid for five years, and then anyone who owns firearms or is willing to keep his licence has to renew it. The problem is that if you don't renew it by the time your licence expires and you own a firearm, you are turned into a criminal overnight. You do not become the subject of criminal charges if you forget to renew your driver's licence by a day or two. Well, the same principle shall and will apply to firearms licences with this bill. We completely disagree with the premise that any Canadian ought to be criminalized for errors in paperwork.

Further, it will remove the needless red tape around the authorization to transport firearms. Let's be clear this morning: all the transportation of firearms regulations remain in place, and once this bill is adopted, they will remain the same. We will make sure that we are simplifying the process so that we are cutting red tape.

Lastly, it will ensure that unelected officials are enforcing the law rather than making it. It will ensure that the elected government is able to stop chief firearms officers from taking arbitrary action and allow the elected government to classify firearms if, based on expert evidence, the Canadian firearms program has made an error.

These are safe and sensible changes.

[Translation]

Why? Because, for too long, the gun control policies developed under previous federal Liberal governments have targeted legitimate gun owners rather than attacking the source of the problems we have experienced, dangerous criminals and those possessing illegal weapons.

I am proud to be part of a government that has decided to respect law-abiding citizens. We are reducing red tape for law-abiding citizens, but we are making sure that those making violent use of firearms will face the full force of the law.

Some false notions about this bill have been spread around and I would like to clarify them. Specifically, after the bill was introduced, the Liberal Party saw fit to orchestrate a fear campaign, designed to drum up donations, that falsely claims that this bill will let people take pistols and other handguns into grocery stores and shopping centres. That is completely ridiculous; it is irresponsible and I call upon that party to stick to the facts and to stand up for public safety in our country instead of trying to raise funds. The fact is that restricted weapons can be transported to an approved destination,

such as a shooting range or a gunsmith, only by the most direct route. Remember that the weapons must not be loaded and they must have a mechanism that locks the trigger. A restricted weapon must be in a padlocked container and, if the passenger leaves the vehicle, the weapon must not be visible or stored in the trunk. That is the law; it will remain in effect and it will be strengthened.

• (0840)

[English]

The Liberal Party also said that the bill “would take the power to classify firearms out of the hands of police...and put it into the hands of politicians...”. Once again, this is false. The police do not classify firearms; Parliament does, but has no mechanism to correct mistakes if they occur.

How do we do that? We do it through the Criminal Code and did so in fact in 1995 under a Liberal government. This is certainly a good opportunity to remind them what was put in place.

The Canadian firearms program interprets the legislation, and sometimes they make mistakes. The example we saw last year of the CZ858 and the Swiss Arms family of rifles is a perfect example and we intend to correct that mistake. That is why this legislation allows elected parliamentarians to correct these types of mistakes.

Mr. Chair, as I draw to a close I would like to highlight how proud I am of the broad support for this legislation. Hunting and conservation groups from coast to coast support this legislation. Police officers support this legislation. Former Olympians support this legislation. Taxpayers support this legislation.

[Translation]

Here is what the Fédération québécoise des chasseurs et pêcheurs had to say about this bill:

The Fédération québécoise des chasseurs et pêcheurs is thrilled with this initiative. Quebec hunters are very pleased with this bill because it simplifies the licence issuing process for law-abiding users, while reinforcing the concepts of safety and education.

Hunters and anglers are responsible citizens who want to enhance public safety in our country and who support measures to simplify red tape. Clearly, support for these secure and reasonable policies is very strong. Unfortunately, we have seen members of the New Democratic Party state that they would like to re-establish a costly and ineffective long gun registry. Of course, Mr. Chair, we have a program in place for handguns and restricted weapons. During the debate, we saw a Liberal member from downtown Toronto, who clearly wants to get into a game of political one-upmanship with the New Democrats, compare hunters, law-abiding citizens, with jihadi terrorists. It is important for us to maintain perspective. But statements of that kind will surprise no one who knows that these are the parties who have sometimes expressed contempt for law-abiding citizens. I feel that this is the time to pick a different target, if I may use that expression.

Earlier this week, Mr. Chair, we saw the opposition parties oppose measures whereby our hunters and anglers will no longer be treated as second-class citizens in society.

I will be happy to answer questions in order to provide any required clarifications to the bill that will allow firearms to be simply and safely registered.

Thank you very much.

● (0845)

[English]

The Chair: Thank you, Minister Blaney.

In addition to our regular members, the chair would also like to welcome replacement members here today. From the Liberal Party, Mr. Casey is here. We also have Mr. Wilks, Mr. Hayes, and Mr. Leef.

We will now start our first round of questioning with Mr. Hayes for seven minutes.

Mr. Bryan Hayes (Sault Ste. Marie, CPC): First, Minister, on behalf of my constituents, I want to take this opportunity to formally thank you and the members of this committee for their work on Bill C-51. That is an incredibly important piece of legislation and very important for my riding of Sault Ste. Marie, because we're a border community and have a significant Canada Border Services Agency presence there. This legislation is incredibly important for the safety of all Canadians.

Second, I want to thank you and, ultimately, this committee for bringing to fruition the elimination of the long-gun registry. That was very important to my constituents, and I would suggest that had the NDP had a different position on that in a riding such as Sault Ste. Marie, which has a significant presence of hunters, farmers, and sports shooters, perhaps I might not be sitting here today. I'm very pleased to be here representing Sault Ste. Marie.

You mentioned in your comments my piece of legislation relating to domestic violence, which is now before committee. It's a piece of legislation that I brought forward, because I recognize that this is an issue all across the nation. In Sault Ste. Marie in 2010 there were 1,250 reported cases of domestic violence, of which 256 resulted in criminal charges. Earlier you spoke about the domestic assault component, and I'm hoping you can explain why you feel it's important to include the mandatory safety training as well as firearms prohibitions for those convicted of domestic assault.

Hon. Steven Blaney: Thank you, Mr. Hayes. I will address your question with two answers.

First, I must tell you that I've met with representatives from the hunting and fishing organizations, and since you are a member from Ontario, I have to tell you that I've met with the Ontario Federation of Anglers and Hunters. Actually, I got my own training for the possession and acquisition of firearms from this organization.

I must tell you how impressed I was and how important it is for these organizations to respect our laws and to make sure that the carrying of firearms is done in a safe manner. Just as an example, I've learned how to cross a fence with a firearm. It may look simple, but I had to think twice, because you always have to take into account that

a firearm has to be handled with care. I'm pleased to report that I successfully did this exercise.

It is important to mention that those organizations were thoroughly consulted as we were moving forward, and I must tell you they were supportive of the measures you've mentioned and, in particular, of making sure that individuals who could represent a risk to the safety of Canadians should be prevented from carrying a firearm. That's why, for the first time in our country, an individual who is convicted of domestic violence will be prevented for life from carrying or owning a firearm. That's why I personally, as a member of Parliament, support your legislative initiative and feel it is complementary to what is in this legislation regarding an individual who could represent a threat being prevented from carrying a firearm.

Mr. Bryan Hayes: Thank you, and I appreciate it.

Minister, we all know about last year's decision by unelected bureaucrats to criminalize owners of Swiss Arms and CZ858 firearms by arbitrarily reclassifying them. I know you took a series of steps, starting with an amnesty, to ensure that average Canadians would not be caught up in the legal system simply by owning a gun that the previous day they had owned legally.

Can you run through the steps you took last year and how this legislation provides the final solution to bureaucrats having criminalized Canadians overnight?

● (0850)

Hon. Steven Blaney: You may know some colleagues, some friends, or some constituents who have actually purchased a firearm over the last decade. That was legal. With the stroke of a pen, these law-abiding citizens were turned into criminals because a firearm that was non-restricted was classified restricted and even prohibited. Still, physically, we have in front of us the same firearm. This was clearly a mistake; this is a mistake. Since the law was put in place in 1995, there have been no mechanisms to correct mistakes. What we are suggesting is that, based on the advice of technical experts, we would fix those mistakes. I want to be very clear this morning that we intend to fix the mistake.

As you know, those who at this point in time own this firearm, the CZ858 or the Swiss Arms, have an amnesty. But, still, the firearm is considered restricted or non-restricted, depending on which one we're talking about. We need to fix this mistake. That's why we are introducing a review mechanism that will be based on the advice of experts so we can fix those mistakes and treat with respect those who acquired firearms that were deemed to be legal under the law and who were treated, I would say, as second-class citizens. I really feel this is unacceptable. This goes against common sense. This is actually going against the safety and security of our country because this has nothing to do with security. This has to do with red tape and with harassing law-abiding citizens. That's why there is a provision in this law that is willing to fix it and introduce a review mechanism for mistakes. Mistakes happen; we just need to be able to recognize that they happen and have a mechanism to fix them.

The Chair: Fine. Thank you very much, Mr. Hayes.

We will now go to Mr. Garrison.

You have seven minutes, sir.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Thank you very much, Mr. Chair.

Thank you to the minister for being here this morning.

I also want to thank him for his, I guess I'd call it, oblique acknowledgement that the NDP has supported reasonable changes, in his reference to our late leader's position on part of this bill. But, as usual, the bill seems to take off from what might be described as a reasonable position and goes to some very strange positions.

He's always talking about hunters and fishers in rural and remote areas, and so I want to ask him why the government is eliminating the ability to challenge the test. In lots of rural and northern areas having to do a course is a problem, because these are not offered within a reasonable distance or in reasonable time frames. The existing legislation allowed people who already had the skills to challenge the test, to demonstrate that they had the necessary knowledge. It's very difficult for me to understand, when the government says it's committed to not having unnecessary red tape for rural, northern, and remote communities, why the challenge is being eliminated.

[*Translation*]

Hon. Steven Blaney: Thank you for the question.

The reason why we wish to put mandatory firearms safety training in place is very clear. It is a responsibility.

It is important to make sure that each individual, each new Canadian, who wishes to acquire a firearm can benefit from the expertise and experience of the community of those who handle firearms and know how they work.

For example, some city dwellers do not really have the opportunity to be in contact with firearms; they not only have to become familiar with all the mechanisms, the rules and the history of firearms, but also the way they are handled, their particular characteristics and the ways in which they are used.

The measure will also apply to people such as police officers, for example, who have to handle firearms as part of their duties. They

will need to take the training. In fact, although people like that have an excellent knowledge, a mastery, of firearms, from now on, they will have to use it as members of civil society. That is why the training is mandatory. Just because a person does a simple, basic test and fills in little boxes, it does not mean that we are in a position to know that the person has all the knowledge required. Firearms owners are responsible, law-abiding citizens.

To make sure that the public is safe and that they can trust firearms owners, it is important to make sure that they have some knowledge about firearms and are worthy of the trust. That is why we are introducing mandatory training for handling and acquiring fire arms.

A little earlier, I mentioned that the Ontario Federation of Anglers and Hunters supported this measure, just like the Fédération québécoise des chasseurs et pêcheurs supports mandatory training in order to give those who wish to acquire a firearm some accountability.

• (0855)

[*English*]

Mr. Randall Garrison: Thank you, Mr. Minister, but with respect, you really didn't address the question, which is about how people who already have the ability to pass the test in rural and northern areas are going to be able to do so when training isn't available.

Let me go to my second and probably the most significant concern about this bill. You say that it does not politicize the classification of weapons and you talk about the Swiss Arms classic green firearm having been reclassified at the stroke of a pen.

With respect, Mr. Minister, that stroke was with your pen, when you signed the order. So I wonder why we need to go to this extreme level of allowing cabinet to create exemptions to the legislation when the existing legislation, in subsection 117.15(2) says:

In making regulations, the Governor in Council may not prescribe any thing to be a prohibited firearm, a restricted firearm

—then I'll skip a bit of it—

if, in the opinion of the Governor in Council, the thing to be prescribed is reasonable for use in Canada for hunting or sporting purposes.

So under the law right now, Mr. Minister, if you thought the Swiss green rifle had any use for hunting or sporting purposes, you could have refused to sign that order in council under the existing legislation.

So why is there a need to create this giant loophole when cabinet can itself, as you say, correct mistakes based on expert testimony. If you had expert testimony, as the minister you could have refused to sign the order in council at the time and have referred it back to the Canadian firearms agency, or you could have said it has a legitimate hunting and sporting purpose.

You did neither of those. You signed that order yourself. So again, with respect, it was the stroke of your pen that reclassified that weapon.

Hon. Steven Blaney: Well, I disagree with your statement, sir, because you may be aware.... I think it is a good thing, when introducing legislation that has not been revisited for more than 30 years, for Canadians to understand how the system works.

The fact of the matter is, regarding the classification, that neither the experts at Public Safety—and we have these experts at Public Safety—nor am I involved in the classification process; nor is Parliament. That's why we need to fix this, and it's the reason that we have tabled this legislation, so that we can eventually be involved in a review mechanism to correct mistakes that have occurred, such as the one for the CZ and the Swiss Arms rifle. I can assure you this morning that, had I been empowered to intervene to avoid this mistake, I would have been very glad to do so. But now, as you see, we don't have a mechanism. That's why we had to go through an amnesty process, first for possession, and then we had to have an amnesty process for use.

But as we speak, some of those firearms are still considered prohibited. Obviously we need to fix this, and that's why this legislation is in front of us, to make sure that Parliament can correct mistakes. I believe Canadians expect us to have this capability to correct mistakes based on the advice of experts.

Mr. Randall Garrison: Mr. Minister, with respect, what is the mistake? If the Swiss Arms rifle has a hunting or sporting purpose, then you did not have to sign the order in council under the existing legislation, so it's very difficult for me to see what mistake you're referring to.

It seems that you had the power and did not use that power or that there isn't a legitimate reason for the amnesty that you're giving for this rifle. I just can't see how those two things can be true at the same time.

The Chair: Thank you very much, Mr. Garrison. We are out of time on the questioning.

We will now go to Mr. Leef, please.

Mr. Ryan Leef (Yukon, CPC): Thank you, Mr. Chair, and thank you, Minister, for your presentation this morning.

One change that has been made in this legislation is the authorization to transport restricted firearms, to have it as part of the restricted licence rather than as separate pieces of paperwork.

I'd also point out that when those additional forms for ATTs are completed, they aren't actually shared with the police. They're just retained by the chief firearms officer in the region and really are just put in a drawer.

We've heard, of course, the Liberals saying some pretty outrageous things in respect to this, in an attempt to fearmonger Canadians about that piece of legislation. In fact, I'm looking right now at an advertisement they have, which they're using for cheap fundraising activities, and they're proposing ridiculous comments such as that this ATT merger of conditions on a licence will allow restricted weapons to be transported to places such as grocery stores and hockey arenas, and I think they have shopping malls—all kinds of outrageous, misleading, and grossly inaccurate comments in a cheap effort to fundraise.

Could you comment on these false claims and give some context and greater understanding to my colleagues in the Liberal party about how these requirements and this change to the legislation will actually be implemented?

● (0900)

Hon. Steven Blaney: Thank you, Mr. Leef.

You raise a very valid point. The fact that there is a lot of red tape for the authorization to transport firearms has no impact on public safety. The forms that have to be filled out by those who are willing to travel with restricted firearms just go into a file, and I see no purpose in terms of public safety. So you make a very valid point. This is a very good example of red tape that has no impact on safety, but is indeed creating red tape—for example, for sport shooters who want to attend a shooting club to do their hobby. That's why we are willing to simplify the regime so that once you are admitted to get the training and possess a licence, you will, within your own province, not need an additional layer of red tape that has completely no purpose in terms of security.

But this bill is an opportunity to look at the real mechanism we have in place now to keep an eye, if I can put it that way, on anyone in this country who owns a firearm. This is an opportunity to share with Canadians that we have what we call the continuous eligibility screening. So every morning, everyone who has a police record and owns a firearm is considered in that database. So on a daily basis, every citizen in this country who owns a firearm is monitored, if I can put it that way, by our law enforcement. So we have a strong mechanism, a robust mechanism. We are reinforcing it by making sure that CBSA and the RCMP are sharing information regarding the importation of firearms.

We are adding mandatory training, not just a quick challenge test. This is an important responsibility, so you have to go through a course. It also makes sure that those who are convicted of domestic violence would be banned from owning a firearm. So those are the measures.

But at the same time, yes, we are cutting red tape, and the authorization to transport is one. A grace period is another measure. That's why we also want to make sure that decisions that are made regarding the use of firearms are done for safety reasons and not to add an additional layer of red tape that has no impact on public safety.

Mr. Ryan Leef: Thank you, Minister.

You know, I mentioned how the Liberals were spending time misleading Canadians for the benefit of their own fundraising interests, and I'm not surprised to see the NDP here misunderstanding the firearms laws and the classification of firearms. Or if they're not misunderstanding, they're intentionally misleading Canadians.

I want to ask you a pointed question. Did you, as the minister, have to sign an OIC for the reclassification of the Swiss Arms rifle and CZ858, or did officials? Is that why you brought forward the review mechanism under Bill C-42?

Hon. Steven Blaney: To answer the question, this is not within the power of the Minister of Public Safety; it's not my power. So I could not prevent the reclassification. That's why, after the fact, I had the capacity then to consult and bring forward an amnesty. In the meantime, hundreds, thousands, of law-abiding Canadian citizens were basically treated as criminals. I find it particularly disrespectful for law-abiding citizens who have acquired legal firearms to be turned into criminals.

I must tell you that I was not happy, if I can put it that way, with this course of state. That's why we are bringing legislation to avoid such a situation occurring again, and to enable Parliament, which is responsible for the classification, to fix mistakes. We don't have the capability to fix mistakes. We need to have this capability. That's what is in this bill. Once again, I can assure you that this will be based on the advice of experts.

● (0905)

Mr. Ryan Leef: Thank you.

The Chair: Only 30 seconds left, Mr. Leef.

Mr. Ryan Leef: Minister, maybe you could elaborate on the cross-country support. You did highlight it a little. We're wondering if you have any additional remarks on the support you've heard from rural Canadians right across this country for this legislation.

The Chair: Very quickly, please, Minister.

Hon. Steven Blaney: I must tell you that people are in favour of common-sense firearm licensing measures. What I was able to realize while I was consulting with many members of the communities—I was in northern Ontario and in various parts of Quebec—is that law-abiding citizens feel that they have been ostracized over the course of the last decade because they have a passion for the outdoors. They have a passion for an activity that is at the core of this country. Hunting, fishing, and sport shooting are totally legal activities, but due to this red tape and this administrative harassment, they felt like second-class citizens.

I feel that we have a responsibility as parliamentarians and as government to deal fairly with law-abiding citizens. That's what this legislation is all about. It is about reinforcing the safety of Canadians while showing respect to those who I would call “the guardians of our outdoors” and treating them with respect, while ensuring that they are complying fully with our laws regarding the handling and the carrying of firearms.

The Chair: Thank you very much, Minister.

Mr. Casey, sir, for seven minutes, please.

Mr. Sean Casey (Charlottetown, Lib.): Thank you very much, Mr. Chair.

Mr. Minister, I think it's unfortunate that Mr. Leef used up a bunch of his time to offer advice to the Liberal Party as to how they should attempt to fundraise and also to take some partisan shots, because there's actually a provision in the bill that disadvantages his constituents. His constituents probably haven't been well served by his line of questioning. Perhaps I could help him out a little.

Proposed subsection 19(2.1) of the bill specifies that the section would apply to an “individual's province of residence”. The result of that specific reference to “province” would mean that the proposed

“Automatic authorization to transport” provisions would not apply in the territories, and that those in the territories would require an authorization to transport under the current subsection 19(1) of the Firearms Act.

My question is for the benefit of Mr. Leef's constituents, because he wasn't able to get to it as he didn't have enough time. Why are the territories being treated differently or being discriminated against by this provision? Or was it simply an oversight that we'll have to correct through amendment?

Hon. Steven Blaney: Thank you for your question.

We certainly have the intention to deal in an equal manner with provinces and territories, and I think you raise a valid point. We'll make sure this is clarified so that indeed, whether in territories or in provinces, the possession card will authorize transport.

Mr. Sean Casey: Thank you, Mr. Minister.

You're welcome, Mr. Leef.

Voices: Oh, oh!

Mr. Sean Casey: Mr. Minister, you received a briefing note from the Commissioner of the RCMP. The briefing note is dated February 20, 2014. One of the things it says in the briefing note is that “Automatic firearms and their derivatives are”—and I want to underline these words—“a threat to public safety and considered more lethal because of their fast reloading action and their ability to discharge multiple shots each time the trigger is pulled.”

A binder was circulated to this committee in preparation for our examination of this legislation. In the binder it has those exact words, with some words lifted out. Those exact words, the words from the briefing note of February 20, 2014 to you, are contained in our binder except for the words “a threat to public safety and”.

My question for you, Minister, is, has something happened between February 20, 2014 and now that has caused there to be less of a threat to public safety? Since February 20, 2014, have you not accepted the advice of the RCMP with respect to the public safety element, or is there some other reason for this careful editing of the information provided to this committee?

● (0910)

Hon. Steven Blaney: I thank you for your question. I think it gives me the opportunity to mention once again that the goal of this bill is to increase public safety. I gave you three measures that are embedded in the bill that are reinforcing public safety. This is my first goal as Minister of Public Safety.

If I can answer your question in this way, it is important to ensure that law-abiding citizens make sure they abide by the law. There are many provisions that make it illegal to modify a firearm. This is already in the Criminal Code. Anyone who has evil means can modify a firearm. This is illegal. If someone is doing that, this individual will face the full force of the law. In the meantime, this doesn't mean that those who are abiding by the law must be penalized as a result of other individuals who are contravening the law.

In more general terms, the firearm has to meet to specific criteria to be classified. If it is illegally modified, then this is out of the scope of the law and that's why we have this specification system and are able to fix it. This being said, I've always taken the advice of the RCMP into consideration, and did so in making this bill.

Mr. Sean Casey: So the omission of the territories in the provision that I referenced in my first question was inadvertent. And was omission of the words “a threat to public safety” inadvertent, Mr. Minister, or deliberate in the information that was provided to this committee?

Hon. Steven Blaney: I would have to look into it. I don't know. I don't have the answer for you this morning.

Mr. Sean Casey: Thank you.

The bill allows for the transport of firearms, and transport that's allowed under the bill is set out in some detail. But what isn't specified is the timeframes for a firearm to be transported to and from shooting clubs, any place where a peace officer is located, or to or from a business. Could you explain what timeframes are involved in the transportation to these various locations, whether they are prescribed or implicit in the bill.

The Chair: Just very briefly, Minister.

Hon. Steven Blaney: The bill is clear. It's always the most direct route. And this is an opportunity to mention that all regulations regarding the carrying of firearms are maintained. I think this is why—and I fully agree with Mr. Leef—that the propaganda by the Liberal Party should be corrected. I can see that you have a good understanding of the bill. I invite you to make sure that your party is basing its funding on fact and not on propaganda, because frankly this is a disservice to public safety and honest debate on firearms regulation.

Thank you.

• (0915)

Mr. Sean Casey: To be an expert on [*Inaudible-Editor*]

The Chair: Thank you very much.

We will now go to Madame Doré Lefebvre.

[*Translation*]

You have five minutes.

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Thank you very much, Mr. Chair.

My thanks to the Minister of Public Safety and Emergency Preparedness for being here today to speak to us about Bill C-42.

Mr. Chair, you know that I am always proud to talk about my roots when the time comes to talk about hunting, fishing or even firearms in general. I come from a family where my uncles, aunts and cousins all hunt or fish. I took hunting courses and I am the proud holder of a hunting licence. I am very proud of doing this with my family. So every time we talk about firearms issues, I am personally concerned.

If I may, I would like to begin my questions by talking about the consultations. I will briefly go back to what my colleague Mr. Garrison said about the training for First Nations communities or northern communities that might have difficulty accessing courses

to obtain their licences. I'm also intrigued about police services and the automatic granting of an authorization to transport a prohibited weapon.

Here is my question. Have there been or have you held consultations with First Nations communities or even with city police services specifically about automatic authorizations?

Hon. Steven Blaney: The answer is yes. I have consulted with First Nations representatives; all the provisions already in the legislation under the mechanisms related to the use of firearms and the considerations related to Aboriginal people are being maintained.

Ms. Rosane Doré Lefebvre: In terms of the automatic authorizations, have various front-line police services been consulted?

Hon. Steven Blaney: Yes, I have had a lot of exchanges on that. As I mentioned earlier, there is a daily process. In fact, each firearms owner in the country is checked daily against the number of events related to police operations. Those mechanisms remain in place. They existed before and they will continue to exist.

Clearly, the additional measures we are implementing—mandatory training, better information sharing between the RCMP and the Canada Border Services Agency, and the revocation of the licence of those convicted of an indictable offence involving domestic violence—have also been the subject of consultations. I must say that the people consulted have received those measures very well.

Ms. Rosane Doré Lefebvre: This discussion about the granting of firearms licences brings me to another issue. In your presentation, you mentioned the six-month grace period after the licence expires. This grace period is for firearms owners who have forgotten to renew their licences.

When they renew their licences, firearms owners are screened for any mental health issues. The goal is to specifically identify any risks that these firearms owners might pose to the public at large.

What will happen when the six-month grace period is in effect? Will there be no information during that period or will mechanisms be set up to provide the same type of follow-up as we have now?

Hon. Steven Blaney: All of the follow-up mechanisms are being maintained.

In Quebec there have been cases where people receiving long-term health care could not renew their permit. As to this six-month period, it is important to specify that the permit has expired. The person can no longer use a firearm or purchase ammunition. With the grace period, we are letting people know that even if they have not renewed their permit, filled out and mailed the form, or met with a processing delay, this does not make them criminals.

Our government has put measures in place so that any person who owns a firearm illegally will be liable to a prison term of up to five years. For owners of firearms, finding themselves in this situation for administrative reasons was a major irritant. Think of a military person who was deployed overseas for nine months and whose permit renewal came up during that time. The person receives a renewal notice, but this happens while he does not have access to his mail; he then finds himself in a situation of illegality.

In short, all of the follow-up mechanisms have been maintained, and the person continues to be subject to constant verification under the system I referred to when I replied to your first question.

• (0920)

The Chair: Thank you, Ms. Doré Lefebvre.

[English]

Ms. James, for five minutes.

Ms. Roxanne James (Scarborough Centre, CPC): Thank you, Mr. Chair. I want to thank the minister as well for appearing here with the officials.

I want to clarify something as well. There is a bit of discussion on whether or not the word “territory” was explicitly stated in the legislation. It's my understanding, and I'm not a lawyer by any means, with regard to definitions that where a territory is not specifically stated, a “province” actually includes Yukon, Northwest Territories, and Nunavut. That's included in the Interpretation Act and my good friend pointed out that he believes it's in section 35. I just wanted to put that on the record that we're covered, and I don't think this is a major issue with respect to this bill.

Secondly, Mr. Minister, I would very much like to thank you for strengthening the prohibitions for those convicted of domestic violence offences. Having formerly been on the status of women committee, I fully support the legislation introduced by my colleague, Bryan Hayes. When I saw this legislation and reviewed it for the first time, that was one of the things that stood out to me because it struck a really good balance of what's needed in this country. I want to commend you for bringing that forward in this legislation.

Speaking of striking a balance, this legislation also reduces red tape for law-abiding Canadians. I think that's extremely crucial.

When we talk about our Conservative government standing up for those law-abiding Canadians, it's obvious that the opposition parties were against scraping the long gun registry. It's something that we were committed to doing because we recognized that it did absolutely nothing for public safety and was a burden on those Canadians, such as farmers, hunters, and those who are involved in sport shooting.

The question I need to ask you relates specifically to something that my colleague, Mr. Easter, the Liberal critic on Public Safety, stated in the past. He has said that the Liberals stance on gun control cost them Liberals at least 60 seats in rural Canada. I heard it today as well from my colleague, Mr. Hayes, that it cost the NDP seats as well. Yet, they continue to be on the wrong side of the fence when it comes to common sense firearms legislation like we have before us today in committee.

Could you give the committee a sense of some of the support from across Canada on this legislation? I know Mr. Leef started to ask you that question, but I'm sure that there are a number of organizations that have given very good feedback to us on this legislation. Could you comment on some of that?

[Translation]

Hon. Steven Blaney: Thank you for your question.

When the Supreme Court handed down its decision concerning the abolition of data that was incomplete, obsolete and inadequate in the Quebec long gun registry, I was in Saint-Appolinaire, in the riding of my colleague Jacques Gourde. I should mention that I received a large number of positive comments from many Quebec men and women who were relieved to see that this saga was coming to an end. The data was out of date, and in my opinion posed a threat rather than being a source of information that could allow for effective measures. They encouraged us to continue to put in place effective measures for the control of firearms and domestic violence.

That is why I thought, for instance, about my colleague Rick Norlock. You know that he sits on the committee and is a former police officer. During caucus consultations, it was proposed that permits to acquire and possess a firearm be revoked for those who have been found guilty of conjugal violence. Many suggestions were also made by Mr. Leef and Mr. Robert Sopuck. One group promotes traditional activities involving wildlife, recreation and outdoor sporting activities. These people made a lot of constructive suggestions to eliminate the irritants. It is important to specify that I consider that a firearms owner who complies with legislation makes the whole context safer. That is why it is important, of course, to remove the irritants.

It was with this in mind that we met with representatives of the Quebec Federation of Hunters and Anglers, and the Quebec Outfitter Federation. We heard several opinions there. I am thinking for instance of Ms. Russel-Aurore Bouchard. A lot of people appreciate the measures our government is putting in place.

It is important to mention that some of the provisions of the bill that is before you strengthen our firearms registration regime, and by the same token also eliminate irritants, such as the fact that a person may be considered a criminal because he has not renewed his permit on time. People have a grace period for possession only. Again, these people are aware that if their permit has expired they cannot use their firearm or buy ammunition, because this would not be legal.

• (0925)

[English]

The Chair: That's fine. Thank you very much, Minister.

Thank you, Ms. James.

Colleagues, we will now suspend just very briefly. I know the minister has other commitments and we will change witnesses and/or bring in additional witnesses.

We'll suspend for two minutes.

• (0925) _____ (Pause) _____

• (0925)

The Chair: Okay, colleagues, we will reconvene.

In addition to Ms. Thompson and Mr. Murdock, we now welcome Julie Besner, the acting senior counsel for the criminal law policy section at the Department of Justice. Welcome to all.

We will now once again go to questions. We will start off the first round of seven minutes with Mr. Payne.

Mr. LaVar Payne (Medicine Hat, CPC): Thank you, Chair.

I thank the officials for coming today on this important bill. It's an interesting bill that some of the opposition members obviously don't agree with. However, there are some really good measures in this bill and, quite frankly, I've had the opportunity to have some input from the minister and officials on some of the things that I believe are really necessary. One of those, for me, is to have a safety training course. As a member of Parliament, and previously, I actually took that safety training course. It's very valuable.

Technically I could have challenged that course because I was a firearms owner; I was in the military. But I believe that this course has some very important aspects to it. I'm wondering if I could get the officials to comment on it and why they see it as being such an opportunity to make sure that Canadians are safe when using firearms.

• (0930)

Ms. Kathy Thompson (Assistant Deputy Minister, Community Safety and Countering Crime Branch, Department of Public Safety and Emergency Preparedness): Thank you, Mr. Chairman, for the question.

The additional requirement to take the training and not just challenge the test, as the minister indicated, is an opportunity to enhance public safety and to ensure that everyone has basic training. The minister referenced the training, for example, to be carrying a firearm and going over a fence, for example, or some sort of barrier.

The training really has two components. It has a classroom component, but it also has a very practical component in terms of safe handling, basic safety requirements, and use and care of a firearm. All of those components are handled in both the classroom and outside with a practical component. The training, of course, is customized in different regions, but it follows a basic curriculum that's been set by the Canadian firearms program, so it's uniform across the country.

Mr. LaVar Payne: I'm making some assumptions that it's pretty widely available across the country and through the provinces and territories.

Ms. Kathy Thompson: The training is widely available across the country in provinces and territories. In addition, my understanding is that some of the Canadian firearms officers in those areas

actually travel to some remote communities to offer the training as well.

Mr. LaVar Payne: Do we have any kind of indication of what the costs of those courses are?

Ms. Kathy Thompson: The costs vary, and they're established by the chief firearms officer in every province, but generally they're approximately \$80 to \$100 or so per course, I would say it's to a maximum of about \$300 for the basic safety course and also the restricted safety course for a restricted firearm. So it can total up to \$300, but it does vary slightly by province and territory.

Mr. LaVar Payne: So it's not overly burdensome if, in fact, you happen to own firearms or want to purchase firearms because, obviously, the firearms cost a heck a lot more than \$300.

Another important aspect, I think, is that a lot of people think you can just buy one of these things without any kind of background check. I wonder if somebody could give me some details on what the procedures are if an individual wants to buy a firearm, and what actions happen through safety and certainly through police interventions.

Ms. Kathy Thompson: In Canada, under the Firearms Act, to legally and lawfully own a firearm you must possess a licence. There are two types of licences that are available in Canada. One is a possession only licence, which is only available to individuals who are grandfathered, who owned a firearm at the time that the Firearms Act came into force in 1998. The other is a possession and acquisition licence, which is available only to those who are now applying for a licence. That is obviously, as stated, a licence to possess, but also to acquire, firearms and ammunition.

In order to apply for a licence, you must first apply to the chief firearms officer in your province or territory, and you must fill out an application. It's a very comprehensive application with mandatory fields that must be completed, including all of your tombstone information. As well, it requests information on criminal history, mental health, substance abuse and any past violent behaviour. You must provide two references. You must provide a certified photograph. You must also provide references and attestations from current and former spouses, as well as the signed guarantor photograph.

Then, there is a mandatory check that is completed by the chief firearms officer. They check that against CPIC. It's not only for convictions. Anyone who is on parole or probation, with any prohibition orders, or any reported incidents, as well as charges, would be picked up through that check.

The chief firearms officer may also conduct an open source search on the Internet, interview the references, the spouse, the former spouse, and request further information, including asking the licence applicant for permission to contact the doctor, for example, if the individual indicated there has a history of mental health related violence. Very importantly, mental health histories where violence was involved, threatened, or attempted against a person are the only instances where mental health would be a relevant factor.

If any of those red flags come up, either through the questionnaire or through the comprehensive background check, the CFO can undertake further work on completing the background check. That's the licence portion of obtaining the licence.

The individual who has the licence then has to go through a process to acquire a firearm.

In Canada, there are four purposes for which you can acquire a firearm. The first purpose is to protect your life or the life of an individual, which is provided for in very rare instances. Another purpose is for employment, for example, Brink's Security guards. We'll set those two aside. For our purposes today, there are two additional purposes for which you can acquire a firearm. One is for the purpose of going to a shooting range or participating in competitions. The other is for a gun collection.

Once again, you go through a process with the chief firearms officer to ensure that you have a valid licence and that you can acquire those privileges. It's a separate process that takes approximately 30 days.

In the past, there was an additional separate touch point with the chief firearms officer for authorization to transport, which we are now proposing to streamline as part of the licensing process, because it's generally the same check that the CFO was doing. We're going to attach those conditions to a licence; that is the proposal.

• (0935)

The Chair: Fine, thank you.

Mr. Payne, your time is up. I'm so sorry, sir. It went by fast. I know.

We will now go to, Madame Doré Lefebvre for seven minutes.

[*Translation*]

Ms. Rosane Doré Lefebvre: Thank you very much, Mr. Chair.

I thank the witnesses for having stayed for the second hour in order to discuss Bill C-42.

With your permission, I'd like to go back to a question I put to the Minister of Public Safety and Emergency Preparedness concerning the consultations.

The minister mentioned that he had consulted the various police services in first nations communities about his Bill C-42.

Ms. Thompson, perhaps you could shed more light on this for me. Was there an official consultation process that fed into the preparation of Bill C-42?

Ms. Kathy Thompson: The consultation process was led by the minister, who held round tables with the police services, representatives of aboriginal communities and other representatives. For our part, we held consultations with the federal government, the Department of Justice, the RCMP and other bodies.

On other occasions we discussed elements of the bill, for instance the provision concerning the exchange of information between the RCMP and the Canada Border Services Agency. The measure was proposed several years ago by law enforcement organisations. They had pointed out to us that there was a danger that firearms find their way onto the black market for illicit purposes.

We sit on various committees with police organizations. We discussed different points at various times with police organizations, and others.

Ms. Rosane Doré Lefebvre: I see. This leads me to my next question.

I know that groups from all fields have expressed some criticisms regarding Bill C-42. The Canadian Firearms Association, for instance, objected to a few things in the bill. These points mostly had to do with the mandatory training as regards first nations communities, or rural and remote communities. I understand some of these concerns.

In practice some of the measures in Bill C-42 would prevent some people who have received other training from obtaining a permit without having followed the course prescribed in the bill. I understand the purpose of mandatory training, as well as the realities of northern and first nations communities. They may have other training offered there or they may consider firearms in a different way than does the population in urban centres.

I am curious to see how all of this will play out. Will we force people in remote areas to travel at their own expense—perhaps not to large urban centres, but elsewhere—to take the training? Are we going to fund access to training courses provided on location more frequently than we do now? Has anyone thought about how things will unfold after Bill C-42 passes? According to the provisions in the bill, the course will be mandatory for everyone no matter where they live. Is the government going to fund the courses? Where are we headed with this?

• (0940)

Ms. Kathy Thompson: Thank you for your question.

First, I would like to reply to the point concerning aboriginal persons. The Aboriginal Peoples of Canada Adaptations Regulations regarding firearms gives aboriginal persons a solution regarding certification and training. It provides another process for those who cannot go to follow the training course because they live in a northern community, for instance. For cost or availability reasons, aboriginal persons may follow another process.

Ms. Rosane Doré Lefebvre: I do not know this process very well. What is it exactly?

Ms. Kathy Thompson: The process allows people who are part of an aboriginal community to obtain their certification in a different way. They do not necessarily have to travel to take the course if an elder, a responsible person in their community, can confirm that they have the necessary knowledge to use a firearm safely.

Ms. Rosane Doré Lefebvre: Very well.

As for people who are not members of a first nations community but live in a remote or rural area, will they have to travel?

Ms. Kathy Thompson: Yes, they are going to have to take the mandatory training. It is not always necessary for them to travel. As I said earlier, sometimes a province or a territory offers the training in northern communities, once or twice a year. Arrangements can be made. The application of the bill will surely allow us to examine these things.

Ms. Rosane Doré Lefebvre: In his presentation, the Minister of Public Safety and Emergency Preparedness mentioned the possibility of taking firearms from people charged with conjugal violence, if I understood correctly.

In Quebec, whenever the police receive a call relating to violence in general or to conjugal violence, and see that a person has firearms at home, these firearms are taken from him until the case has been cleared up, even if no charge has been laid.

Is Quebec the only province where things are done that way? What Bill C-42 contains concerning conjugal violence already exists in Quebec. I would even say that police services go even further in that regard. Will all of provinces do the same thing? What will be the impact of Bill C-42?

Ms. Julie Besner (Acting Senior Counsel, Criminal Law Policy Section, Department of Justice): The Criminal Code contains other powers that authorize peace officers to seize firearms if they are concerned about the safety of someone in a home. This can be done in the context of an investigation or when someone is released temporarily from custody after a bail hearing. There is also another provision in section 111 of the Criminal Code that allows a police officer to submit a request to the court if he or she is concerned about someone's safety. This leads to a temporary prohibition. It does not only apply in cases where people are found guilty at the very end of the process. There are in fact certain preventive measures in the Criminal Code.

• (0945)

The Chair: Thank you very much, Ms. Doré Lefebvre.

[English]

Before we have Mr. Wilks, I will take a couple of seconds to eat into his time and acknowledge the presence here of the member for Yorkton—Melville. I know that he has been concerned about and paid attention for many years to the issue of public safety and gun safety, so we thank you for your attendance even though you're not participating today.

Mr. Garry Breitkreuz (Yorkton—Melville, CPC): Thank you.

The Chair: We will now go to Mr. Wilks for the balance of that time.

Mr. David Wilks (Kootenay—Columbia, CPC): Thank you very much, Mr. Chair, and thank you to the witnesses for being here today.

The possession only licence, POL, which allows no new firearm acquisition privileges, is currently issued to persons who do not intend to acquire any new firearms and who lawfully possessed a firearm when the Firearms Act came into force. These individuals are not required to pass a safety training course and testing requirements. The apparent rationale underlying the creation of the possession only licences was that individuals who had been in lawful possession of firearms for a significant period of time, and who were not seeking to acquire additional firearms, had demonstrated a history of safe and responsible firearm ownership with the only firearm they would continue to be allowed to possess under the non-acquisition licence.

Could you explain to us why possession only firearm licences are being eliminated and will the individuals who currently hold

possession only licences automatically qualify for firearm licences under the new regime?

Ms. Kathy Thompson: Thank you for the question, Mr. Chairman.

Both the possession only licence and the possession acquisition licence were created for the Firearms Act, when it came into force in 1998, after receiving royal assent in 1995. At the time, a number of firearm owners were already in possession of firearms and it was a way to grandfather those current firearm owners who were very experienced. The average age of a POL—possession only licence holder—is 60, so they are very experienced firearm owners who have owned firearms for many years. They had their privileges grandfathered. Over time, we had expected and we are seeing fewer and fewer POL holders, and so we are streamlining the licensing regime to combine those licences into one, the possession acquisition licence. That is the only licence that will be available to new firearm owners. Those who possessed a POL and are being converted to a PAL will have acquisition rights as was the case when the act came into force. They will not be required to take the firearm safety course since, as we said, they are currently very experienced firearm owners.

Mr. David Wilks: Thank you.

Moving to the ATTs, the bill provides for automatic authorization to transport prohibited and restricted firearms within the licence holder's province of residence upon licence renewal for several purposes. Will the transportation requirements for firearms be affected by this change? Second, given that firearms licence holders will no longer be required to apply for authorization to transport for the purposes specified in Bill C-42, will the number of background checks conducted on firearm licence holders be reduced. Third, might the facilitation of firearms transportation increase the incidence of theft of firearms?

Ms. Kathy Thompson: Mr. Chairman, could I just confirm the three questions? The second one was, will checks be reduced? The first question again?

Mr. David Wilks: Will the transportation requirements for firearms be affected by this change?

Ms. Kathy Thompson: Okay, very good. Thank you.

Mr. Chairman, the authorization to transport is being streamlined in order to attach those privileges now to the licence request, and it only applies to restricted and prohibited firearms. The ATT will really be streamlined to coincide with the licence request. In terms of whether the transportation requirements will be affected, it is going to be streamlined so that it is specific to certain purposes. In the past, the ATT was very specific to a specific purpose for transportation. It could be for a specific time, as in to transport the firearm or firearms for a specific day, or it could extend to a broader period but be specific to a purpose, for example to one trip to transport the firearm from a shooting range back home. The licence will be streamlined with the ATT now in that it will be specific to certain purposes. I mentioned earlier that there are certain purposes for acquiring a firearm, and for our purposes today it was a shooting range, a competition, or a gun collection. If you are requesting or renewing your licence for the purpose of acquiring a firearm for the shooting range, then, as a privilege on the ATT, you would also have authorization to transport to and from a shooting range, a gunsmith, your residence, and a peace officer or the chief firearms officer in your province or territory. Those would be very specific to those purposes.

● (0950)

Mr. David Wilks: Thank you very much.

Finally, under Bill C-42, a mandatory lifetime prohibition on the possession of prohibited or restricted firearms would apply following any conviction for an offence involving the use, threat, or attempt to commit domestic violence, rather than only in cases where the possible sentence is imprisonment for 10 years or more. Does this mean that even for relatively minor offences, such as domestic dispute involving mutual threats of violence, a person would be prohibited from possessing a firearm for life?

Ms. Julie Besner: First of all, there has to be a conviction on indictment. For example, for simple assault or another low-level threat there would most likely be a prosecution by summary conviction offence. There the court retains discretion whether or not to impose a prohibition order, and it can do so, with the proposed amendments in this bill, up to life for all classes of firearms. If an individual is convicted on indictment of a domestic violence offence, the prohibition will be for life for restricted or prohibited, and a minimum of 10 years up to life for non-restricted.

Mr. David Wilks: Thank you very much, Mr. Chair.

The Chair: Thank you very much.

We will now go to Mr. Casey, for seven minutes again, sir.

Mr. Sean Casey: Thank you, Mr. Chair.

Clause 6 of the bill makes amendments to the Firearms Act with respect to transport of a firearm within a province. The proposed amendment to the Firearms Act refers to a port of entry or exit. What is a port of entry or exit, as contained in the Firearms Act?

Ms. Kathy Thompson: My understanding, and I may ask Mr. Murdock to elaborate, is that it's in order to be able to travel, for example, to a competition. If you are travelling to the U.S., for example, it would allow you to take the firearm to the port of entry, and of course then you'd have to have a separate authorization from the United States government.

Mr. Sean Casey: Thank you.

Mr. Chair and members of the committee, please forgive me for asking a question that pertains to my constituents. I live in Prince Edward Island. There is no port of entry or port of exit to the United States, nor is there one, to my knowledge, in Nova Scotia or Newfoundland and Labrador. Therefore, it strikes me that the impact of this amendment will mean that the law-abiding gun owners in those provinces will have to jump through some additional hoops. They will have to obtain separate documentation in order to be able to transport their firearm across an international border because they are crossing a provincial border. Is that the case and, if so, why?

Ms. Kathy Thompson: Mr. Chairman, to clarify, the port of entry doesn't have to be a land port; it could be by air as well.

Mr. Sean Casey: Okay.

So if someone in the provinces of Nova Scotia, Prince Edward Island, or Newfoundland and Labrador is seeking to transport their firearm and cross the border into the United States via a vehicle, are they treated differently than someone from a province with an international border, such as New Brunswick, Ontario, or all of the other Canadian provinces would be?

● (0955)

Ms. Kathy Thompson: My understanding is that they would require an authorization as part of their licence to transport it to the next province and would have to get in contact with the chief firearms officer from that province to acquire the right to then travel with their firearm from New Brunswick to the U.S. border.

Mr. Sean Casey: Could you shed some light on the question that stumped the minister in the last hour?

I asked him about the February 20, 2014, briefing note from the RCMP, which contained the words "a threat to public safety and" and the fact that the exact words from the briefing note were contained in the binder that was provided to this committee, with the exception of those words.

I asked him whether the omission was deliberate or inadvertent, and he said that he would have to get back to me or that he didn't know, or he wasn't in a position to answer the question. I appreciate that these binders aren't prepared by the minister. They're probably prepared by someone under your direction.

Can you help us with that answer? Why were those words deleted?

The Chair: Ms. James.

Ms. Roxanne James: I was just wondering if the member opposite could tell me what page in the binders he's referring to so I could follow along.

The Chair: That's fine.

She's asking for a point of clarification.

Do you have that information, Mr. Casey?

Mr. Sean Casey: It's page 60.

Ms. Roxanne James: Thank you.

The Chair: Thank you very kindly.

If you have a response, that's fine. If not, we just don't have a response. We have to have an indication.

Ms. Kathy Thompson: Mr. Chairman, I don't have a response at this time.

The Chair: That's fine. Thank you very much.

Mr. Casey.

Mr. Sean Casey: We asked the Library of Parliament to do a little bit of research on whether cabinets in other western democracies had the power to override firearms classification principles. We were told that a review of firearms legislation in several selected countries, including the United States, Australia, and the U.K., did not reveal any jurisdictions in which a cabinet, a government department, or even the police would have the authority to override the firearms classification principles set out in the legislation.

Can you point to any jurisdiction where this power that is now being given to cabinet exists? Or, is there any example of best practices that Canada is relying on to take this measure?

Ms. Julie Besner: I'm not aware of international comparisons. The Library of Parliament conducted that research, so it is probably your best source. All I can point to is that explicit authority is being provided in this bill. That's the proposal there.

Mr. Sean Casey: And that makes us unique among western democracies in giving such powers to cabinet.

Ms. Julie Besner: I can't speak to whether it's unique, but it is explicitly provided for in the bill.

Mr. Sean Casey: The bill will allow for the transport of a firearm across pretty vast distances given that it sets out the ability to transport a firearm within provincial borders. For example, someone could lawfully transport a firearm from, say, Cornwall, Ontario, to Thunder Bay.

Would you agree with me that during a trip of that length, it wouldn't be inconceivable that the firearm would be left unattended for periods of time?

Ms. Kathy Thompson: Thank you, Mr. Chairman.

Whether under the current authorization to transport regime or the one proposed in Bill C-42, it would be possible to obtain an authorization to travel that length of trip, either now separately or as part of your licence requirements. There is a requirement in legislation that you have to take the most direct route, and there are transportation requirements and storage requirements that apply, and the minister alluded to them earlier in terms of carrying the firearm.

It must be unloaded; it must be in an opaque, locked container; it must have a trigger lock on it. If you're going to leave the firearm unattended, as you suggest might be possible, then it has to be in the trunk, and if it's a kind of vehicle that doesn't have a trunk, like a pickup truck for example, it can't be visible. It must not be visible to anyone who's walking by the vehicle. So what you suggest is possible, but there are transportation and storage requirements that

apply, and there is that requirement to take the most direct route, so I would suggest that, if you are stopping somewhere that is not part of what's been authorized, you could be in some difficulty.

• (1000)

The Chair: Thank you very much, Mr. Casey. Your time is up.

Mr. Rousseau.

[*Translation*]

You have five minutes.

Mr. Jean Rousseau (Compton—Stanstead, NDP): Thank you very much.

My first question is for Mr. Murdock.

Let's talk about the sharing of information. If there is a situation where police forces have to intervene, what will facilitate information-sharing? They need to know what type of firearm is involved or who might have firearms in their possession.

We know that information-sharing in such situations is extremely important. It has to be quick and fairly precise. What is in the bill that could facilitate exchanging information in emergencies? We even went through that during the October 22 tragedy. Indeed, the sharing of information among the various police forces was quite difficult. What does this bill contain that could facilitate information-sharing in a situation where several police services might intervene when there is an incident?

[*English*]

Mr. Lyndon Murdock (Director, Firearms and Operational Policing Policy, Department of Public Safety and Emergency Preparedness): Thank you, Mr. Chairman, for your question.

Ms. Roxanne James: Sorry to interrupt, but I have a point of order.

I'm not sure how this question relates to the bill that's before us. When the minister talked about the sharing of information, it was with regards to border security and getting a handle on illegal guns coming into the country. I'm not sure whether you're asking questions about that or whether you're just asking a general question about what occurs today. So I just didn't—

The Chair: I'll just ask Mr. Rousseau. Point made.

We'll just ask for some clarification on your perspective, sir.

[*Translation*]

Mr. Jean Rousseau: For instance, in my riding, there are border crossings. The RCMP, the Sûreté du Québec and the Canada Border Services Agency may intervene if there is an incident close to the border. How would they go about exchanging information if they had to intervene and a belligerent person had a firearm in his possession? How do we know if that man owns a gun permit?

[*English*]

The Chair: That's a valid question. Please feel free to respond, Mr. Murdock.

Mr. Lyndon Murdock: Thank you, Mr. Chairman, for the question.

I would speak to two points with respect to your question. First, as part of the requirements for individuals having a firearms licence, they are subject, as the minister mentioned earlier in his comments, to continuous eligibility screening. So any police-reported information that is included in the Canadian Police Information Centre, otherwise known as CPIC, is brought to the attention of the chief firearms officer. With respect to day-to-day interventions, any police-reported behaviour is automatically brought to the chief firearms officer's attention for any appropriate action as the chief firearms officer deems necessary.

With respect to the information-sharing provision within Bill C-42, right now at the border when restricted, prohibited firearms are being imported by a business, it has nothing to do with individuals. When these types of firearms are being imported by a business, information is provided to the customs agent to ensure that the business is properly licensed and that the customs package invoice, that sort of basic information regarding the number of firearms, is provided to CBSA. That information is not provided to the RCMP. The provision in C-42 will essentially ensure that information that is provided to CBSA is provided to the RCMP so they can ensure that those firearms that do need to be registered can in fact be done so.

• (1005)

[Translation]

Mr. Jean Rousseau: Thank you.

There are seven border crossings in my area. Three or four of them are much busier during hunting season. Some people go to the Vermont mountains, others go the mountains on the Quebec side, and others head to our area, to Quebec. However, it seems that it is easier to cross from one side rather than the other.

How can Bill C-42 assure citizens that illegal firearms will not cross borders when border posts are busier, especially during hunting season?

Ms. Kathy Thompson: I am to go back to a point Mr. Murdock made earlier. The information that must be shared with the RCMP must be shared before firearms are imported.

Mr. Jean Rousseau: I am talking about a situation where hunters, citizens, cross borders in one direction or the other. We are talking about the really busy times. We are not talking about imports.

Ms. Kathy Thompson: I apologize; you are correct. This situation is completely different. We were talking about imports by business earlier.

During peak periods the transport advantages will be related to the permits. These will not be two different documents, and it will all be very clear and visible. The permit, the transportation permit and what people have the right to do will all be indicated on a single document. I think it will be a little simpler.

Mr. Jean Rousseau: Thank you.

The Chair: Thank you very much.

[English]

Now, Mr. Hayes, you have five minutes please, sir.

Mr. Bryan Hayes: Thank you, Mr. Chair.

I want to step back to the background check information. I understand that when an individual applies for a licence, there's a significant background check. Is that check that's done at the end of that five years as significant as when the individual first applied for the licence?

Secondly, during the time that person owns that licence over the five-year period, what is done in terms of continuous screening? If an individual were to commit an offence during that five-year period, how would you pick up on that?

Mr. Lyndon Murdock: With respect to your question about the robust nature of the check at renewal at the end of the five-year period, the way that the licensing system works, as Ms. Thompson had indicated, is that there's a very significant focus and thorough check at initial licensing, when the applicant is originally applying for the licence.

Then we had talked briefly about the continuous eligibility screening. That is, as was alluded to earlier, on a daily basis any police-reported interaction will automatically be brought to the attention of the chief firearms officer for all firearms licensees.

Given that they are subject to ongoing screening on a daily basis, at the time of renewal, assuming there are no flags and the application is adequately completed, there's not as extensive an examination or check. It's generally renewed unless there are flags.

Mr. Bryan Hayes: During the course of that five-year period, what is the process for revoking a licence if during that five-year period the check determined that something was out of line with this individual? How quickly is a licence revoked, and what's the process for that happening?

Mr. Lyndon Murdock: If information is brought to the chief firearms officer, for example of violence or mental health issues associated with violence, then the chief firearms officer can revoke the firearms licence. At that time information is passed to law enforcement for appropriate action.

Mr. Bryan Hayes: So it's immediate then?

Mr. Lyndon Murdock: That's correct.

Mr. Bryan Hayes: I want to step back a little bit to the training. Who's qualified to deliver this classroom training? This is a multiple question. Where do they get the qualifications? To me it seems like there might be a business opportunity here for somebody to become qualified. How does one become qualified? How do you ensure that all the trainers do have the appropriate qualifications? What procedures are in place to vet that?

• (1010)

Ms. Kathy Thompson: Thank you.

Mr. Chairman, the curriculum is developed by the RCMP, working closely with provinces and territories and hunter educators. It's a very rigorous course. It's a standard curriculum across the country that can be tailored depending on regional requirements, and it's delivered in each region, province or territory, by instructors who are certified by the chief firearms officer in each of those provinces and territories. You must be a certified instructor in order to deliver the course.

Mr. Bryan Hayes: How many licences are issued each year?

Ms. Kathy Thompson: There are—

Mr. Bryan Hayes: I'm just curious.

Again, I have my business mind going here.

Mr. Lyndon Murdock: This is an approximation, but in terms of both new licensees and renewals, you're looking at probably about 280,000.

Mr. Bryan Hayes: How much would it cost for the course? You mentioned it earlier.

Ms. Kathy Thompson: It's up to \$300 for the basic course. If you are applying to acquire a restricted licence, you also need to take the restricted course.

In total for those two courses, it can be up to \$300. It generally varies from \$80 to \$120 per province or territory.

Mr. Bryan Hayes: With respect to the authorization to transport, when it's applied for and granted, who is in possession of that information?

I'm getting mixed messages. The opposition seems to think that the information is accessible to police, but my understanding from speaking to front-line officers is that it's not. That information is not logged into CPIC or CFRO or any other police database, but rather remains with the chief firearms officer for that province.

Is that correct?

Mr. Lyndon Murdock: Thank you, Mr. Chair, for the question.

With respect to how it works currently, that information is not available to law enforcement. The authorization to transport is a separate paper document that an individual is required to carry with them.

Under Bill C-42, that information will be automated. It will be attached as a condition to the licence. That information will be in the Canadian firearms information system, CFIS, and by extension available to law enforcement.

The Chair: Thank you very much, Mr. Hayes.

Madame Michaud.

[*Translation*]

Ms. Éloise Michaud (Portneuf—Jacques-Cartier, NDP): I thank the witnesses for appearing before the committee today.

I apologize in advance if I do not discuss some of the topics which were raised. Unfortunately I have not had the pleasure of hearing all of the interventions made by my colleagues.

My first question concerns the consultation process led by the Minister upstream from the tabling of the bill. You mentioned that the minister had held consultations. Could you give us further details on how the participants were chosen? Who was consulted exactly? I am curious to know how these people were selected.

Ms. Kathy Thompson: This morning the minister briefly spoke about the consultation process and the round tables he took part in. He said that he had participated in round tables with law enforcement organization representatives, representatives of aboriginal communities and other concerned Canadian citizens. There is also a citizens' committee that advises him on firearms.

Ms. Éloise Michaud: In fact, I am less curious about the composition. I would prefer to find out how the citizens concerned were chosen.

Ms. Kathy Thompson: Unfortunately I do not have that information in hand. So I cannot tell you how people were chosen.

Ms. Éloise Michaud: That is a great pity.

I will move on to another topic. Some people have expressed concern about the provision in the bill that restricts the powers of provincial chief firearms officers. In particular, certain members of the Quebec legislature, among them the premier, made recommendations. The same is true of firearms control organizations.

I would like to hear more detail on the type of limits that will be included in Bill C-42. To what extent do the changes in the bill threaten to change the role of chief firearms officers in the provinces and territories?

● (1015)

Ms. Kathy Thompson: Bill C-42 does not contain any provision to limit the power of chief firearms officers. The bill simply entitles the Government of Canada to limit those powers through regulation, if need be. That is all. The government is giving itself the power to ensure that the national program will continue to be a national program. If need be it can bring in regulations. However, no such measure is currently included in the bill.

Ms. Éloise Michaud: If I understand correctly, these changes would be made at the discretion of the minister.

Ms. Kathy Thompson: Yes, because there would be a regulation. A request would have to be prepared for the government.

Ms. Éloise Michaud: Fine.

You tell me that the purpose is to ensure that there is uniformity throughout the country. There is a risk in limiting the discretionary power the chief firearms officers need in order to deal with provincial differences. I live in a rural region where there are certain specificities, and the same can be said about the North to a large extent. I wonder what the impact of this provision could be on the discretionary power the provincial chief firearms officers need.

Ms. Kathy Thompson: As I already mentioned, there is nothing in the bill in that regard. This is simply a power the government is giving itself to ensure that there will be a certain uniformity, if it needs that power. The federal government recognizes that for the firearms officers there are variations among the regions, and that is part of the program. The purpose is not to limit the discretionary power of chief firearms officers, but simply to be able to, if need be, ensure the uniform application of some measures. There is nothing in the bill in that regard for the moment. And so it is difficult for me to comment on how the chief firearms officers' power could be affected.

Ms. Éloise Michaud: Before making a change, is there an obligation to consult provincial or other governments?

Ms. Kathy Thompson: Yes, because the change would be preceded by a request and regulations, which would then be posted for consultation and comments for a certain period of time, sometimes 30 days.

[English]

The Chair: Mr. Leef, for five minutes, please.

Mr. Ryan Leef: Thank you, Mr. Chair.

To the officials, thank you for your attendance and participation today.

We hear a bit of misinformation in the House, and then we see it a bit here in committee. It's not really a surprise, because when I look to the opposition, very few of them are gun owners or actually understand the activity of hunting.

A piece of this came out again today. The term "firearm" is being used interchangeably now across all classifications of firearms. Indeed, there are prohibited, restricted, and non-restricted firearms. When we hear questions pertaining to ATTs, and the transport of restricted firearms for the purpose of hunting, particularly from American citizens entering this country, or even presenting yourself to a point of entry, in fact the provinces in this country don't allow hunting with restricted weapons. That's a provincial regulation. But it's an important distinction, because if we're asking questions around American hunters arriving at a point of entry to Canada and wanting to enter our country with firearms, they are by and large doing that with non-restricted weapons for the purpose of hunting, at which point they have always received, and will continue to, a permit designating for what purpose and what time length they can enter our country.

Has any of that changed?

Mr. Lyndon Murdock: Thank you for the question.

No. Nothing is changing, as a result of Bill C-42, with respect to the process that you've just accurately alluded to.

Mr. Ryan Leef: I'm going to talk about restricted firearms in a minute. I'm glad we were able to clarify that piece and a few other things. I was particularly pleased that we were able to clarify for Mr. Casey that the Interpretation Act, in section 35 and subsection 8(1), clearly defines what a province is, including the territories, and that we're clearly aligning ourselves with the whole of Canada and not parts thereof in this legislation.

I'll clarify one more thing for him as well. Perhaps it was because of the decision of his Liberal colleague in the Yukon that I am sitting in this House, because he committed to voting to get rid of long-gun registry and didn't do that. Of course, the Yukon remembers that commitment and that failure to retain that promise. They will also remember exactly what the Liberals are doing right now by fundraising and telling Canadians, through fearmongering advertisements, that this legislation will make it easier for Canadians to buy automatic firearms.

I will ask you a very pointed question: does any specific provision in this bill make automatic firearms more easily available to Canadians?

•(1020)

Ms. Kathy Thompson: No.

Mr. Ryan Leef: Thank you.

Yet we see advertisements about restricted firearms by the Liberal Party to try to garner funds across this country by suggesting that

Canadians will have unfettered access to be able to purchase restricted and prohibited weapons, take them to shopping malls, take them to grocery stores, and take them to sports arenas. I think it's unfortunate that's continuing now. I thank you for that point of clarification.

Moving on to some more interesting things that some of the members in the opposition are saying, I see that the Toronto MP Adam Vaughan said there's no hunting being done in Toronto. He makes some remarks about having big racoons in Toronto, but says that the ATT is going to make it a lot easier to move firearms all around the city of Toronto wherever and however they want. I know you've spoken to it again, but I think it's important for the record. Can you clarify, will Bill C-42 allow anybody to travel wherever and whenever they want with a restricted firearm in their vehicle in the community of Toronto?

Ms. Kathy Thompson: No. The ATT will be attached to conditions of a licence and it's simply going to streamline that process. I'll mention the two purposes for acquiring a firearm, one is for a gun collection and is very specific, and the other purpose is for use at a shooting range.

Today the amendment that is being considered, as part of Bill C-42, is a condition on the licence that, if approved, would allow a licensee to transport a restricted or prohibited firearm to very specific destinations, including going to and from a shooting range, to your own residence, to a gunsmith, to a gun show, to a Canadian port of entry as we discussed earlier, and to a peace officer or a chief firearms officer, either for verification, registration, or for disposal.

The Chair: Very briefly, Mr. Leef.

Mr. Ryan Leef: How much time do I have left, Mr. Chair?

The Chair: You have about a half a minute.

Mr. Ryan Leef: I don't have a lot of time. I want to thank you for those points of clarification. I hope as we move forward that both the NDP and the Liberals will be more genuine in their commentary on this bill based on the clarifications and information you've provided. I think Canadians deserve an honest discussion about this piece of legislation. They don't deserve to have the fearmongering tactics that have been so widely distributed by the Liberal Party. Certainly, I hope that the Liberals don't continue this misleading brand of fundraising activities they have been doing.

Thank you for your time.

The Chair: Thank you very much, Mr. Leef.

We will now go to Madame Doré Lefebvre.

[Translation]

Ms. Rosane Doré Lefebvre: Thank you very much, Mr. Chair. That is very kind.

A lot of topics were covered in the questions asked by my colleagues. I think that we all have a slightly different vision of how the population in general should be protected. I detest bringing in dichotomy here. In my opinion, we should include everyone in the consultation process on firearms safety and we should try to not make it a political issue.

I find it a bit sad that the debate addressed a firearms registry that no longer exists, and in my opinion, we should really concentrate on the provisions of the Firearms Act. I think parliamentarians should be very cautious about any eventual amendments to the Firearms Act, and their priority objective should be improving the safety of the public in general. Unfortunately, certain provisions of the bill do not necessarily meet that criterion. Consequently, I have a little trouble getting perspective on all of this.

I would like to broach in more detail an issue that was raised here by several of my colleagues as well as by the Minister of Public Safety in his presentation. That concerns the illegal arms traffic. I did not quite understand everything that was said. In my opinion, the details were not sufficient to allow us to understand that situation well.

The minister talked about the elimination of red tape in connection with firearms and of the fact that this will help to counter the illegal arms traffic. I find it hard to understand how the fact of eliminating red tape will help to diminish firearms traffic.

Mr. Murdock, could you enlighten me on that?

• (1025)

[English]

Mr. Lyndon Murdock: Bill C-42 would provide an explicit authority for the CBSA to share the information that it has with the RCMP's Canadian firearms program. If I may, to provide a little bit of clarity, I'll walk through the system as it exists now, and how it would be under Bill C-42. Just to be clear, this deals only with businesses and businesses that are importing restricted and prohibited firearms.

Right now, businesses importing restricted prohibited firearms have to provide information to the customs officer at the port of entry. That information includes information regarding their licence and it also includes some brief description regarding the firearms that

are being brought in. There is a requirement in law that restricted and prohibited firearms be registered. They don't have to be registered at the time of importation. Businesses have a period of approximately 30 days following importation, during which they can register their firearms.

There was a study conducted in the province of British Columbia, in 2008, I believe, which looked over a two-year period at a phenomenon whereby firearms being imported by businesses—again restricted prohibited firearms—were being diverted to the illicit market because the RCMP had no ability to ensure that what was presented at the time of importation, for example, 100 firearms, was actually registered at a later period of time. The RCMP could not then ensure that what had been being brought in was actually registered and meeting the legal requirements.

With Bill C-42 there will be a new form created, an RCMP form that has to be provided by the importer to the RCMP registrar in advance. It will list specific information regarding the firearms being brought in. When the businesses are importing, they will also have to provide a copy of that form, previously provided to the RCMP, to the customs officer. The officer will be able to look at and identify possible discrepancies between information provided to the RCMP and the CBSA at the time of importation. If there is possible diversion, law enforcement will be notified, and CBSA will have the authority to provide that information to the RCMP for appropriate follow-up as required.

The Chair: Thank you very much.

Madame Doré Lefebvre, your time is now complete.

On behalf of the entire committee, I would like to thank our witnesses here today: Ms. Besner, Ms. Thompson, and Mr. Murdock. Thank you for your attendance.

The meeting is adjourned.

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