



Ottawa, July 17, 2002

MEMORANDUM D19-13-2

**IMPORTING AND EXPORTING
FIREARMS, WEAPONS, AND DEVICES
CUSTOMS TARIFF, CRIMINAL CODE,
FIREARMS ACT, AND EXPORT AND
IMPORT PERMITS ACT**

The Canada Customs and Revenue Agency (CCRA) is responsible for administering tariff item 9898.00.00 of the *Customs Tariff*, which prohibits importing certain firearms and other weapons and devices into Canada. This Memorandum outlines how tariff item 9898.00.00 of the *Customs Tariff*, and the *Criminal Code*, *Firearms Act*, and *Export and Import Permits Act*, relate to importing and exporting firearms and other weapons and devices.

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Legislation

Customs Tariff

1. Tariff item 9898.00.00 of the *Customs Tariff* is administered based on the definition of “firearms and other weapons” in the *Firearms Act* and the *Criminal Code*. In the tariff item, “firearms, prohibited weapons, restricted weapons, prohibited devices, prohibited ammunition and components or parts designed exclusively for use in the manufacture of or assembly into automatic firearms” are

referred to as prohibited goods. The tariff item also lists the situations in which certain firearms and weapons can be imported, as long as the provisions of the *Criminal Code* are met.

2. Tariff item 9898.00.00 of the *Customs Tariff* prohibits importing firearms, prohibited weapons, restricted weapons, prohibited devices, prohibited ammunition, and components or parts designed exclusively for use in manufacturing or assembling automatic firearms, except for:

(a) prohibited goods imported by:

(i) a public officer in the course of the public officer’s duties or employment, or

(ii) an individual on behalf of and under the authority of a police force, the Canadian Forces, a visiting force or a department of the Government of Canada or of a province;

(b) prohibited goods imported by a business that holds a licence authorizing it to acquire and possess those goods, or prohibited goods that are being shipped in transit through Canada by a business that does not carry on business in Canada;

(c) prohibited goods, or any class of prohibited goods, that, under regulations made by the Governor in Council, are exempted from the provisions of this tariff item;

(d) any weapon that, under subsection 84(3) of the *Criminal Code*, is deemed not to be a firearm;

(e) any firearm, other than a restricted firearm or a prohibited firearm, imported by

(i) a non-resident who meets the requirements of section 35 of the *Firearms Act* or who holds a license to acquire and possess that kind of firearm,

(ii) an individual who holds a licence to acquire and possess that kind of firearm, who is a resident of Canada and who acquired the firearm outside Canada, or

(iii) an individual who is a resident of Canada and who did not acquire the firearm outside Canada;

(f) any restricted firearm imported by

(i) a non-resident who meets the requirements of section 35 of the *Firearms Act* or who holds a licence to acquire and possess that kind of firearm and an authorization to transport,

(ii) an individual who holds a licence to acquire and possess that kind of firearm and an authorization to transport, who is a resident of Canada and who acquired the firearm outside Canada, or

(iii) an individual who is a resident of Canada who holds an authorization to transport and who did not acquire the firearm outside Canada;

(g) any prohibited firearm, imported by an individual who is a resident of Canada, who holds an authorization to transport and who did not acquire the firearm outside Canada;

(h) arms, ammunition, implements or munitions of war, army, naval or air stores and any articles deemed capable of being converted into any such things or made useful in the production of any such things, imported with a permit issued under section 8 of the *Export and Import Permits Act*;

(i) arms, military stores, munitions of war and other goods eligible for entry under tariff item No. 9810.00.00 or 9811.00.00; and

(j) arms, military stores, munitions of war, or classes thereof, that under regulations made by the Governor in Council, are exempted from the provisions of this tariff item.

Criminal Code

3. According to the definition in the *Criminal Code*, a weapon is any thing used, designed to be used or intended for use

(a) in causing death or injury to any person, or

(b) for the purpose of threatening or intimidating any person.

Firearms are considered weapons.

4. A firearm means a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm.

5. The following weapons are deemed not to be firearms:

(a) any antique firearm;

(b) any device that is

(i) designed exclusively for signalling, for notifying of distress, for firing blank cartridges or for firing stud cartridges, explosive-driven rivets, or other industrial projectiles, and

(ii) intended by the person in possession of it to be used exclusively for the purpose for which it is designed;

(c) any shooting device that is

(i) designed exclusively for the slaughtering of domestic animals, the tranquilizing of animals or the discharging of projectiles with lines attached to them, and

(ii) intended by the person in possession of it to be used exclusively for the purpose for which it is designed; and

(d) any other barrelled weapon, where it is proved that the weapon is not designed or adapted to discharge

(i) a shot, bullet or other projectile at a muzzle velocity exceeding 152.4 m per second; or

(ii) a shot, bullet or other projectile that is designed or adapted to attain a velocity exceeding 152.4 m per second.

Firearms Act

35. (1) A non-resident who does not hold a licence may import a firearm that is not a prohibited firearm if, at the time of the importation,

(a) the non-resident

(i) is eighteen years old or older,

(ii) declares the firearm to a customs officer in the prescribed manner and, in the case of a declaration in writing, completes the prescribed form containing the prescribed information, and

(iii) in the case of a restricted firearm, produces an authorization to transport the restricted firearm; and

(b) a customs officer confirms in the prescribed manner the declaration referred to in subparagraph (a)(ii) and the authorization to transport referred to in subparagraph (a)(iii).

36. (1) A declaration that is confirmed under paragraph 35(1)(b) has the same effect after the importation of the firearm as a licence authorizing the non-resident to possess only that firearm and as a registration certificate for the firearm until the expiration of sixty days after the importation or, in the case of a restricted firearm, until the earlier of

(a) the expiration of those sixty days, and

(b) the expiration of the authorization to transport.

(2) A chief firearms officer may renew the confirmation of a declaration for one or more period of sixty days.

Export and Import Permit Act

Import of Arms Permit – General Import Permit No. 60

2. Arms, ammunition, and implements or munitions of war, as set out in items 70 to 73 of the *Import Control List*, may be imported into Canada under the authority of this General Import Permit on behalf of Her Majesty the Queen in right of Canada by

(a) the Minister of National Defence, the Minister of Public Works and Government Services or the Solicitor General of Canada; or

(b) the Canadian Commercial Corporation when importing those goods on behalf of the persons referred to in paragraph (a).

GUIDELINES AND GENERAL INFORMATION

DEFINITIONS

1. Use the following definitions when applying this Memorandum:

Ammunition – a cartridge containing a projectile designed to be discharged from a firearm—this includes a caseless cartridge and a shot shell (*Criminal Code*, Part III, Section 84).

Antique firearm – any firearm manufactured before 1898 that was not designed to discharge rim-fire or centre-fire ammunition and that has not been redesigned to discharge such ammunition, or any firearm that is prescribed to be an antique firearm (*Criminal Code*, Part III, Section 84).

Approved verifier – has the same meaning as in the *Conditions of Transferring Firearms and Other Weapons Regulations; Special Authority to Possess Regulations*, (*Firearms Act*), March 1998, page 21—an individual who is designated by the Registrar under section 2 of the Regulations to verify information under paragraph 3(1)(c) or (d) of the Regulations.

Authorization – an authorization issued under the *Firearms Act* (*Criminal Code*, Part III, Section 84).

Authorization to carry – an authorization described in section 20 of the *Firearms Act*, which allows an individual to keep a firearm on his or her person. This authorization permits individuals to carry restricted firearms to protect life or for occupational purposes (*Firearms Act*, Section 2).

Authorization to transport – an authorization described in section 18 or 19 of the *Firearms Act*. An authorization to transport effectively controls an

individual's use of a restricted or prohibited firearm. An individual is allowed to move a particular firearm from the place where it must ordinarily be kept to another place as stipulated on the authorization to transport. Permits to convey, transport, and carry, which were issued under former provisions of the *Criminal Code*, are valid until they expire.

Automatic firearm – a firearm that is capable of discharging projectiles in rapid succession during one pressure of the trigger or assembled or designed and manufactured with this capability.

Barrel length – For a revolver, it is the distance from the muzzle of the barrel to the breech end immediately in front of the cylinder, and in any other case, barrel length means the distance from the muzzle of the barrel to and including the chamber, but not including the length of any component, part, or accessory, including those designed or intended to suppress the muzzle flash or reduce recoil [*Criminal Code*, Part III, Subsection 84(2)].

Business – a person who carries on a business that includes the manufacture, assembly, possession, purchase, sale, importation, exportation, display, repair, restoration, maintenance, storage, alteration, taking in pawn, transportation, shipping, distribution, or delivery of firearms, prohibited weapons, restricted weapons, prohibited devices, or prohibited ammunition, the possession, purchase, or sale of ammunition, or the purchase of crossbows. A museum is considered a business.

Business firearms licence – a licence to carry on a business as described above. This licence is issued by either a Chief Firearms Officer or a firearms officer of the province where the business is or is to be carried on. Only a Chief Firearms Officer may issue a business licence for prohibited firearms, devices, weapons, and ammunition. The licence remains in force until one year after the day on which it was issued or the period it is expressed to be issued, unless it is revoked before that expiration.

Canadian Firearms Registry – the registry established by the Registrar under section 83 of the *Firearms Act*.

Carrier firearms licence – a licence to transport firearms, prohibited weapons, restricted weapons, prohibited devices, ammunition, or prohibited ammunition issued by a Chief Firearms Officer or by the local registrar of firearms.

Chief Firearms Officer – an individual who is designated in writing:

(a) as a firearms officer for a province by its provincial minister;

(b) as a firearms officer for a territory by the federal Minister; or

(c) in any other situation, as a firearms officer by the federal Minister (see Appendix E).

Commencement day – as it relates to the *Firearms Act* or the expression “former Act” in the *Firearms Act*, is the day on which the provision comes into force.

Commissioner – the Commissioner of the Royal Canadian Mounted Police.

Crossbow – a device with a bow and a bowstring mounted on a stock that is designed to propel an arrow, bolt, quarrel, or any similar projectile on a trajectory guided by a barrel or groove and that is capable of causing serious bodily injury or death to a person.

Deactivated firearm – a firearm that has been rendered inoperable by removing parts or portions of parts and adding pins and welds so that the firearm can no longer chamber or fire ammunition. A properly deactivated firearm is not considered a firearm because it does not and will not discharge any shot, bullet, or other projectile (Section 2, *Criminal Code*).

Firearm – a barrelled weapon from which any shot, bullet, or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm. Note that a firearm that is temporarily disabled remains a firearm.

Firearms Acquisition Certificate (FAC) – a firearms acquisition certificate issued by a firearms officer under former provisions of the *Criminal Code*. A firearms acquisition certificate may be deemed a licence as per section 120 of the *Firearms Act*. An FAC that is deemed a licence allows the holder to possess and acquire any firearm other than a prohibited firearm on or after the commencement day and before the FAC expires or is revoked.

Former resident – non-residents who at one time made Canada the place where, in the settled routine of their lives, they regularly, normally, or customarily lived and who, after being absent from Canada of at least one year, return to Canada to resume residency. Temporary residents are not considered former residents.

Genuine gun collector – an individual who:

(a) possesses or seeks to acquire one or more restricted weapons that are related or distinguished by historical, technological, or scientific characteristics;

(b) has knowledge of those characteristics;

(c) consents to periodic inspection, conducted in a reasonable manner and according to the regulations, of the premises in which the restricted weapons are to be kept; and

(d) complies with the regulations respecting the knowledge, secure storage, and record-keeping of the restricted weapons.

Grandfathering – is a term used to describe legislative provisions that assign special status based on property or other interests that exist at the time a legal change takes effect.

Handgun – a firearm that is designed, altered, or intended to be aimed and fired by the action of one hand, whether or not it has been redesigned or subsequently altered to be aimed and fired by the action of both hands.

Imitation firearm – anything that imitates a firearm and includes a replica firearm.

Import – import into Canada and includes importing goods into Canada that are shipped in transit through Canada and exported from Canada.

Licence – a licence issued under the *Firearms Act*.

Local registrar of firearms – any person appointed by the Commissioner as the Registrar of Firearms.

Magazine – any device or container from which ammunition may be fed into the firing chamber of a firearm.

Minor’s possession licence – a licence issued to an individual who is less than 18 years old to possess non-restricted firearms. Minors are not allowed to acquire any firearms, nor are they allowed to possess restricted or prohibited firearms.

Non-resident – is interpreted for customs purposes to mean persons who, in the settled routine of their lives, regularly, normally, or customarily live in a country other than Canada. For purposes of the *Firearms Act*, non-residents include settlers, former residents, temporary residents, and seasonal residents.

Non-restricted firearm – a firearm that is neither a prohibited firearm nor a restricted firearm.

Possession and Acquisition Licence – a licence that permits an individual to possess and acquire a particular class of firearm.

Possession only licence – a licence that allows an individual to possess non-restricted, restricted, or prohibited firearms grandfathered under section 12 of the *Firearms Act*. The holder of this licence may not acquire new firearms. This licence was only available to individuals who applied before January 1, 2001.

Prohibited device:

- (a) any component or part of a weapon, or any accessory for use with a weapon that is prescribed to be a prohibited device;
- (b) a handgun barrel that is equal to or less than 105 mm (approximately 4.1 inches) in length, but does not include any such handgun barrel that is prescribed where the handgun barrel is used in international sporting competitions governed by the rules of the International Shooting Union;
- (c) a device or contrivance designed or intended to muffle or stop the sound or report of a firearm, e.g., silencers;
- (d) large-capacity cartridge magazines prescribed by regulation. Generally, cartridge magazines are limited to five rounds for centre-fire semi-automatic rifles or shotguns and ten rounds for semi-automatic handguns, with certain exemptions for rare and valuable magazines (see Appendix G); or
- (e) a replica firearm.

Prohibited firearm:

- (a) a handgun that:
 - (1) has a barrel equal to or less than 105 mm (approximately 4.1 inches) in length; or
 - (2) is designed or adapted to discharge a 25 or 32 calibre cartridge; but does not include any such handgun that is prescribed where the handgun is used in international sporting competitions governed by the rules of the International Shooting Union;
- (b) a firearm that is adapted from a rifle or shotgun, whether by sawing, cutting, or any other alteration, and that as so adapted:
 - (1) is less than 660 mm (approximately 25.74 inches) in length; or
 - (2) is 660 mm (approximately 25.74 inches) or more in length and has a barrel less than 457 mm (approximately 17.82 inches) in length;
- (c) an automatic firearm, whether or not it has been altered to discharge only one projectile with one pressure of the trigger; or
- (d) any firearm that is prescribed to be a prohibited firearm.

Prohibited weapon:

- (a) a knife that has a blade that opens automatically by gravity or centrifugal force or by hand pressure applied to a button, spring, or other device in or attached to the handle of the knife, e.g., switchblade and butterfly knives; or
- (b) any weapon, other than a firearm, that is prescribed to be a prohibited weapon.

Public agent:

- (a) any of the following persons in the course of their duties or for the purposes of their employment:
 - (1) peace officers;
 - (2) persons training to become police officers or peace officers under the control and supervision of a police force or a police academy or similar institution designated by the federal Minister or the lieutenant governor in council of a province;
 - (3) persons or members of a class of persons employed in the public service of Canada or by the government of a province or municipality who are prescribed by the regulations made by the Governor in Council under Part III of the *Criminal Code* to be public officers; and
 - (4) chief firearms officers and firearms officers; and
- (b) an individual acting on behalf of, and under the authority of, a police force or a department of the Government of Canada or of a province. Customs officers are considered "public agents."

Public officer – a member of any of the following classes of persons, if employed in the public service of Canada or by the government of a province or municipality:

- (a) employees who are responsible for the examination, inventory, storage, maintenance, or transportation of court exhibits and evidence;
- (b) employees of police forces or other public service agencies who are responsible for the acquisition, examination, inventory, storage, maintenance, or transportation of firearms, prohibited weapons, restricted weapons, prohibited devices, prohibited ammunition, or explosive substances;
- (c) technicians, laboratory analysts, and scientists who work at forensic or research laboratories;

(d) armourers and firearms instructors who work at police academies or similar institutions designated under subparagraph 117.07(2)(e)(ii) of the *Criminal Code*, or are employed by a federal or provincial department of natural resources, fisheries, wildlife, conservation, or the environment, or by the Canada Customs and Revenue Agency;

(e) park wardens and other employees of a federal or provincial department who are responsible for enforcing laws and regulations dealing with natural resources, fisheries, wildlife, conservation, or the environment;

(f) immigration officers;

(g) security personnel employed by the Security Service of the House of Commons or by the Senate Protective Service within the Parliamentary Precinct; and

(h) aircraft pilots employed by the Department of Transport or other public service agencies.

Public Service Agency – a police force, department, or agency of the public service of Canada, i.e., the Canada Customs and Revenue Agency, or government of a province or municipality, a police academy, or a public agency that employs or has under its authority public agents.

Relic – a firearm that is of value as a curiosity or rarity and any firearm that is valued as a memento, remembrance, or souvenir. These firearms must have been registered as relics under provisions of the former *Criminal Code*, before the implementation of Bill C-68, 1995.

Replica firearm – any device that is designed or intended to exactly resemble, or to resemble with near precision, a firearm, and that itself is not a firearm, but does not include any device that is designed or intended to exactly resemble, or to resemble with near precision, an antique firearm.

Resident – is interpreted for customs purposes to mean persons who, in the settled routine of their lives, regularly, normally, or customarily live in Canada.

Restricted firearm:

(a) a handgun that is not a prohibited firearm;

(b) a firearm that:

(1) is not a prohibited firearm;

(2) has a barrel less than 470 mm (approximately 18.33 inches) in length; and

(3) is capable of discharging centre-fire ammunition in a semi-automatic manner, e.g., semi-automatic pistols;

(c) a firearm that is designed or adapted to be fired when reduced to a length of less than 660 mm (approximately 25.74 inches) by folding, telescoping, or otherwise; or

(d) a firearm of any other kind that is prescribed to be a restricted firearm.

Secure locking device – a device that can only be opened or released by the use of an electronic, magnetic, or mechanical key, or by setting the device according to an alphanumeric combination, and that, when applied to a firearm, prevents that firearm from being discharged.

Semi-automatic – a firearm that is equipped with a mechanism that, following the discharge of a cartridge, automatically operates to complete any part of the reloading cycle necessary to prepare for the discharge of the next cartridge.

Unattended – in respect of a vehicle, that the vehicle is not under the direct and immediate supervision of a person who is 18 years of age or older or to whom a licence has been issued under the Act.

Visitors – those persons who enter Canada to tour or to move in transit through Canada to a destination outside Canada.

Weapon – anything used, designed to be used, or intended to be used in causing death or injury to any person, or to threaten or intimidate any person—firearms are considered weapons.

Note: Under the *Firearms Act*, seasonal resident, settler, and temporary residents are treated as non-resident. Therefore, they must complete Form JUS909, *Non-Resident Firearm Declaration*, when importing firearms into Canada. If they have a Canadian Firearms licence, they are treated as residents.

IDENTIFYING AND CLASSIFYING FIREARMS

2. When identifying and classifying non-restricted, restricted, or prohibited firearms under tariff item 9898.00.00, customs officers are encouraged to use the Firearms Reference Table (FRT). The FRT is an automated application on CD-ROM that provides descriptions and visual representations of a variety of firearms.

3. When a firearm cannot be identified or classified using the FRT, such as home-made firearms or extensively modified firearms, customs officers should consult with the Regional Firearms Liaison officer or the Regional Firearms Coordinator before detaining it.

WEAPONS NOT CONSIDERED TO BE FIREARMS

4. Under subsection 84(3) of the *Criminal Code*, the following weapons are deemed not to be firearms:

- (a) any antique firearm;
- (b) any device that is:
 - (1) designed exclusively for signalling, notifying of distress, firing blank cartridges, or firing stud cartridges, explosive-driven rivets, or other industrial projectiles; and
 - (2) intended by the person who possesses it to be used exclusively for the purpose for which it is designed;
- (c) any shooting device that is:
 - (1) designed exclusively for slaughtering domestic animals, tranquilizing animals, or discharging projectiles with lines attached to them; and
 - (2) intended by the person who possesses it to be used exclusively for the purpose for which it is designed; and
- (d) any other barrelled weapon, where it is proved that the weapon is not designed or adapted to discharge:
 - (1) a shot, bullet, or other projectile at a muzzle velocity exceeding 152.4 m (500 ft.) per second; or
 - (2) a shot, bullet, or other projectile that is designed or adapted to attain a velocity exceeding 152.4 m (500 ft.) per second.
- (e) Aerosol or similar dispensers that contain substances capable of repelling or subduing animals are not considered offensive weapons if:
 - (1) the label of the container indicates specifically that it is for use against animals; and
 - (2) the provisions of the *Pest Control Products Act* as outlined in Memorandum D19-1-1, *Food, Agricultural Commodities, Aquatic Commodities, and Agricultural Inputs*, are met.

5. Any of the weapons described above are exempt from the requirements under the *Firearms Act* and the *Criminal Code* for licences, registration, certificates, and authorizations if the individual or business that possesses the weapon intends to use it exclusively for the purpose for which it was designed. If this is the case, then paragraph (d) of tariff item 9898.00.00 applies, and the weapon may be classified elsewhere within the *Customs Tariff* and admitted into Canada.

DEACTIVATED FIREARMS

6. A properly deactivated firearm is not considered a firearm because it cannot fire a projectile and, therefore,

does not meet the definition of a firearm in section 2 of the *Criminal Code*.

7. See Appendix A for the policies and procedures for deactivated firearms, converted large-capacity magazines, and prohibited weapons.

DEACTIVATING BLOWGUNS

8. Blowguns may be deactivated when they are imported to avoid being considered prohibited. See Appendix A for the policy and procedures for deactivating blowguns.

REPLICA FIREARMS

9. A replica firearm is a prohibited device under both the *Firearms Act* and tariff item 9898.00.00 of the *Customs Tariff* and may not be imported by residents or non-residents.

10. Replica firearms may lawfully be imported into Canada only with a Firearm Business Licence issued by a Chief Firearms Officer that clearly states the named business may import prohibited devices, e.g., by the movie industry for use as props, and an import permit issued by the Department of Foreign Affairs and International Trade (DFAIT).

11. To determine whether a device is a replica firearm, it is first necessary to determine if it is a firearm.

12. To be a **replica firearm**, a device must meet **three** requirements:

- (a) it cannot be a firearm, meaning it does **not** discharge a projectile with sufficient energy to cause serious bodily injury or death to a person;
- (b) it must resemble an existing firearm with near precision in size, colour, appearance, and configuration; and
- (c) it cannot be designed or intended to exactly resemble, or to resemble with near precision, an antique firearm.

13. The following are examples of devices that could be considered replica firearms:

- (a) Generally, **toy or model guns and starter pistols** do not qualify to be considered as firearms; however, some toy or model guns and starter pistols may be designed with a very realistic mechanism or appearance (e.g., colour, size). For example, the action of a toy or model gun may cycle in a way similar to a real firearm, the cylinder of a model revolver may rotate, or the side of a model automatic pistol may move once the trigger is pulled. In these cases, they are considered replica firearms even if they are made of plastic, die-cast zinc, or other material.

(b) The term **air gun** is a colloquial term referring to BB or pellet guns. Such guns operate either as spring-powered, gas-powered, or electrically powered. Virtually, all air guns are firearms, as they meet the definition of a firearm in section 2 of the *Criminal Code*. When the muzzle velocity of an air gun exceeds 152.4 m per second (500 FPS), it is considered a firearm and must meet the licensing, registration, and transportation requirements of the *Firearms Act*.

(c) When the muzzle velocity of an air gun is less than 152.4 m per second (500 FPS), it is still considered to be a firearm, but is exempt from the licensing, registration, and transportation requirements of the *Firearms Act*. Such air guns are exempted only from certain provisions that can be found in section 84(3) of the *Criminal Code*.

Note: A firearm whether exempted or not by virtue of subsection 84(3) of the *Criminal Code*, cannot be a replica firearm since the definition of replica firearm is found in subsection 84(1) of the *Criminal Code*, and, thus is not one of the exempted sections.

Air Soft Guns

14. Most air soft guns are considered replica firearm as defined in subsection 84(1) of the *Criminal Code*. They are clearly designed not only to resemble a firearm with near precision but also to resemble a specific and readily identifiable make and model of firearm. Due to their strong resemblance to real firearms and their lack of capacity to cause serious bodily injury, air soft guns are replica firearms.

15. If you need more information on the capacity of a given device to inflict injury, its muzzle velocity, its resemblance to real firearms, or any other technical matters, detain the shipment and:

- (a) use the Firearms Reference Table;
- (b) consult regional firearms experts; or
- (c) send a sample of the device along with a letter explaining your request to:

Chief Scientist, Firearms
Central Forensic Laboratory
Royal Canadian Mounted Police
1200 Vanier Parkway
Ottawa ON K1G 3M8

IMPORTING AMMUNITION

16. Certain types of ammunition are considered prohibited ammunition by an Order in Council under the *Criminal Code* (see Former Prohibited Weapons Order No. 10 in Appendix G).

17. Section 148 of the *Explosives Regulations* made under the *Explosives Act* allows the following quantities of the specified explosives to be imported—if for private use and not for sale—without an Explosives Importation Permit issued by Natural Resources Canada. However, commercial importations of ammunition that are not prohibited by an Order in Council require an Explosives Importation Permit as well as a business licence. For more information on Explosives Importation Permit requirements, see Memorandum D19-6-1, *Explosives Act and Regulations*.

Explosives	Quantity
Safety Cartridges*	5,000
Percussion caps	5,000
Primers for safety cartridge cases	5,000
Empty primed safety cartridge cases	5,000
Gunpowder (black powder) in canisters of 500 g (1.10 pounds) or less and smokeless powder in canisters of 4,000 g (8.82 pounds) or less	8 kg or 17.66 pounds
Christmas crackers	any quantity
Model rocket engines	6
Pyrotechnic distress signals and lifesaving devices	any quantity necessary for the safe operation of the aircraft, vessel, train, or vehicle in which they are transported, or for the safety of the occupants

***Note:** Hollow point handgun ammunition restrictions have been dropped by Natural Resources Canada. Any person may now import hollow point handgun ammunition.

Notes:

1. Christmas crackers may be imported for private use or sale.
2. A single shipment may consist of safety cartridges, primers, gunpowder, etc., up to the quantities noted above.
3. As outlined in Memorandum D2-1-1, *Temporary Importation of Baggage and Conveyances by Non-Residents*, a visitor may temporarily import under tariff item 9803.00.00, duty- and tax-free, a limit of:

- (a) 200 rounds of ammunition; or
- (b) 1,500 rounds of ammunition for use at a meet under the auspices of a recognized Canadian shooting or rifle association.

18. The ammunition and projectiles listed below are defined as prohibited ammunition in subsection 84(1) of the *Criminal Code*:

- (a) any cartridge that is capable of being discharged from a commonly available semi-automatic handgun or revolver and that is manufactured or assembled with a projectile that is designed, manufactured, or altered so as to be capable of penetrating body armour composed of aramid fibre or similar fabric;
- (b) any projectile that is designed, manufactured, or altered to ignite on impact, where the projectile is designed for use in or in conjunction with a cartridge and does not exceed 15 mm in diameter;
- (c) any projectile that is designed, manufactured, or altered to explode on impact, where the projectile is designed for use in or in conjunction with a cartridge and does not exceed 15 mm in diameter; and
- (d) any cartridge that is capable of being discharged from a shotgun and that contains projectiles known as flechettes or any similar projectiles.

IMPORTING FIREARM PARTS

19. For all imports of firearm parts, the type of firearm that the parts are being imported for must be named on the invoice or the accounting document.

20. The frame and receiver of a firearm are considered firearms in their own right. As a result, the same permit requirements apply to importing a frame or receiver as they apply to importing firearms.

21. All components or parts designed exclusively for use in the manufacture of or assembly into an automatic firearm are considered to be prohibited goods for the purpose of tariff item 9898.00.00. The components and parts may be imported, but only under certain conditions (e.g., with a prohibited weapons licence).

22. Customs officers must first ensure that the components or parts in question are designed exclusively for use in the manufacture of, or assembly into, an automatic firearm. In some instances, the parts may be used on a firearm other than an automatic firearm, and may be released if all other requirements are met. Customs officers should make use of all available expertise to make this decision. The Regional Firearms Liaison Officer may be able to advise whether the person or business is entitled to import such items.

23. If the components or parts were declared, but still fall within tariff item 9898.00.00 because the correct authorizations, licences, or permits are not available, then the parts are prohibited from entering Canada.

IMPORTS BY BUSINESSES OF GOODS REGULATED UNDER THE *FIREARMS ACT*

General Rules

24. Businesses, including museums and corporations approved or designated under former provisions of the *Criminal Code*, have to comply with the following rules and regulations when they import firearms and other goods regulated under the *Firearms Act*:

- (a) A business has to obtain a licence that describes the activities it may conduct regarding different classes of firearms and other regulated items.
- (b) Until further notice, customs will also accept any valid permits to carry on a business issued under the former *Criminal Code*.
- (c) Museums that seek the release of Category 3 goods must present their business licence (or their firearms and ammunition business/museum permit).
- (d) A company importing or exporting Category 3 goods on its own behalf does not require a carrier licence, provided their business licence specifies this activity. For example, ABC Ltd., which uses its own transportation company (ABC Trucking) to import or export Category 3 goods, does not require a carrier licence to transport the goods in addition to its business licence, as long as its business licence specifies the transportation activity.
- (e) Commercial carriers that transport firearms, prohibited weapons, restricted weapons, prohibited devices, and prohibited ammunition must have the appropriate carrier licence for the class of goods (non-restricted, restricted, or prohibited) and the geographical location in which the goods are being transported (international, interprovincial, or intraprovincial).
- (f) A business licence or a carrier licence is not required for foreign-based companies that do not carry on business in Canada and that are moving Category 1 goods in transit through Canada on an in transit manifest.
- (g) Only non-restricted firearms that arrive at an International Mail Centre will be allowed to proceed into Canada by mail.

Museums

25. Museums approved by the Commissioner or the Attorney General of the province in which the museum is located under former subsection 105(1) of the *Criminal Code* are deemed to be holders of business licences under section 122 of the *Firearms Act*. These licensed museums may import firearms and other goods regulated under the *Firearms Act*.

26. Museums that seek release of firearms/weapons must present their business licence or their firearms and ammunition business/museum permit.

27. A shipment of firearms and goods that is regulated under the *Firearms Act* and imported by or on behalf of a museum may only be released by customs to an authorized employee of the museum or to a licensed carrier.

28. The authorized employee has to present a letter to customs that is signed by the director of the museum and that identifies the person as an employee of that particular museum.

Industries or Corporations Licensed to Import Prohibited Firearms, Prohibited Weapons, Prohibited Devices, and Prohibited Ammunition for a Prescribed Purpose

29. Individuals or companies who possess the appropriate business licences may import and/or export certain prohibited weapons, such as fully automatic firearms, parts, components, any weapon prohibited by an Order in Council, and large-capacity cartridge magazines for prescribed purposes under section 22 of the *Firearms Licences Regulations*. Designations made under former provisions of the *Criminal Code* are deemed licences if they remain in effect on the commencement date. These designations remain valid until December 1, 2000, when they expire or until any permits also held by that company under former provisions of paragraph 105(1)(b) expire, whichever occurs first. Imports and exports of this nature are controlled under the *Export and Import Permits Act*.

TRANSPORTATION OF FIREARMS/WEAPONS BY BUSINESSES

30. Sections 11 to 14 of the *Storage, Display and Transportation of Firearms and Other Weapons by Businesses Regulations* set out the following transportation requirements.

Transporting Restricted and Non-Restricted Firearms and Prohibited Handguns

31. A business may transport restricted and non-restricted firearms and prohibited handguns only if the firearm is unloaded and in a container made of an opaque material of such strength, construction, and nature that it cannot be readily broken open or into or accidentally opened during transportation.

32. If the restricted or non-restricted firearms or prohibited handguns are in an unattended vehicle that is equipped with a trunk or similar compartment that can be securely locked, the container has to be in that trunk or compartment that must be securely locked.

33. If the unattended vehicle in which the firearms have been left is not equipped with a trunk or similar compartment that can be securely locked, the vehicle must be securely locked and the container must not be visible from outside the vehicle.

Transporting Prohibited Firearms Other Than Prohibited Handguns

34. A business may transport a prohibited firearm, other than a prohibited handgun, only if it is unloaded and in a container:

(a) that is made of an opaque material of such strength, construction, and nature that it cannot be readily broken open or into or accidentally opened during transportation; and

(b) that is constructed and sealed so as to prevent it from being opened without breaking the seal or otherwise clearly indicating that it has been opened.

35. If it is an automatic firearm that has a bolt or bolt carrier that can be easily removed, the automatic firearm must be made inoperable by removing the bolt or bolt carrier. If the automatic firearm is being transported by a carrier, any employee of the business who accompanies the shipment must be able to communicate at all times during transportation by radio, cellular phone, or other communication device.

36. If the prohibited firearm, other than a prohibited handgun, is in an unattended vehicle that is equipped with a trunk or similar compartment that can be securely locked, the container must be in that trunk or compartment which must be securely locked. If the unattended vehicle is not equipped with a trunk or similar compartment that can be securely locked, the vehicle or the part of the vehicle that contains the container must be securely locked and the container must not be visible from outside the vehicle.

Transporting Restricted Weapons, Prohibited Weapons, Prohibited Devices, and Prohibited Ammunition

37. A business may transport a restricted weapon, prohibited weapon, prohibited device, or prohibited ammunition only if it is in a container:

(a) that is made of an opaque material and is of such strength, construction, and nature that it cannot be readily broken open or into or accidentally opened during transportation;

(b) that is constructed and sealed so as to prevent it from being opened without breaking the seal or otherwise clearly indicating that it has been opened; and

(c) that is marked with its contents when it is being imported or exported from Canada.

38. If the shipment is being transported by a carrier, any employee of the business who accompanies the shipment must be able to communicate at all times during transportation by radio, cellular phone, or other communication device.

39. If the restricted weapon, prohibited weapon, prohibited device, or prohibited ammunition is in an unattended vehicle that is equipped with a trunk or similar compartment that can be securely locked, the container must be in that trunk or compartment and the trunk or compartment must be securely locked. If the unattended vehicle is not equipped with a trunk or similar compartment that can be securely locked, the vehicle, or the part of the vehicle that contains the container, must be securely locked and the container must not be visible from outside the vehicle.

Shipping Firearms by Mail

40. A business may ship a firearm by mail only if the firearm is a non-restricted firearm and the destination is within Canada.

41. Shipments of firearms and/or weapons that do not comply with these regulations may be detained by customs.

IMPORTATION OF FIREARMS BY TRAVELLERS

Importing Non-Restricted Firearms (Long Guns)

Residents

42. Canadian residents who are at least 18 years of age may import non-restricted firearms they acquire from outside of Canada if they present a valid Firearms Acquisition Certificate (FAC) or Possession and Acquisition Licence (PAL). The original FAC or PAL must be presented—photocopies are not acceptable.

43. Form B15, *Casual Goods Accounting Document*, has to be completed for the firearm and must show the FAC or PAL number and provide a complete description of the firearm, including make, model, and serial number.

44. Canadian residents who reimport a previously exported non-restricted firearm are not required to produce an FAC or any form of licence issued under the *Firearms Act*. However, proof of purchase or export may be required.

Non-Residents

45. Non-residents who are at least 18 years of age may import non-restricted firearms into Canada. For purposes of the *Firearms Act*, the definition of a non-resident includes settlers, former residents, temporary residents, and seasonal residents.

46. Non-residents may import non-restricted firearms only for:

- (a) sporting or hunting during hunting season;

- (b) use in competitions;

- (c) repair;

- (d) enactments;

- (e) in transit movement, i.e., moving in the most direct route possible from Point A to Point B, through Canada; or

- (f) protection against wildlife in remote areas.

Note: The customs officer must be satisfied that the circumstances warrant the firearm being imported.

47. All non-residents who wish to temporarily import a non-restricted firearm into Canada must complete Form JUS909 and receive a confirmation number from a customs officer. The declaration is valid for 60 days from the date of issue and may be extended only by a Chief Firearms Officer.

48. Non-residents have to pay an annual confirmation fee when they import a non-restricted firearm. The fee is valid for one year from the date of payment and covers all firearms declared by the non-resident.

49. Non-residents with non-restricted firearms who are proceeding to a Canadian national park should be advised that many national parks do not allow firearms. The final decision concerning entry of the firearm into the national park will rest with the park warden.

Note: Non-residents under 18 years of age are not permitted to transfer their firearm to an older individual to ensure its importation.

IMPORTING RESTRICTED FIREARMS

Residents

50. To import a restricted firearm obtained outside of Canada, residents must present a valid authorization to transport and a Firearms Acquisition Certificate (FAC) or Possession and Acquisition Licence (PAL).

51. The original authorization to transport and FAC or PAL must be presented—photocopies are not acceptable. Authorizations to transport are not transferable.

52. Form B15 must show any FAC or PAL number and provide a complete description of the firearm, including make, model, and serial number.

53. Canadian residents who reimport a previously exported restricted firearm must present a valid authorization to transport.

Non-Residents

54. Non-residents need a valid authorization to transport to import restricted firearms into Canada. For purposes of the *Firearms Act*, the definition of a non-resident includes settlers, former residents, temporary residents, and seasonal residents.

55. An authorization to transport is issued by the Chief Firearms Officer of the province or territory to which the restricted firearm is being imported. The Chief Firearms Officer may attach any reasonable condition to the authorization that he or she considers appropriate in the particular situation.

56. All non-residents who wish to temporarily import a restricted firearm into Canada must also complete Form JUS909 and receive a confirmation number from a customs officer. The declaration is valid for 60 days or until the authorization to transport expires, whichever occurs first.

57. Non-residents have to pay an annual confirmation fee when they import a restricted firearm. The fee is valid for one year from the date of payment and covers all firearms declared by the non-resident.

58. Non-residents may become licensed individuals under the *Firearms Act*. In such cases, they will not have to complete Form JUS909 or pay the annual confirmation fee.

IMPORTING PROHIBITED FIREARMS, ANTIQUES, AND RELICS

Prohibited Firearms

59. Residents and non-residents are not allowed to import newly acquired prohibited firearms.

60. However, Canadian residents are allowed to reimport certain prohibited firearms if they meet certain requirements. The prohibited firearms must have been owned and registered under previous requirements of Part III of the *Criminal Code*. The prohibited firearms covered under the grandfathering provisions in section 12 of the *Firearms Act* are:

- (a) automatic firearms possessed on January 1, 1978;
- (b) converted automatic firearms possessed on August 1, 1992, and registered or applied to be registered by October 1, 1992;
- (c) firearms declared prohibited under former Prohibited Weapons Order No. 12, for example, Sterling MK6 Carbine, Mini-Uzi Carbine, M10, M11, and No. 13, for example, AK47, AK Hunter, AKM, AKM63; and

(d) handguns with a barrel equal to or less than 105 mm (approximately 4.1 inches) in length or designed or adapted to discharge a .25 or .32 calibre cartridge.

61. Canadian residents who wish to reimport their prohibited firearms must present an authorization to transport to customs.

Antiques

62. Antique firearms are deemed not to be firearms under the *Firearms Act*. However, they are subject to the transportation and storage requirements of the Act and its Regulations.

63. Individuals who wish to import antique firearms must provide proof of the antique status of the firearm. This proof should be in the form of a certificate of authenticity issued by an antique dealer.

Relics

64. A resident must possess an authorization to transport to reimport a relic.

CATEGORY 3 GOODS IMPORTED BY INDIVIDUALS WHOSE OCCUPATION MAY INVOLVE HANDLING FIREARMS (SEE APPENDIX H FOR A COMPLETE LIST)

65. Category 3 goods may be imported by authorized and on-duty public officers, public agents, members of Canadian police services, Canadian Forces personnel, and visiting forces personnel who possess the appropriate documentation.

66. If any of the above-mentioned public officers do not possess the necessary paperwork proving their status as public officers, they must be processed as individual residents or non-residents importing their personal firearms. Officers of visiting forces who cannot substantiate their status are treated as non-residents and, if they possess restricted or prohibited firearms, they require an authorization to transport. Without such an authorization, the firearm is detained.

Canadian Police Services – Individuals

67. Category 3 goods may be imported only when acquired for that person's duties or employment. The officer must have a letter of authorization from the chief of police stating that the Category 3 goods are being transported directly to the police force involved.

68. In most circumstances, foreign police officers do not carry out their duties or employment on Canadian soil. As a result, they are not able to import these items. However, there are situations where foreign police officers may be appointed as Supernumerary Special Constables by Canadian Law Enforcement Agencies (see paragraph 77).

Canadian Police Services/Agencies

69. Category 3 goods shipped to a police agency may be released only to an authorized member of that force, the importer in question, or a licensed carrier. The following requirements must be met before customs can release the goods:

- (a) If the goods are released to an authorized member of the police force importing the goods, a letter of authorization from the chief of police or equivalent must be presented to customs identifying the person as an employee of that particular police force and indicating that the prohibited goods are being transported for and being delivered directly to the police force in question.
- (b) If the goods are released directly to the importer acting on behalf of the police force, a copy of a purchase order or a letter of authorization from the police force must be presented to customs.
- (c) If the goods are released to a licensed carrier, a written authorization from the Chief Firearms Officer naming the carrier involved and a copy of the purchase order or a letter of authorization from the police force importing the goods must be presented to customs.
- (d) There must be a separate purchase order or letter of authorization from the police force for each shipment.

Canadian Forces

70. The *Firearms Act* does not apply to the Canadian Forces. Present procedures remain in place. The Canadian Forces may obtain import permits from the Department of Foreign Affairs and International Trade.

Canadian Forces – Shipments

71. The following conditions must be met before the goods are released by customs:

- (a) If the goods are released to a member of the Canadian Forces, a letter of authorization from a DND Commanding Officer must be presented to customs identifying the person as an employee of the Canadian Forces and indicating that the Category 3 goods are being transported for and being delivered directly to the Canadian Forces.
- (b) If the goods are released directly to the importer acting on behalf of the Canadian Forces, a copy of a purchase order or a letter of authorization from a DND Commanding Officer must be presented to customs indicating that the goods must be delivered directly to the Canadian Forces.
- (c) If the goods are released to a licensed carrier, a written authorization from the Chief Firearms Officer naming the carrier involved and a copy of the purchase

order or a letter of authorization must be presented to customs.

- (d) There must be a separate purchase order or letter of authorization from a DND commanding officer for each shipment.

Canadian Forces – Individuals

72. The individual must be on official military business and must present travel orders and a letter of authorization from his or her Department of National Defence (DND) Commanding Officer stating that the prohibited goods will be transported directly to the Canadian Forces.

Visiting Forces

73. A member of a visiting armed force must be travelling on official military business with travel orders and have authorized identification and written authorization to transport from his or her commanding officer stating that the prohibited good will be transported directly to the base of the visiting forces member.

IMPORTING MILITARY WEAPONS

74. An import permit under the provisions of the *Export and Import Permits Act* is required to import military weapons. Under subsection 8(1) of this Act, Canadian residents can apply to the Minister of Foreign Affairs and International Trade for a permit to import goods that are on the Import Control List (generally military supplies and munitions). If a permit is issued, it may specify the quantity and quality of the goods to be imported, who can import them, where, and whom they can be imported from, as well as other terms and conditions.

FIREARMS IMPORTED BY INDIVIDUALS FOR REPAIR

75. Firearms that are being reimported by a Canadian resident after having been repaired outside Canada, or firearms that are being imported by a non-resident for repair in Canada are released only if the appropriate documentation is presented. In the case of non-residents, sections 35 and 36 of the *Firearms Act* apply, unless the firearm is consigned to a Canadian business.

FIREARMS IMPORTED BY FOREIGN ENFORCEMENT OFFICERS

76. There is currently no category of individual exempt from sections 35 and 36 of the *Firearms Act*. Therefore, all foreign enforcement officers who come to Canada with firearms on official or unofficial business must meet the import requirements of the *Customs Act*, the *Customs Tariff*, and the *Firearms Act*.

77. However, at times, Canadian law enforcement agencies may designate or appoint foreign enforcement officers on official duty as supernumerary or special constables of their Canadian force for the duration of their stay in Canada. This is common when foreign enforcement officers come to Canada for training purposes, tactical or shooting competitions, or joint force operations between the two countries. When this status is provided to a foreign enforcement officer, the officer takes on the role of a peace officer for the Canadian agency.

78. Upon arrival at customs, the officer produces a letter or certificate from the authorizing Canadian agency indicating:

- (a) the officer's name;
- (b) destination in Canada;
- (c) date of departure;
- (d) specifics of the firearm; and
- (e) under what Canadian agency's authority.

79. The letter or certificate permits the foreign enforcement officers to enter Canada with their service firearm only for the time specified on the documentation.

80. Canadian law enforcement agencies will not grant this status to foreign enforcement officers coming to Canada for parades or ceremonies. Please refer to Appendix I for Authorizing Canadian Agents.

RESTRICTED FIREARMS IMPORTED BY VISITING DIGNITARIES AND ACCOMPANYING SECURITY OFFICERS

81. Under very special circumstances, the Commissioner of the RCMP may issue a Certificate of Appointment to named visiting foreign dignitaries and accompanying security officers, appointing them as Supernumerary Special Constables for a specific period. This appointment grants them the power to act as peace officers in Canada, while under the supervision of the RCMP. This appointment provides them with consent to carry their firearm while in active performance of their duties, and the following requirements must be met:

- (a) prenotification must be provided to customs at the point of arrival;
- (b) the foreign dignitary or security officer has to be met by the RCMP at customs;
- (c) the individual must have a copy of the certificate of appointment in his or her possession; or the certificate of appointment must be presented by the RCMP at that time; and
- (d) the individual must remain under RCMP direction.

TRANSPORTATION OF FIREARMS BY RESIDENTS AND NON-RESIDENTS

82. The following transportation requirements apply to all personal importations of firearms. They do not apply to members of any of the following classes of persons who are acting in the course of their duties or for the purposes of their employment:

- (a) peace officers;
- (b) members of the Canadian Forces or the armed forces of a state other than Canada who are attached or seconded to the Canadian Forces;
- (c) persons training to become police officers or peace officers under the control and supervision of:
 - (1) a police force; or
 - (2) a police academy or similar institution designated by the Attorney General of Canada or the lieutenant governor in council of a province;
- (d) members of a visiting force, within the meaning of section 2 of the *Visiting Forces Act*, who are authorized under paragraph 14(a) of that Act to possess and carry explosives, ammunition, and firearms;
- (e) persons or members of a class of persons employed in the Public Service of Canada or by the government of a province or municipality who are prescribed by the regulations made by the Governor in Council under Part III of the *Criminal Code* to be public officers; and
- (f) Chief firearms officers or firearms officers.

Transporting Non-Restricted and Antique Firearms

83. An individual may transport a non-restricted firearm in an unattended vehicle only if the non-restricted firearm is unloaded and securely locked in the trunk or similar compartment that can be securely locked. If the vehicle is not equipped with a trunk or similar compartment, the non-restricted firearm must not be visible from outside the vehicle and the vehicle or part of the vehicle that contains the non-restricted/antique firearm must be securely locked.

84. An individual may transport an antique handgun only if it is in a locked container that cannot readily be broken open or into or accidentally opened during transportation.

Transporting Restricted and Prohibited Firearms

85. An individual may transport a restricted/prohibited firearm in a vehicle only if the restricted firearm is unloaded, rendered inoperable by means of a secure locking device, and in a locked container that cannot be readily broken open or into or accidentally opened during transportation. If the prohibited firearm is an automatic firearm that has a bolt or bolt carrier that is removable, the bolt or bolt carrier must be removed.

86. If the restricted/prohibited firearm is transported in an unattended vehicle, the firearm must be stored as stated in paragraph 83 and the container must be securely locked in the trunk or similar compartment that can be securely locked. If the vehicle is not equipped with a trunk or similar compartment, the container must not be visible from outside the vehicle and the vehicle or part that contains the restricted firearm must be securely locked.

Compliance

87. Travellers should be made aware of these transportation requirements to ensure that they comply with them. Firearms will not be allowed to enter Canada until proper transportation requirements have been met.

88. You can obtain more information on the safe transportation of firearms from any Chief Firearms Officer. The addresses and telephone numbers are listed in Appendix E.

CATEGORY 2 GOODS EXPORTED BY BUSINESSES (SEE APPENDIX H FOR A COMPLETE LIST)

89. Commercial carriers must have a carrier licence to transport firearms, prohibited weapons, restricted weapons, prohibited devices, and prohibited ammunition. Carriers must apply to perform carrier activities—carrying goods intraprovincially (within one province), interprovincially (between provinces), or internationally. They also have to specify on their licence application whether the goods they carry are non-restricted, restricted, or prohibited. The carrier can only do what is permitted by the licence conditions or the allowed carrier activities.

Exportation of Firearms

90. Neither businesses nor individuals can export firearms from Canada by mail.

91. All shipments of non-restricted and restricted firearms destined for export to countries other than the U.S.A. are subject to export control under the *Export and Import Permits Act* and must be accompanied by an export permit issued by the Export Controls Division of the Department of Foreign Affairs and International Trade. Please note that, as of January 1, 2003, the authorization to export will replace the export permit.

92. Applications for export permits are available from any customs office or from the Department of Foreign Affairs and International Trade, Export and Import Controls Bureau, at the following address:

Export Controls Division
Export and Import Controls Bureau
Department of Foreign Affairs and International Trade
Lester B. Pearson Building
125 Sussex Drive
Ottawa ON K1A 0G2

Telephone: (613) 996-2387
Fax: (613) 996-9933

EXPORTING PROHIBITED FIREARMS, PROHIBITED WEAPONS, PROHIBITED DEVICES, COMPONENTS, PARTS, PROHIBITED AMMUNITION, OR AMMUNITION FOR A PROHIBITED FIREARM

93. A company may export prohibited firearms, prohibited weapons, prohibited devices, components, parts, or ammunition if it has the proper business licence and export permit. An export permit is required to export such goods to the U.S. Before exporting any of these items, individuals and companies should check with customs officials in the country to which the goods are exported to verify if these goods are admissible in that country.

DETENTION/RELEASE PROCEDURES

Weapons Identification

94. Before making a release decision, the customs officer must:

- (a) check the *Prohibited Weapons Regulations* (Appendix G);
- (b) determine the class of firearm, i.e., non-restricted, restricted, or prohibited, by referring to the Firearms Reference Table CD-ROM, if not included in the Regulations; and
- (c) contact the Regional Firearms Liaison Officer (RFLO) or the Regional Firearm Co-ordinator (RFC), if still in doubt.

95. The following information should be provided to the RFLO or to the RFC to help him or her identify the firearm:

- (a) importer name and address;
- (b) exporter name and address;
- (c) manufacturer;
- (d) model of the firearm;
- (e) type of firearm, e.g., air pistol, handgun, rifle, shotgun;
- (f) type of action, e.g., air, spring, converted fully automatic, revolver, semi-automatic, bolt, lever, pump;
- (g) calibre of the firearm;
- (h) barrel length;
- (i) overall length; and
- (j) serial number.

96. In the case of other types of weapons that may require a determination, provide as complete a description of the weapon as possible, e.g., length, material of construction, photocopies or photographs, its intended use.

Release Procedures

97. If a weapon is not prohibited, ensure all appropriate permits/authorizations (see permit requirements chart in Appendix F) have been presented and released according to current release procedures.

98. If a weapon is deemed prohibited, detain the firearm and follow the procedures outlined below.

Detention Procedures

99. Follow these procedures when detaining a weapon for identification and/or classification:

(a) complete Form K26, *Notice of Detention*, and distribute the copies in the following manner:

- (1) original to importer;
- (2) first copy to port file; and
- (3) second and third copy to the Regional Firearms Liaison Officer; and

(b) hold the weapon in a secure area.

100. Once a decision regarding the identification and/or classification of a weapon has been reached, the RFLO will return one copy of Form K26 to the originating district and keep one copy on file.

101. If the weapon is admissible, the originating district contacts the importer/agent to arrange for the release of the weapon. At this time, the importer must be advised of any permit, authorization, and/or certificate requirements.

102. If the weapon is prohibited, the originating district contacts the importer/agent and gives him or her the opportunity to:

(a) request a re-determination of the tariff classification of the goods—this request must be sent to the Customs Appeals Division and comply with the provisions of section 60 of the *Customs Act* and the procedures outlined in Memorandum D11-6-1, *Determination/Re-Determination and Appraisal/Re-Appraisal of Goods*;

(b) export the weapon; or

(c) abandon the weapon to the Crown.

103. Prohibited firearms, weapons, and devices that are declared at time of importation into Canada can be exported according to sections 101 and 102 of the *Customs Act*. Goods may be detained under section 101 of the Act to ensure that their entry into Canada complies with all

applicable federal laws. Section 102 of the Act provides authority to export such goods in the absence of any other statutory provision. The export of the goods in these circumstances does not result in an offence under the *Criminal Code*.

104. Therefore, where a prohibited firearm, weapon, or device is reported to a customs officer when imported into Canada according to the *Customs Act*, but does not meet relevant federal statutory requirements governing its importation, that officer may authorize the firearm, weapon, or device to be exported from that place immediately or hold the item in a secure area until the importer has made necessary arrangements for the goods to be exported under customs supervision.

Note: In the case of an automatic weapon, the exporter must obtain an export permit from DFAIT.

105. If an importer agrees to abandon the weapon to the Crown, the importer or agent has to complete and sign Form K24, *Non-Monetary General Receipt*.

106. Non-restricted and restricted weapons that are declared for import by Canadian residents but which do not have the appropriate documentation will be held by customs for up to 90 days. Within this time, the importer will be able to:

(a) export the weapon under customs supervision;

(b) abandon the weapon to the Crown; or

(c) obtain the applicable permits, authorization, or certificates and present them to customs.

107. A non-resident of Canada who declares a restricted weapon to Canadian customs without the appropriate documentation outlined in this Memorandum will be given an opportunity to:

(a) export the weapon under customs supervision;

(b) abandon the weapon to the Crown; or

(c) obtain and present to customs the applicable permits/certificates.

DISPOSAL OF FIREARMS AND OTHER GOODS REGULATED UNDER THE *FIREARMS ACT*

108. Firearms that have been abandoned, forfeited, or seized must first be offered to the CFO and then to the Registrar outlined in Appendix E.

109. Ammunition that has been abandoned, forfeited, or seized is to be disposed of according to the instructions in Memorandum D19-6-1, *Explosives Act and Regulations*.

110. Weapons other than firearms may be disposed of within the region, at the discretion of the local manager. However, they can also be forwarded to the RCMP's Central Forensic Laboratory.

111. Customs officers who forward firearms to a Chief Firearms Officer or to the RCMP must ensure that:

- (a) a covering letter is placed inside the package indicating its contents and referring to this instruction;
- (b) no explosives or compressed gases are included in the package;
- (c) the firearms are securely packaged; and
- (d) only non-restricted firearms are sent by mail and that they are sent by the most secure means offered by Canada Post that includes the requirement to obtain a signature on delivery.

112. Cancel any customs documents relating to a firearm that has been sent to a Chief Firearms Officer or to the RCMP for disposal.

113. A firearm cannot be returned to the importer once it has been forwarded for disposal to a Chief Firearms Officer or to the RCMP.

FIREARMS USED AS EVIDENCE IN COURT PROCEEDINGS

114. Circumstances may arise in which criminal charges are laid as a result of a customs seizure of prohibited or restricted weapons. Since these weapons may be required as evidence in court proceedings, the responsible police authority should be given full cooperation as well as access to the weapons concerned.

115. For information on how to document the control of these particular weapons, see the Customs Enforcement Manual, Part 6, Chapter 6.

116. In all cases, relevant customs documentation must be cross-referenced to create an audit trail or evidence for a subsequent audit.

SAFE HANDLING OF FIREARMS

117. Customs officers will frequently be called on to handle firearms such as rifles, shotguns, handguns, and even military weapons. To ensure safety, customs officers must become familiar with the various types of firearms they may encounter and the proper method for handling them.

118. If any officer is not confident in his or her ability to handle firearms, or is unsure how to handle a particular firearm, the officer should secure the firearm and get help from someone who is familiar with it.

119. Firearms detected at customs are not always stored or found in ideal conditions or locations. The following steps have been developed as a safeguard for customs employees and the public:

- (a) take charge of the situation as soon as a firearm is discovered;

- (b) evaluate the working environment;
- (c) move or have people moved to a safe place;
- (d) determine your safe zones;
- (e) make a visual identification of the firearm;
- (f) determine the type of action you will be dealing with;
- (g) apply the **vital four ACTS** of firearms safety in a customs environment; and
- (h) **PROVE** the firearm is safe.

120. The **vital four ACTS** of firearms safety in a customs environment are:

- (a) Assume every firearm as loaded.
- (b) Control the muzzle direction at all times.
- (c) Trigger finger must be kept off the trigger and out of the trigger guard.
- (d) See that the firearm is unloaded—**PROVE** it safe.

121. **PROVE** it safe:

- (a) Point the firearm in the safest available direction.
- (b) Remove all cartridges.
- (c) Observe the chamber.
- (d) Verify the feeding path.
- (e) Examine the bore.

122. Some firearms, by their design, cannot readily be made safe, i.e., home-made firearms or specially designed firearms. To maintain a safe environment, the steps outlined below should be followed:

- (a) do not move the firearms;
- (b) do not handle or unload the firearms;
- (c) secure the environment, e.g., restrict access to the area and lock the area or vehicle;
- (d) ask for help from someone who is familiar with that type of firearm; and
- (e) give as many details as you can to the person helping you.

123. Here are some general safety rules for the safe handling of firearms:

- (a) All firearms should be treated as loaded, and customs officers must use extreme caution when handling them.
- (b) A firearm held by customs must never contain ammunition, and the action should be open when the firearm is being handled or passed to another person.

- (c) Never accept a firearm that is pointed directly at you. The firearm should be handed to you with the barrel pointing down and butt first. Alternatively, have the firearm placed on a flat surface rather than trying to accept it from another person.
- (d) When carrying a firearm, always point it in a safe direction away from all persons.
- (e) Always store firearms in a secure place.
- (f) Never bring a loaded firearm into a building.
- (g) Watch for firearms that are cocked or in the half-cocked position.
- (h) Never trust firearm safety mechanisms.
- (i) Never point a firearm at anyone—even if it is empty.

ADDITIONAL INFORMATION

124. For information about the policies and procedures outlined in this Memorandum, contact the following programs:

Interdepartmental Programs – Section A
Admissibility Programs Division
Trade Policy and Interpretation Directorate
Canada Customs and Revenue Agency
191 Laurier Avenue West
Ottawa ON K1A 0L5

Fax: (613) 946-1520

125. The Canadian Firearms Centre is responsible for delivering information relating to the *Firearms Act* to the Canadian public and can be reached at:

Telephone: 1-800-731-4000

Fax: (613) 941-1991

Email: canadian.firearms@justice.gc.ca

APPENDIX A

DEACTIVATED FIREARMS/BLOWGUNS, CONVERTED LARGE-CAPACITY CARTRIDGE MAGAZINES, AND PROHIBITED WEAPON PARTS

1. This Appendix outlines the policies and procedures for deactivated firearms/blowguns, converted large-capacity cartridge magazines, and prohibited weapons parts.
2. To ensure improperly deactivated firearms do not enter Canada, all deactivated firearms must be examined at first point of entry by an appropriately trained firearms officer. At the time of examination, the officer must complete a report of each firearm examined, unless the firearm in question is referred for a second opinion. The report must be similar to the sample provided in Appendix D. It must indicate clearly if the firearm is properly deactivated and explain in detail how the Deactivation Guide standards in Appendix B were or were not met.
3. The Deactivation Guide outlines the modifications considered sufficient to properly deactivate all firearms.
4. If there is any doubt as to whether the deactivation standards are met, the examining officer must seek help from a firearms expert with the RCMP or a Chief Firearms Officer. In these instances, a written examination report must be obtained from the RCMP or Chief Firearms Officer.
5. When a shipment of deactivated firearms is detained for examination, Form K26, *Notice of Detention*, must be issued and sent to the importer by Priority Post.
6. A copy of the examination report must be provided to the customs officer who issued Form K26 to help make a release decision. Firearms deactivated according to the Deactivation Guide fall under tariff item 9705.00.00.90, "Collections and collectors' pieces (other)" and must be released to the importer when other customs obligations have been met.
7. A prohibited firearm that has not been deactivated according to the Deactivation Guide is a prohibited firearm for the purpose of both the *Firearms Act* and tariff item 9898.00.00. The importer must be advised and given the opportunity to either request a redetermination of the tariff classification within 90 days or abandon the goods to the Crown, unless the importer can obtain an export permit from the Department of Foreign Affairs and International Trade (DFAIT) to allow export of the goods.
8. When large-capacity cartridge magazines are imported with a shipment of deactivated firearms and do not comply with the modifications outlined in the Deactivation Guide,

determine whether or not they are sufficiently modified to comply with the *Cartridge Magazine Control Regulations* (see Appendix G) before making a release decision. The examining officer may require the help of a firearms expert (RCMP or Chief Firearms Officer) to determine whether the magazines are properly modified to accommodate the required number of rounds.

Cartridge Magazine Control Regulations

9. Large-capacity cartridge magazines are prohibited unless:

- (a) they are exempt under the provisions of subsections 3(2) and (3) of the *Cartridge Magazine Control Regulations*; or
- (b) they are modified in accordance with subsection 3(4) of the Regulations to be capable of containing less than five or ten cartridges, depending on the type of firearm.

10. Subsection 3(5) of the Regulations stipulates that a magazine must be so modified as to not be able to be easily removed. It also specifies that, to be admissible, the magazine cannot be easily altered further to contain more than five or ten rounds. Paragraphs 3(5)(a) to (c) include examples of how a magazine can be altered or remanufactured to comply with the requirements of subsection 3(4). Magazines that meet the requirements outlined in paragraphs 3(5)(a) to (c) of the Regulations are considered to be properly altered.

11. Magazines for military-type firearms that have been properly converted to accommodate the appropriate number of rounds require an import permit under the provisions of the *Export and Import Permits Act*, except for a magazine altered to zero capacity. These permits are issued by DFAIT. More information is available by contacting DFAIT at (613) 996-2387.

Deactivation Alterations After Importation

12. Deactivated firearms or large-capacity cartridge magazines cannot be altered to bring them up to standard while they are in customs control. The appropriate alterations must be completed before the goods arrive in Canada.

Deactivating Blowguns

13. All importers who declare their blowguns at the time of importation must be offered the option to deactivate them. If a blowgun has not been declared at the time of importation, the customs officer has the discretion whether or not to allow it to be deactivated.

14. A blowgun may be deactivated by one of two methods:

(a) drilling holes at regular intervals along the length of the blowgun (we recommend that a series of holes at least 1 cm in diameter be drilled at no more than 5 cm intervals along the blowgun's length); or

(b) gluing dowels inside the blowgun to prevent darts or other objects from traversing its length. (The dowel or dowels to be glued inside the blowgun are to be of sufficient diameter to fit snugly inside the blowgun to prevent their being able to be dislodged easily at a later date. The length of the dowel or dowels should conform to the length of the blowpipe itself. The dowel or dowels are to be held in place by industrial strength epoxy glue. Water-soluble glue or children's glue is not permitted.)

15. Given the cultural value of some souvenir blowguns, importers should be clearly informed of the two methods of deactivation and be allowed to choose whichever method they prefer.

16. Importers are personally responsible for performing the deactivation procedures. These procedures must be performed under a customs officer's supervision and control.

17. Customs offices must provide a drill for the deactivation when the importer chooses the drilling method.

18. Importers who wish to deactivate their blowguns by gluing dowels inside the barrels may need time to obtain the necessary supplies. Customs offices hold the blowguns up to 30 days to allow importers to get the supplies they need.

19. Deactivation procedures are normally carried out at the point of entry. However, if it is more convenient for an importer to perform the procedures at another customs office, arrangements are made to ship the blowgun by bonded courier to that office. Under no circumstances is the blowgun to be released to the importer until it has been completely deactivated.

20. Deactivation procedures are carried out at the importer's own risk. The importer is responsible for any damage that occurs while the blowgun is being deactivated.

21. The importer must pay the bonded courier charges that are incurred when a blowgun is shipped from the point of entry to another customs office for deactivation.

Seizure and Prosecution

22. Properly reported weapons and firearms that may not have been properly deactivated and that may be prohibited are to be detained for tariff classification purposes. The fact that a reported weapon is prohibited under the *Customs Tariff* does not alone make it subject to a seizure action. Seizure action may be taken, and/or prosecution recommended, only if there is evidence of a contravention

under the *Customs Act*, such as misdescription of goods, undervaluation, or smuggling or attempted smuggling.

Prohibited Firearm Parts

23. Tariff Item 9898.00.00 of the *Customs Tariff* prohibits the importation of weapons as defined in the *Criminal Code*, or parts, components, accessories, ammunition, or cartridge magazines defined as prohibited device for the purposes of Part III of that Act.

24. The relevant provisions of Part III of the *Criminal Code* are found in paragraph 84(1)(a), (c), and (d). In this regard, a prohibited device means:

(a) any component or part of a weapon, or any accessory for use with a weapon, that is prescribed to be a prohibited device;

(b) a device or contrivance designed or intended to muffle or stop the sound or report of a firearm; and

(c) a cartridge magazine that is prescribed to be a prohibited device.

25. With respect to paragraph (a), Former Prohibited Weapons Order No. 9 (see Appendix G) sets out the parts, components, and accessories that have been declared by order of the Governor in Council to be prohibited weapons. Please note that only those parts, components, and accessories that have been expressly declared prohibited by order of the Governor in Council can be classified as prohibited under the *Customs Tariff*. Currently, these parts are automatic trigger enhancers and a bull-pup stock.

Parts Designed Exclusively for a Prohibited Weapon

26. Subsection 103(1) of the *Criminal Code* reads as follows:

Every person commits an offence who imports or exports

(a) A firearm, a prohibited weapon, a restricted weapon, a prohibited device or any prohibited ammunition, or

(b) Any component or part designed exclusively for use in the manufacture of or assembly into an automatic firearm,

is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years and to a minimum punishment of imprisonment for a term of one year.

27. In 1992, grandfathering provisions allowed owners of firearms that had recently been declared prohibited to register them as "restricted" weapons. As a result, the only part now designed "exclusively" for use in a prohibited weapon is the drop-in automatic sear for the AR-15 firearm. It should be noted that the importation of this item does not constitute a contravention of the *Customs Act*. It is an offence to import this item, but the offence is an in personal

offence (that is to say, action is to be taken against the person as opposed to the goods). Consequently, the Canada Customs and Revenue Agency does not have the authority to prohibit the importation of the drop-in automatic sear for the AR-15. Local police authorities must be notified of the importation of this item.

Permit Requirements for Parts

28. While the importation of certain prohibited weapon parts may not be prohibited, if the parts are for a military-type firearm, they are subject to the import permit requirements under the provisions of the *Export and Import Permits Act*. More information on the permit requirements may be obtained by contacting the Department of Foreign Affairs and International Trade at (613) 996-2387.

APPENDIX B

DEACTIVATION GUIDE

Deactivation involves removing parts or portions of parts from a firearm and adding pins and welds so that the firearm can no longer chamber or fire ammunition.

DEACTIVATING SMALL ARMS OF CALIBRE 20 MM OR LESS

Semi-Automatic, Full Automatic, Selective Fire, and Converted Firearms

1. A hardened steel blind pin of bore diameter or larger must be force-fitted through the barrel at the chamber, and where practical, simultaneously through the frame or receiver, to prevent chambering of ammunition. Furthermore, the blind pin must be welded in place so that the exposed end of the pin is completely covered by weld. This strength and hardness of the weld must be similar to that of the metal used in the construction of the firearm. In the case of firearms having a calibre greater than 12.7 mm (.5 inch), the pin can be smaller in diameter than 12.7 mm. In the case of multi-barrelled firearms, all barrels must be pinned, using as many pins as necessary to block all chambers.
2. The barrel must be welded to the frame or receiver to prevent replacement.
3. The breech face or portion of the breech bolt which supports the cartridge must be removed or drilled out to a diameter at least as large as the base of the cartridge, so that the bolt can no longer support the cartridge.
4. The receiver must be welded closed to prevent replacement of the breech bolt.
5. In the case of firearms designed to support full-automatic fire, the trigger mechanism must be rendered unusable. Any trigger mechanism part or component that is necessary for full-automatic fire must be destroyed by cutting or grinding and welded in place to prevent replacement.

Rifles, Shotguns, and Handguns Other Than Revolvers

6. The barrel, bolt, and frame or receiver must be modified as in section "Semi-Automatic, Full Automatic, Selective Fire, and Converted Firearms."
7. The bolt, if present as a separate piece, must be welded to the frame or receiver to prevent replacement.

Revolvers, Revolving Rifles and Shotguns, and Cap and Ball Revolvers

8. The barrel and cylinder must be blocked by a hardened steel pin of bore diameter that traverses the entire length of the barrel and cylinder. The pin must be welded in place at the muzzle, barrel/cylinder gap and except for muzzle-loading firearms, at the breech end of the frame. The strength and hardness of the welds must be similar to that of the firearm.

Black Powder Rifles and Shotguns

9. The barrel must be blocked immediately forward of the flash hole using a blind pin in the manner described in paragraph 8.
10. The flash hole must be welded closed. In the case of percussion guns, the nipple may be welded closed and then welded to the barrel to prevent replacement.

Magazines

11. The magazine follower must be welded to the interior of the magazine to prevent loading of ammunition.
12. The body of the magazine must be welded to the frame or receiver to prevent removal or replacement.

Firearms of Unusual Design or Construction

13. Allowances are made to vary the procedures outlined in the first section "Deactivating Small Arms of Calibre 20 mm or Less," if the firearm is made of unusual substances or is of an unusual design. However, any variation in the procedure must accomplish the same goals as the original procedures.

APPENDIX C

DEACTIVATION GUIDE ADDITIONAL EXAMINATION INFORMATION

The solidity and hardness of the welds

Welds must be inspected to ensure they are sufficient. Tack welds or less secure forms of attachment such as brazing or soldering are not generally acceptable. Inferior welding methods can normally be detected by a difference in colour or obvious lack of strength or hardness.

The pins used to block the weapon's barrel

A blind pin is one for which the access hole does not completely perforate both sides of the barrel. Consequently, the weld securing the pin should appear on only one side of the barrel and the other end of the pin should not be visible. The size of the pin (bore diameter) can generally be observed from either the breech or muzzle end of the barrel by looking down the interior of the barrel to ensure no light appears at the other end.

How to verify that the locking part on the breech face of the weapon has been enlarged to a diameter at least equal to the diameter of the cartridge.

The breech face—the portion of the breech bolt that supports the cartridge—must be disabled. The front of the breech bolt must be cut off or drilled out to a diameter larger than the head of the cartridge. The diameter of the cartridge head is roughly the same as that of the rear of the chamber in the barrel.

How to inspect the trigger group given that the deactivation guide requires that the receiver be welded closed to prevent replacement of the breech bolt (only applicable to firearms that support automatic fire).

If the trigger mechanism is visible, its component parts must appear unserviceable and be welded in place. Unfortunately, the trigger mechanism is often not visible unless you disassemble the firearm. However, there is normally some observable sign on the exterior of the firearm (i.e., the selector or trigger is welded in place, or the trigger does not move, or if it does, it does not appear to be connected to the interior mechanism).

Is a firearm sufficiently deactivated if a welded or pinned part is loose or moveable by hand?

The Deactivation Guide is designed to permit movement of interior parts such as the breech bolt. Consequently, the presence of moving parts does not necessarily indicate insufficient deactivation.

Large-capacity cartridge magazines

If a magazine does not qualify as a deactivated magazine when imported with a shipment of deactivated firearms (e.g., it is not attached to the weapon), it must be examined to determine if it is a large-capacity cartridge magazine before it can be classified as a prohibited weapon. Magazines for military-type firearms that have been properly converted under the provisions of the *Large Capacity Cartridge Magazine Regulations* may be imported with an import permit under the *Export and Import Permits Act*. However, in instances where the magazine has been properly welded so that it cannot hold any rounds (zero capacity), an import permit is not required.

APPENDIX D

DEACTIVATED FIREARMS EXAMINATION REPORT

For Deactivated Semi-Automatic, Fully Automatic,
Selective Fire, and Converted Firearms

Deactivation Guide	Describe Alterations	Assessment (Met, not Met, and Why)
Standard 1 – A hardened steel blind pin of bore diameter or larger must be force-fit through the barrel at the chamber, and through the frame or receiver, where practical, to prevent the chambering of ammunition. The blind pin must be welded in place so that the exposed end of the pin is completely covered by the weld.		
Standard 2 – The barrel must be welded to the frame or receiver to prevent replacement.		
Standard 3 – The breech face or part of the breech bolt that supports the cartridge must be removed or drilled out to a diameter at least as large as the base of the cartridge, so that the bolt can no longer support the cartridge.		
Standard 4 – The receiver must be welded closed to prevent replacement of the breech bolt.		
Standard 5 – Firearms designed to support fully automatic fire must have the trigger mechanism rendered inoperable. Any trigger mechanism part or component that is necessary for fully automatic fire must be destroyed by cutting or grinding and welded in place to prevent replacement.		
Magazines – The follower must be welded to the interior of the magazine to prevent loading of ammunition. The body of the magazine must be welded to frame or receiver to prevent removal/replacement.		

DEACTIVATED FIREARMS EXAMINATION REPORT
For Deactivated Shotguns and Handguns (not Revolvers)

Deactivation Guide	Describe Alterations	Assessment (Met, not Met, and Why)
Standard 1 – A hardened steel blind pin of bore diameter or larger must be force-fit through the barrel at the chamber, and through the frame or receiver, where practical, to prevent chambering of ammunition. The blind pin must be welded in place so that the exposed end of the pin is completely covered by the weld.		
Standard 2 – The barrel must be welded to the frame or receiver to prevent replacement.		
Standard 3 – The breech face or part of the breech bolt that supports the cartridge must be removed or drilled out to a diameter at least as large as the base of the cartridge, so that the bolt can no longer support the cartridge. The bolt, if present as a separate piece, must be welded to the frame or receiver to prevent replacement.		
Standard 4 – The receiver must be welded closed to prevent replacement of the breech bolt.		
Magazines – The follower must be welded to the interior of the magazine to prevent loading of ammunition. The body of the magazine must be welded to frame or receiver to prevent removal/replacement.		

DEACTIVATED FIREARMS EXAMINATION REPORT**For Deactivated Revolvers, Revolving Rifles,
and Shotguns, and Cap and Ball Revolvers**

Deactivation Guide	Describe Alterations	Assessment (Met, not Met, and Why)
Standard 1 – The barrel and cylinder must be blocked by a hardened steel pin of bore diameter that traverses the entire length of the barrel and cylinder. The pin must be welded in place at the muzzle, barrel/cylinder gap, and, except for muzzle-loading firearms, at the breech end of the frame. The strength and hardness of the welds must be similar to that of the firearm.		
Magazines – The follower must be welded to the interior of the magazine to prevent loading of ammunition. The body of the magazine must be welded to frame or receiver to prevent removal/replacement.		

DEACTIVATED FIREARMS EXAMINATION REPORT**For Deactivated Black Powder Rifles and Shotguns**

Deactivation Guide	Describe Alterations	Assessment (Met, not Met, and Why)
Standard 1 – The barrel must be blocked immediately forward of the flash hole using a blind pin in the following manner. The barrel and cylinder must be blocked by a hardened steel pin of bore diameter that traverses the entire length of the barrel and cylinder. The pin must be welded in place at the muzzle, barrel/cylinder gap and, except for muzzle-loading firearms, at the breech end.		
Magazines – The follower must be welded to the interior of the magazine to prevent loading of ammunition. The body of the magazine must be welded to frame or receiver to prevent removal/replacement.		

APPENDIX E**CHIEF FIREARMS OFFICERS
AND THE OFFICE OF THE REGISTRAR****CHIEF FIREARMS OFFICERS****Newfoundland**

Office of the Chief Firearms Officer
Justice Canada
Prince Charles Building
Suite E-100, 120 Torbay Road
St. John's NF A1A 2G8

Telephone: (709) 772-2876
Fax: (709) 772-3202

Nova Scotia

Chief Firearms Officer
Private Security Industry Programs
Ground floor
5151 Terminal Road
P.O. Box 7
Halifax NS B3J 2L6

Telephone: (902) 424-6689
Fax: (902) 424-4308

New Brunswick

Chief Firearms Officer
Law Enforcement Division
Department of the Solicitor General
495 Prospect Street West
P.O. Box 6000
Fredericton NB E3B 5H1

Telephone: (506) 453-3775
Fax: (506) 457-3521

Prince Edward Island

Office of the Chief Firearms Officer
Department of Community Services and Attorney General
P.O. Box 2000
Charlottetown PE C1A 7N8

Telephone: (902) 368-5536
Fax: (902) 368-5198

Quebec

Contrôleur des armes à feu
Sûreté du Québec
10th floor
1681 Parthenais Street
Montréal QC H2K 4S8

Telephone: (514) 598-4588
Fax: (514) 596-3571

Ontario

Chief Firearms Officer
Ministry of the Solicitor General
777 Memorial Avenue
Orillia ON L3V 7V3

Telephone: (705) 329-7662
Fax: (705) 329-7660

Manitoba

Chief Firearms Officer
Justice Canada
Unit 1

1680 Ellice Avenue
Winnipeg MB R3H 0Z2

Telephone: (204) 984-0715
Fax: (204) 984-0670

Saskatchewan

Chief Firearms Officer
1405 Albert Street
Regina SK S4R 2R8

Telephone: (306) 780-5912
Fax: (306) 780-7400

Alberta

Chief Firearms Officer
Suite 720
10909 Jasper Avenue
Edmonton AB T5J 3L9

Telephone: (708) 495-7799
Fax: (708) 495-7970

British Columbia

Chief Firearms Officer
Security Programs Division
Ministry of the Attorney General
2nd floor

2881 Nanaimo Street
P.O. Box 9217
Station Provincial Government
Victoria BC V8W 9J1

Telephone: (250) 356-6380
Fax: (250) 356-8935

Yukon

Chief Firearms Officer
Justice Canada
P.O. Box 5300
Whitehorse YK Y1A 4Z2

Telephone: (867) 667-5969
Fax: (867) 393-6209

Northwest Territories

Federal Chief Firearms Officer Services
2nd floor, Centre Square Mall
5022-49 Street
P.O. Box 1859
Yellowknife NT X1A 2P4

Telephone: (867) 920-8390

Fax: (867) 920-8389

Nunavut

Chief Firearms Officer – Nunavut
Suite 720
10909 Jasper Avenue
Edmonton AB T5J 3L9

Telephone: (780) 495-7789

Fax: (780) 495-2008

Office of the Registrar

Canadian Firearms Centre
Central Processing Site
P.O. Box 1200
Miramichi NB E1N 5Z3

APPENDIX F

REQUIREMENTS FOR CUSTOMS RELEASE

Importer	Non-Restricted Firearm	Restricted Firearm	Prohibited Firearm
Approved Business/Museum	<ul style="list-style-type: none"> Business licence issued under the <i>Firearms Act</i> or any valid permit to carry on business 	<ul style="list-style-type: none"> Business licence issued under the <i>Firearms Act</i> or any valid permit to carry on business 	<ul style="list-style-type: none"> Specific prohibited business licence provisions
Carrier	<ul style="list-style-type: none"> Appropriate carrier licence according to class of firearm and geographic location (international, interprovincial, intraprovincial) 	<ul style="list-style-type: none"> Appropriate carrier licence according to class of firearm and geographic location (international, interprovincial, intraprovincial) 	<ul style="list-style-type: none"> Appropriate carrier licence according to class of firearm and geographic location (international, interprovincial, intraprovincial)
Carrier (In Transit)	<ul style="list-style-type: none"> Foreign company does not carry out business in Canada On an “in-transit” manifest No business or carrier licence required 	<ul style="list-style-type: none"> Foreign company does not carry out business in Canada On an “in-transit” manifest No business or carrier licence required 	<ul style="list-style-type: none"> Foreign company does not carry out business in Canada On an “in-transit” manifest No business or carrier licence required
Police Force/Canadian Forces/Visiting Forces	<ul style="list-style-type: none"> General Import Permit No. 60 shown on manifest Letter of authorization from chief of police or commanding officer 	<ul style="list-style-type: none"> General Import Permit No. 60 shown on manifest Letter of authorization from chief of police or commanding officer 	<ul style="list-style-type: none"> General Import Permit No. 60 shown on manifest Letter of authorization from chief of police or commanding officer
Resident (previously exported)	<ul style="list-style-type: none"> Proof of purchase or exportation may be required 	<ul style="list-style-type: none"> *Authorization to transport required 	<ul style="list-style-type: none"> Authorization to transport required Grandfathered firearm under the <i>Firearms Act</i> allowed entry
Resident (acquired outside of Canada)	<ul style="list-style-type: none"> Valid FAC or PAL 	<ul style="list-style-type: none"> Valid FAC or PAL *Authorization to transport required 	<ul style="list-style-type: none"> Prohibited entry
Non-Resident (non-licensed) **	<ul style="list-style-type: none"> Must be at least 18 years of age Non-Resident Firearm Declaration and confirmation fee 	<ul style="list-style-type: none"> Must be at least 18 years of age *Authorization to transport required Non-Resident Firearm Declaration and confirmation fee 	<ul style="list-style-type: none"> Prohibited entry
Non-Resident (licensed) **	<ul style="list-style-type: none"> Must be at least 18 years of age Valid FAC or PAL 	<ul style="list-style-type: none"> Must be at least 18 years of age Valid FAC or PAL *Authorization to transport required 	<ul style="list-style-type: none"> Prohibited entry

* You may see valid permits to convey or permits to transport instead of an *Authorization to Transport* until transition to the new documentation is complete.

** Non-residents include settlers, former residents, temporary residents, and seasonal residents.

APPENDIX G

REGULATIONS PRESCRIBING CERTAIN FIREARMS
AND OTHER WEAPONS, COMPONENTS AND PARTS
OF WEAPONS, ACCESSORIES, CARTRIDGE
MAGAZINES, AMMUNITION AND PROJECTILES AS
PROHIBITED OR RESTRICTED

INTERPRETATION

1. In these Regulations, “semi-automatic”, in respect of a firearm, means a firearm that is equipped with a mechanism that, following the discharge of a cartridge, automatically operates to complete any part of the reloading cycle necessary to prepare for the discharge of the next cartridge.

PRESCRIPTION

2. The firearms listed in Part 1 of the schedule are prohibited firearms for the purposes of paragraph (d) of the definition “prohibited firearm” in subsection 84(1) of the *Criminal Code*.

3. The firearms listed in Part 2 of the schedule are restricted firearms for the purposes of paragraph (d) of the definition “restricted firearm” in subsection 84(1) of the *Criminal Code*.

4. The weapons listed in Part 3 of the schedule are prohibited weapons for the purposes of paragraph (b) of the definition “prohibited weapon” in subsection 84(1) of the *Criminal Code*.

5. The components and parts of weapons, accessories, and cartridge magazines listed in Part 4 of the schedule are prohibited devices for the purposes of paragraphs (a) and (d) of the definition “prohibited device” in subsection 84(1) of the *Criminal Code*.

6. The ammunition and projectiles listed in Part 5 of the schedule are prohibited ammunition for the purposes of the definition “prohibited ammunition” in subsection 84(1) of the *Criminal Code*.

COMING INTO FORCE

These Regulations come into force on December 1, 1998.
SOR/98-472, s. 1.

SCHEDULE
(Sections 2 to 6)

PART 1
PROHIBITED FIREARMS

Former Prohibited Weapons Order, No. 3

1. Any firearm capable of discharging a dart or other object carrying an electrical current or substance, including the firearm of the design commonly known as the Taser Public Defender and any variant or modified version of it.

Former Prohibited Weapons Order, No. 8

2. The firearm known as the SSS-1 Stinger and any similar firearm designed or of a size to fit in the palm of the hand.

Former Prohibited Weapons Order, No. 11

3. The firearm of the design commonly known as the Franchi SPAS 12 shotgun, and any variant or modified version of it, including the Franchi LAW 12 shotgun.

4. The firearm of the design commonly known as the Striker shotgun, and any variant or modified version of it, including the Striker 12 shotgun and the Streetsweeper shotgun.

5. The firearm of the design commonly known as the USAS-12 Auto Shotgun, and any variant or modified version of it.

6. The firearm of the design commonly known as the Franchi SPAS-15 shotgun, and any variant or modified version of it.

7. The firearms of the designs commonly known as the Benelli M1 Super 90 shotgun and the Benelli M3 Super 90 shotgun, and any variants or modified versions of them, with the exception of the

(a) M1 Super 90 Field;

(b) M1 Super 90 Sporting Special;

(c) Montefeltro Super 90;

(d) Montefeltro Super 90 Standard Hunter;

(e) Montefeltro Super 90 Left Hand;

(f) Montefeltro Super 90 Turkey;

- (g) Montefeltro Super 90 Uplander;
- (h) Montefeltro Super 90 Slug;
- (i) Montefeltro Super 90 20 Gauge;
- (j) Black Eagle;
- (k) Black Eagle Limited Edition;
- (l) Black Eagle Competition;
- (m) Black Eagle Slug Gun;
- (n) Super Black Eagle; and
- (o) Super Black Eagle Custom Slug.

8. The firearms of the designs commonly known as the Bernardelli B4 shotgun and the Bernardelli B4/B shotgun, and any variants or modified versions of them.

9. The firearm of the design commonly known as the American 180 Auto Carbine, and any variant or modified version of it, including the AM-180 Auto Carbine and the Illinois Arms Company Model 180 Auto Carbine.

10. The firearms of the designs commonly known as the Barrett "Light Fifty" Model 82A1 rifle and the Barrett Model 90 rifle, and any variants or modified versions of them.

11. The firearm of the design commonly known as the Calico M-900 rifle, and any variant or modified version of it, including the M-951 carbine, M-100 carbine and M-105 carbine.

12. The firearm of the design commonly known as the Iver Johnson AMAC long-range rifle, and any variant or modified version of it.

13. The firearm of the design commonly known as the McMillan M87 rifle, and any variant or modified version of it, including the McMillan M87R rifle and the McMillan M88 carbine.

14. The firearms of the designs commonly known as the Pauza Specialties P50 rifle and P50 carbine, and any variants or modified versions of them.

15. The firearm of the design commonly known as the Encom MK-IV carbine, and any variant or modified version of it.

16. The firearms of the designs commonly known as the Encom MP-9 and MP-45 carbines, and any variants or modified versions of them.

17. The firearm of the design commonly known as the FAMAS rifle, and any variant or modified version of it, including the MAS 223, FAMAS Export, FAMAS Civil and Mitchell MAS/22.

18. The firearm of the design commonly known as the Feather AT-9 Semi-Auto Carbine, and any variant or

modified version of it, including the Feather AT-22 Auto Carbine.

19. The firearm of the design commonly known as the Federal XC-450 Auto Rifle, and any variant or modified version of it, including the Federal XC-900 rifle and Federal XC-220 rifle.

20. The firearm of the design commonly known as the Gepard long-range sniper rifle, and any variant or modified version of it.

21. The firearm of the design commonly known as the Heckler and Koch (HK) Model G11 rifle, and any variant or modified version of it.

22. The firearm of the design commonly known as the Research Armament Industries (RAI) Model 500 rifle, and any variant or modified version of it.

23. The firearm of the design commonly known as the Spectre Auto Carbine, and any variant or modified version of it.

24. The firearm of the design commonly known as the US Arms PMAI "Assault" 22 rifle, and any variant or modified version of it.

25. The firearm of the design commonly known as the Weaver Arms Nighthawk Carbine, and any variant or modified version of it.

26. The firearm of the design commonly known as the A.A. Arms AR9 Semi-Automatic Rifle, and any variant or modified version of it.

27. The firearms of the designs commonly known as the Claridge HI-TEC C, LEC-9 and ZLEC-9 carbines, and any variants or modified versions of them.

28. The firearm of the design commonly known as the Kimel Industries AR-9 rifle or carbine, and any variant or modified version of it.

29. The firearm of the design commonly known as the Grendel R-31 Auto Carbine, and any variant or modified version of it.

30. The firearms of the designs commonly known as the Maadi Griffin Rifle and the Maadi Griffin Carbine, and any variants or modified versions of them.

31. The firearm of the design commonly known as the A.A. Arms Model AR-9 carbine, and any variant or modified version of it.

32. The firearm of the design commonly known as the Bushmaster Auto Pistol, and any variant or modified version of it.

33. The firearm of the design commonly known as the Calico M-950 Auto Pistol, and any variant or modified version of it, including the M-110 pistol.

34. The firearm of the design commonly known as the Encom MK-IV assault pistol, and any variant or modified version of it.

35. The firearms of the designs commonly known as the Encom MP-9 and MP-45 assault pistols, and any variants or modified versions of them, including the Encom MP-9 and MP-45 mini pistols.

36. The firearm of the design commonly known as the Federal XP-450 Auto Pistol, and any variant or modified version of it, including the XP-900 Auto Pistol.

37. The firearm of the design commonly known as the Heckler and Koch (HK) SP89 Auto Pistol, and any variant or modified version of it.

38. The firearm of the design commonly known as the Intratec Tec-9 Auto Pistol, and any variant or modified version of it, including the Tec-9S, Tec-9M, Tec-9MS, and any semi-automatic variants of them, including the Tec-DC9, Tec-DC9M, Tec-9A, Tec-Scorpion, Tec-22T and Tec-22TN.

39. The firearms of the designs commonly known as the Iver Johnson Enforcer Model 3000 Auto Pistol and the Iver Johnson Plainfield Super Enforcer Carbine, and any variants or modified versions of them.

40. The firearm of the design commonly known as the Scorpion Auto Pistol, and any variant or modified version of it.

41. The firearm of the design commonly known as the Spectre Auto Pistol, and any variant or modified version of it.

42. The firearm of the design commonly known as the Sterling Mk 7 pistol, and any variant or modified version of it, including the Sterling Mk 7 C4 and Sterling Mk 7 C8.

43. The firearm of the design commonly known as the Universal Enforcer Model 3000 Auto Carbine, and any variant or modified version of it, including the Universal Enforcer Model 3010N, Model 3015G, Model 3020TRB and Model 3025TCO Carbines.

44. The firearm of the design commonly known as the US Arms PMAIP "Assault" 22 pistol, and any variant or modified version of it.

45. The firearm of the design commonly known as the Goncz High-Tech Long Pistol, and any variant or modified version of it, including the Claridge Hi-Tec models S, L, T, ZL-9 and ZT-9 pistols.

46. The firearm of the design commonly known as the Leader Mark 5 Auto Pistol, and any variant or modified version of it.

47. The firearm of the design commonly known as the OA-93 assault pistol, and any variant or modified version of it.

48. The firearm of the design commonly known as the A.A. Arms AP9 Auto Pistol, and any variant or modified version of it.

49. The firearm of the design commonly known as the Patriot pistol, and any variant or modified version of it.

50. The firearm of the design commonly known as the XM 231S pistol, and any variant or modified version of it, including the A1, A2 and A3 Flattop pistols.

51. The firearm of the design commonly known as the A.A. Arms Model AP-9 pistol, and any variant or modified version of it, including the Target AP-9 and the Mini AP-9 pistols.

52. The firearm of the design commonly known as the Kimel Industries AP-9 pistol, and any variant or modified version of it.

53. The firearms of the designs commonly known as the Grendel P-30, P-30 M, P-30 L and P-31 pistols, and any variants or modified versions of them.

54. The firearms of the designs commonly known as the Claridge HI-TEC ZL-9, HI-TEC S, HI-TEC L, HI-TEC T, HI-TEC ZT-9 and HI-TEC ZL-9 pistols, and any variants or modified versions of them.

55. The firearm of the design commonly known as the Steyr SPP Assault Pistol, and any variant or modified version of it.

56. The firearm of the design commonly known as the Maadi Griffin Pistol, and any variant or modified version of it.

57. The firearm of the design commonly known as the Interdynamics KG-99 Assault Pistol, and any variant or modified version of it.

Former Prohibited Weapons Order, No. 12

58. The firearm of the design commonly known as the Sterling Mk 6 Carbine, and any variant or modified version of it.

59. The firearm of the design commonly known as the Steyr AUG rifle, and any variant or modified version of it.

60. The firearm of the design commonly known as the UZI carbine, and any variant or modified version of it, including the UZI Model A carbine and the Mini-UZI carbine.

61. The firearms of the designs commonly known as the Ingram M10 and M11 pistols, and any variants or modified versions of them, including the Cobray M10 and M11 pistols, the RPB M10, M11, SM10 and SM11 pistols and the SWD M10, M11, SM10 and SM11 pistols.

62. The firearm of the design commonly known as the Partisan Avenger Auto Pistol, and any variant or modified version of it.

63. The firearm of the design commonly known as the UZI pistol, and any variant or modified version of it, including the Micro-UZI pistol.

Former Prohibited Weapons Order, No. 13

64. The firearm of the design commonly known as the AK-47 rifle, and any variant or modified version of it except for the Valmet Hunter, the Valmet Hunter Auto and the Valmet M78 rifles, but including the

- (a) AK-74;
- (b) AK Hunter;
- (c) AKM;
- (d) AKM-63;
- (e) AKS-56S;
- (f) AKS-56S-1;
- (g) AKS-56S-2;
- (h) AKS-74;
- (i) AKS-84S-1;
- (j) AMD-65;
- (k) AR Model .223;
- (l) Dragunov;
- (m) Galil;
- (n) KKMPi69;
- (o) M60;
- (p) M62;
- (q) M70B1;
- (r) M70AB2;
- (s) M76;
- (t) M77B1;
- (u) M78;
- (v) M80;
- (w) M80A;
- (x) MAK90;
- (y) MPiK;
- (z) MPiKM;
- (z.1) MPiKMS-72;
- (z.2) MPiKS;
- (z.3) PKM;
- (z.4) PKM-DGN-60;
- (z.5) PMKM;
- (z.6) RPK;
- (z.7) RPK-74;
- (z.8) RPK-87S;
- (z.9) Type 56;
- (z.10) Type 56-1;
- (z.11) Type 56-2;
- (z.12) Type 56-3;
- (z.13) Type 56-4;
- (z.14) Type 68;
- (z.15) Type 79;
- (z.16) American Arms AKY39;
- (z.17) American Arms AKF39;
- (z.18) American Arms AKC47;
- (z.19) American Arms AKF47;
- (z.20) MAM70WS762;
- (z.21) MAM70FS762;
- (z.22) Mitchell AK-22;
- (z.23) Mitchell AK-47;
- (z.24) Mitchell Heavy Barrel AK-47;
- (z.25) Norinco 84S;
- (z.26) Norinco 84S AK;
- (z.27) Norinco 56;
- (z.28) Norinco 56-1;
- (z.29) Norinco 56-2;
- (z.30) Norinco 56-3;
- (z.31) Norinco 56-4;
- (z.32) Poly Technologies Inc. AK-47/S;
- (z.33) Poly Technologies Inc. AKS-47/S;
- (z.34) Poly Technologies Inc. AKS-762;
- (z.35) Valmet M76;
- (z.36) Valmet M76 carbine;

- (z.37) Valmet M78/A2;
- (z.38) Valmet M78 (NATO) LMG;
- (z.39) Valmet M82; and
- (z.40) Valmet M82 Bullpup.

65. The firearm of the design commonly known as the Armalite AR-180 Sporter carbine, and any variant or modified version of it.

66. The firearm of the design commonly known as the Beretta AR70 assault rifle, and any variant or modified version of it.

67. The firearm of the design commonly known as the BM 59 rifle, and any variant or modified version of it, including

- (a) the Beretta
 - (i) BM 59,
 - (ii) BM 59R,
 - (iii) BM 59GL,
 - (iv) BM 59D,
 - (v) BM 59 Mk E,
 - (vi) BM 59 Mk I,
 - (vii) BM 59 Mk Ital,
 - (viii) BM 59 Mk II,
 - (ix) BM 59 Mk III,
 - (x) BM 59 Mk Ital TA,
 - (xi) BM 59 Mk Ital Para,
 - (xii) BM 59 Mk Ital TP,
 - (xiii) BM 60CB; and
- (b) the Springfield Armory
 - (i) BM 59 Alpine,
 - (ii) BM 59 Alpine Paratrooper, and
 - (iii) BM 59 Nigerian Mk IV.

68. The firearm of the design commonly known as the Bushmaster Auto Rifle, and any variant or modified version of it.

69. The firearm of the design commonly known as the Cetme Sport Auto Rifle, and any variant or modified version of it.

70. The firearm of the design commonly known as the Daewoo K1 rifle, and any variant or modified version of it, including the Daewoo K1A1, K2, Max 1, Max 2, AR-100, AR 110C, MAXI-II and KC-20.

71. The firearm of the design commonly known as the Demro TAC-1M carbine, and any variant or modified version of it, including the Demro XF-7 Wasp Carbine.

72. The firearm of the design commonly known as the Eagle Apache Carbine, and any variant or modified version of it.

73. The firearm of the design commonly known as the FN-FNC rifle, and any variant or modified version of it, including the FNC Auto Rifle, FNC Auto Paratrooper, FNC-11, FNC-22 and FNC-33.

74. The firearm of the design commonly known as the FN-FAL (FN-LAR) rifle, and any variant or modified version of it, including the FN 308 Model 44, FN-FAL (FN-LAR) Competition Auto, FN-FAL (FN-LAR) Heavy Barrel 308 Match, FN-FAL (FN-LAR) Paratrooper 308 Match 50-64 and FN 308 Model 50-63.

75. The firearm of the design commonly known as the G3 rifle, and any variant or modified version of it, including the Heckler and Koch

- (a) HK 91;
- (b) HK 91A2;
- (c) HK 91A3;
- (d) HK G3 A3;
- (e) HK G3 A3 ZF;
- (f) HK G3 A4;
- (g) HK G3 SG/1; and
- (h) HK PSG1.

76. The firearm of the design commonly known as the Galil assault rifle, and any variant or modified version of it, including the AP-84, Galil ARM, Galil AR, Galil SAR, Galil 332 and Mitchell Galil/22 Auto Rifle.

77. The firearm of the design commonly known as the Goncz High-Tech Carbine, and any variant or modified version of it.

78. The firearm of the design commonly known as the Heckler and Koch HK 33 rifle, and any variant or modified version of it, including the

- (a) HK 33A2;
- (b) HK 33A3;
- (c) HK 33KA1;
- (d) HK 93;
- (e) HK 93A2; and
- (f) HK 93A3.

79. The firearm of the design commonly known as the J & R Eng M-68 carbine, and any variant or modified version of it, including the PJK M-68 and the Wilkinson Terry carbine.

80. The firearm of the design commonly known as the Leader Mark Series Auto Rifle, and any variant or modified version of it.

81. The firearms of the designs commonly known as the MP5 submachine gun and MP5 carbine, and any variants or modified versions of them, including the Heckler and Koch

- (a) HK MP5;
- (b) HK MP5A2;
- (c) HK MP5A3;
- (d) HK MP5K;
- (e) HK MP5SD;
- (f) HK MP5SD1;
- (g) HK MP5SD2;
- (h) HK MP5SD3;
- (i) HK 94;
- (j) HK 94A2; and
- (k) HK 94A3.

82. The firearm of the design commonly known as the PE57 rifle, and any variant or modified version of it.

83. The firearms of the designs commonly known as the SG-550 rifle and SG-551 carbine, and any variants or modified versions of them.

84. The firearm of the design commonly known as the SIG AMT rifle, and any variant or modified version of it.

85. The firearm of the design commonly known as the Springfield Armory SAR-48 rifle, and any variant or modified version of it, including the SAR-48 Bush, SAR-48 Heavy Barrel, SAR-48 Para and SAR-48 Model 22.

86. The firearm of the design commonly known as the Thompson submachine gun, and any variant or modified version of it, including the

- (a) Thompson Model 1921;
- (b) Thompson Model 1927;
- (c) Thompson Model 1928;
- (d) Thompson Model M1;
- (e) Auto-Ordnance M27A-1;
- (f) Auto-Ordnance M27A-1 Deluxe;
- (g) Auto-Ordnance M1927A-3;

- (h) Auto-Ordnance M1927A-5;
- (i) Auto-Ordnance Thompson M1;
- (j) Commando Arms Mk I;
- (k) Commando Arms Mk II;
- (l) Commando Arms Mk III;
- (m) Commando Arms Mk 9; and
- (n) Commando Arms Mk 45.

PART 2 RESTRICTED FIREARMS

Former Restricted Weapons Order

1. The firearms of the designs commonly known as the High Standard Model 10, Series A shotgun and the High Standard Model 10, Series B shotgun, and any variants or modified versions of them.

2. The firearm of the design commonly known as the M-16 rifle, and any variant or modified version of it, including the

- (a) Colt AR-15;
- (b) Colt AR-15 SPI;
- (c) Colt AR-15 Sporter;
- (d) Colt AR-15 Collapsible Stock Model;
- (e) Colt AR-15 A2;
- (f) Colt AR-15 A2 Carbine;
- (g) Colt AR-15 A2 Government Model Rifle;
- (h) Colt AR-15 A2 Government Model Target Rifle;
- (i) Colt AR-15 A2 Government Model Carbine;
- (j) Colt AR-15 A2 Sporter II;
- (k) Colt AR-15 A2 H-BAR;
- (l) Colt AR-15 A2 Delta H-BAR;
- (m) Colt AR-15 A2 Delta H-BAR Match;
- (n) Colt AR-15 9mm Carbine;
- (o) Armalite AR-15;
- (p) AAI M15;
- (q) AP74;
- (r) EAC J-15;
- (s) PWA Commando;
- (t) SGW XM15A;
- (u) SGW CAR-AR;

- (v) SWD AR-15; and
- (w) any 22-calibre rimfire variant, including the
 - (i) Mitchell M-16A-1/22,
 - (ii) Mitchell M-16/22,
 - (iii) Mitchell CAR-15/22, and
 - (iv) AP74 Auto Rifle.

PART 3 PROHIBITED WEAPONS

Former Prohibited Weapons Order, No. 1

1. Any device designed to be used for the purpose of injuring, immobilizing or otherwise incapacitating any person by the discharge therefrom of

- (a) tear gas, Mace or other gas, or
- (b) any liquid, spray, powder or other substance that is capable of injuring, immobilizing or otherwise incapacitating any person.

Former Prohibited Weapons Order, No. 2

2. Any instrument or device commonly known as “nunchaku”, being hard non-flexible sticks, clubs, pipes, or rods linked by a length or lengths of rope, cord, wire or chain, and any similar instrument or device.

3. Any instrument or device commonly known as “shuriken”, being a hard non-flexible plate having three or more radiating points with one or more sharp edges in the shape of a polygon, trefoil, cross, star, diamond or other geometrical shape, and any similar instrument or device.

4. Any instrument or device commonly known as “manrikigusari” or “kusari”, being hexagonal or other geometrically shaped hard weights or hand grips linked by a length or lengths of rope, cord, wire or chain, and any similar instrument or device.

5. Any finger ring that has one or more blades or sharp objects that are capable of being projected from the surface of the ring.

Former Prohibited Weapons Order, No. 3

6. Any device that is designed to be capable of injuring, immobilizing or incapacitating a person or an animal by discharging an electrical charge produced by means of the amplification or accumulation of the electrical current generated by a battery, where the device is designed or altered so that the electrical charge may be discharged when the device is of a length of less than 480 mm, and any similar device.

- 7. A crossbow or similar device that
 - (a) is designed or altered to be aimed and fired by the action of one hand, whether or not it has been redesigned or subsequently altered to be aimed and fired by the action of both hands; or
 - (b) has a length not exceeding 500 mm.

Former Prohibited Weapons Order, No. 4

8. The device known as the “Constant Companion”, being a belt containing a blade capable of being withdrawn from the belt, with the buckle of the belt forming a handle for the blade, and any similar device.

9. Any knife commonly known as a “push-dagger” that is designed in such a fashion that the handle is placed perpendicular to the main cutting edge of the blade and any other similar device other than the aboriginal “ulu” knife.

10. Any device having a length of less than 30 cm and resembling an innocuous object but designed to conceal a knife or blade, including the device commonly known as the “knife-comb”, being a comb with the handle of the comb forming a handle for the knife, and any similar device.

Former Prohibited Weapons Order, No. 5

11. The device commonly known as a “Spiked Wristband”, being a wristband to which a spike or blade is affixed, and any similar device.

Former Prohibited Weapons Order, No. 6

12. The device commonly known as “Yaqua Blowgun”, being a tube or pipe designed for the purpose of shooting arrows or darts by the breath, and any similar device.

Former Prohibited Weapons Order, No. 7

13. The device commonly known as a “Kiyoga Baton” or “Steel Cobra” and any similar device consisting of a manually triggered telescoping spring-loaded steel whip terminated in a heavy calibre striking tip.

14. The device commonly known as a “Morning Star” and any similar device consisting of a ball of metal or other heavy material, studded with spikes and connected to a handle by a length of chain, rope or other flexible material.

Former Prohibited Weapons Order, No. 8

15. The device known as “Brass Knuckles” and any similar device consisting of a band of metal with one or more finger holes designed to fit over the fingers of the hand.

PART 4
PROHIBITED DEVICES

Former Prohibited Weapons Order, No. 9

1. Any electrical or mechanical device that is designed or adapted to operate the trigger mechanism of a semi-automatic firearm for the purpose of causing the firearm to discharge cartridges in rapid succession.

2. Any rifle, shotgun or carbine stock of the type known as the “bull-pup” design, being a stock that, when combined with a firearm, reduces the overall length of the firearm such that a substantial part of the reloading action or the magazine-well is located behind the trigger of the firearm when it is held in the normal firing position.

Former Cartridge Magazine Control Regulations

3. (1) Any cartridge magazine

(a) that is capable of containing more than five cartridges of the type for which the magazine was originally designed and that is designed or manufactured for use in

(i) a semi-automatic handgun that is not commonly available in Canada,

(ii) a semi-automatic firearm other than a semi-automatic handgun,

(iii) an automatic firearm whether or not it has been altered to discharge only one projectile with one pressure of the trigger,

(iv) the firearms of the designs commonly known as the Ingram M10 and M11 pistols, and any variants or modified versions of them, including the Cobray M10 and M11 pistols, the RPB M10, M11 and SM11 pistols and the SWD M10, M11, SM10 and SM11 pistols,

(v) the firearm of the design commonly known as the Partisan Avenger Auto Pistol, and any variant or modified version of it, or

(vi) the firearm of the design commonly known as the UZI pistol, and any variant or modified version of it, including the Micro-UZI pistol; or

(b) that is capable of containing more than 10 cartridges of the type for which the magazine was originally designed and that is designed or manufactured for use in a semi-automatic handgun that is commonly available in Canada.

(2) Paragraph (1)(a) does not include any cartridge magazine that

(a) was originally designed or manufactured for use in a firearm that

(i) is chambered for, or designed to use, rimfire cartridges,

(ii) is a rifle of the type commonly known as the “Lee Enfield” rifle, where the magazine is capable of containing not more than 10 cartridges of the type for which the magazine was originally designed, or

(iii) is commonly known as the U.S. Rifle M1 (Garand) including the Beretta M1 Garand rifle, the Breda M1 Garand rifle and the Springfield Armoury M1 Garand rifle;

(b) is not a reproduction and was originally designed or manufactured for use in a firearm that

(i) is commonly known as the Charlton Rifle,

(ii) is commonly known as the Farquhar-Hill Rifle, or

(iii) is commonly known as the Huot Automatic Rifle;

(c) is of the “drum” type, is not a reproduction and was originally designed or manufactured for use in a firearm commonly known as

(i) the .303 in. Lewis Mark 1 machine-gun, or any variant or modified version of it, including the Lewis Mark 1*, Mark 2, Mark 2*, Mark 3, Mark 4, Lewis SS and .30 in. Savage-Lewis,

(ii) the .303 in. Vickers Mark 1 machine-gun, or any variant or modified version of it, including the Mark 1*, Mark 2, Mark 2*, Mark 3, Mark 4, Mark 4B, Mark 5, Mark 6, Mark 6* and Mark 7, or

(iii) the Bren Light machine-gun, or any variant or modified version of it, including the Mark 1, Mark 2, Mark 2/1, Mark 3 and Mark 4;

(d) is of the “metallic-strip” type, is not a reproduction and was originally designed or manufactured for use in conjunction with the firearm known as the Hotchkiss machine-gun, Model 1895 or Model 1897, or any variant or modified version of it, including the Hotchkiss machine-gun, Model 1900, Model 1909, Model 1914 and Model 1917, and the Hotchkiss machine-gun (Enfield), Number 2, Mark 1 and Mark 1*;

(e) is of the “saddle-drum” type (doppeltrommel or satteltrommel), is not a reproduction and was originally designed or manufactured for use in the automatic firearms known as the MG-13, MG-15, MG-17, MG-34, T6-200 or T6-220, or any variant or modified version of it; or

(f) is of the “belt” type consisting of a fabric or metal belt, is not a reproduction and was originally designed or manufactured for the purpose of feeding cartridges into a automatic firearm of a type that was in existence before 1945.

(3) Paragraph (1)(b) does not include any cartridge magazine that

(a) is of the “snail-drum” type (schnecken trommel) that was originally designed or manufactured for use in a firearm that is a handgun known as the Parabellum-Pistol, System Borchart-Luger, Model 1900, or “Luger”, or any variant or modified version of it, including the Model 1902, Model 1904 (Marine), Model 1904/06 (Marine), Model 1904/08 (Marine), Model 1906, Model 1908 and Model 1908 (Artillery) pistols;

(b) was originally designed or manufactured for use in a firearm that is a semi-automatic handgun, where the magazine was manufactured before 1910;

(c) was originally designed or manufactured as an integral part of the firearm known as the Mauser Selbstlade pistole C/96 (“broomhandle”), or any variant or modified version of it, including the Model 1895, Model 1896, Model 1902, Model 1905, Model 1912, Model 1915, Model 1930, Model 1931, M711 and M712; or

(d) was originally designed or manufactured for use in the semi-automatic firearm that is a handgun known as the Webley and Scott Self-Loading Pistol, Model 1912 or Model 1915.

(4) A cartridge magazine described in subsection (1) that has been altered or re-manufactured so that it is not capable of containing more than five or ten cartridges, as the case may be, of the type for which it was originally designed is not a prohibited device as prescribed by that subsection if the modification to the magazine cannot be easily removed and the magazine cannot be easily further altered so that it is so capable of containing more than five or ten cartridges, as the case may be.

(5) For the purposes of subsection (4), altering or re-manufacturing a cartridge magazine includes

(a) the indentation of its casing by forging, casting, swaging or impressing;

(b) in the case of a cartridge magazine with a steel or aluminum casing, the insertion and attachment of a plug, sleeve, rod, pin, flange or similar device, made of steel or aluminum, as the case may be, or of a similar material, to the inner surface of its casing by welding, brazing or any other similar method; or

(c) in the case of a cartridge magazine with a casing made of a material other than steel or aluminum, the attachment of a plug, sleeve, rod, pin, flange or similar device, made of steel or of a material similar to that of the magazine casing, to the inner surface of its casing by welding, brazing or any other similar method or by applying a permanent adhesive substance, such as a cement or an epoxy or other glue.

PART 5 PROHIBITED AMMUNITION

Former Prohibited Weapons Order, No. 10

1. Any cartridge that is capable of being discharged from a commonly available semi-automatic handgun or revolver and that is manufactured or assembled with a projectile that is designed, manufactured or altered so as to be capable of penetrating body armour, including KTW, THV and 5.7 × 28 mm P-90 cartridges.

2. Any projectile that is designed, manufactured or altered to ignite on impact, where the projectile is designed for use in or in conjunction with a cartridge and does not exceed 15 mm in diameter.

3. Any projectile that is designed, manufactured or altered so as to explode on impact, where the projectile is designed for use in or in conjunction with a cartridge and does not exceed 15 mm in diameter.

4. Any cartridge that is capable of being discharged from a shotgun and that contains projectiles known as “fléchettes” or any similar projectiles.

APPENDIX H**FIREARMS AND OTHER GOODS
REGULATED UNDER THE *FIREARMS ACT*****Category 1**

1. Includes firearms and other goods that are regulated by paragraphs 2(1)(b) and 2(1)(c), and section 43 of the *Firearms Act* and section 84 of the *Criminal Code*.

- (a) ammunition
- (b) antique firearms
- (c) crossbows
- (d) firearms
 - (1) non-restricted firearms
 - (2) restricted firearms
 - (3) prohibited firearms
- (e) prohibited weapons
- (f) restricted weapons
- (g) prohibited devices (replica firearms)
- (h) components or parts designed exclusively to be used in the manufacture or assembly of an automatic firearm
- (i) prohibited ammunition
- (j) weapons deemed not to be firearms [subsection 84(3)]

Category 2

2. Includes firearms and other goods that are regulated by paragraphs 2(1)(b) and 2(1)(c) of the *Firearms Act*. This section includes specifically the possession, purchase or sale of ammunition, and the purchase of crossbows.

- (a) ammunition
- (b) crossbows

Category 3

3. Includes firearms and other goods that are regulated in section 43 of the *Firearms Act*. Therefore, when speaking of the firearms and other goods that a business is authorized to import or export, we will only be referring to the firearms and other goods regulated under the *Firearms Act* listed in Category 3.

- (a) firearms
 - (1) non-restricted firearms
 - (2) restricted firearms
 - (3) prohibited firearms
- (b) prohibited weapons
- (c) restricted weapons
- (d) prohibited devices (replica firearms)
- (e) components or parts designed exclusively for use in the manufacture or assembly into an automatic firearm
- (f) prohibited ammunition

APPENDIX I

AUTHORIZING CANADIAN AGENTS

PROVINCE/TERRITORY	AUTHORIZING AGENTS	LEGISLATIVE AUTHORITY
Canada Wide	Royal Canadian Mounted Police	<i>Royal Canadian Mounted Police Act</i>
Newfoundland	(a) Royal Canadian Mounted Police (b) Royal Newfoundland Constabulary	(a) <i>Royal Canadian Mounted Police Act</i> (b) <i>Royal Newfoundland Constabulary Act</i>
Nova Scotia	(a) Royal Canadian Mounted Police (b) Attorney General of Nova Scotia	(a) <i>Royal Canadian Mounted Police Act</i> (b) <i>Nova Scotia's Police Act</i>
New Brunswick	Royal Canadian Mounted Police	<i>Royal Canadian Mounted Police Act</i>
Prince Edward Island	(a) Royal Canadian Mounted Police (b) Attorney General of Prince Edward Island	(a) <i>Royal Canadian Mounted Police Act</i> (b) <i>Prince Edward Island's Police Act</i>
Quebec	(a) Minister of Public Safety (b) Mayor of Municipality	(a) <i>Quebec's Police Act</i> (b) <i>Quebec's Police Act</i>
Ontario	(a) Solicitor General of Ontario (b) Commissioner of the Ontario Provincial Police (c) Police Services Board (Chief of Police)	(a) <i>Police Services Act</i> (b) <i>Police Services Act</i> (c) <i>Police Services Act</i>
Manitoba	(a) Royal Canadian Mounted Police (b) Attorney general of Manitoba	(a) <i>Royal Canadian Mounted Police Act</i> (b) <i>Provincial Police Act</i>
Saskatchewan	(a) Royal Canadian Mounted Police (b) Provincial Minister of Justice	(a) <i>Royal Canadian Mounted Police Act</i> (b) <i>Saskatchewan's Police Act, Part v</i>
Alberta	(a) Royal Canadian Mounted Police (b) Solicitor General of Alberta	(a) <i>Royal Canadian Mounted Police Act</i> (b) <i>Alberta's Police Act</i>
Yukon/Nunavut/ Northwest Territories	Royal Canadian Mounted Police	<i>Royal Canadian Mounted Police Act</i>
British Columbia	(a) Royal Canadian Mounted Police (b) Attorney General of British Columbia (c) Chiefs of the following forces: Vancouver; West Vancouver; Abbotsford; Nelson; Saanich; Victoria; Oak Bay; New Westminster; Esquimalt; Delta; Central Saanich; Port Moody	(a) <i>Royal Canadian Mounted Police Act</i> (b) <i>British Columbia's Police Act</i> (c) <i>British Columbia's Police Act</i>

REFERENCES

<p>ISSUING OFFICE –</p> <p>Interdepartmental Programs Unit Admissibility Programs Division Trade Policy and Interpretation Directorate</p>	<p>HEADQUARTERS FILE –</p> <p>7940-0</p>
<p>LEGISLATIVE REFERENCES –</p> <p><i>Customs Act</i> <i>Customs Tariff</i> <i>Criminal Code</i> <i>Export and Import Permits Act</i> <i>Firearms Act</i></p>	<p>OTHER REFERENCES –</p> <p><i>Explosives Act</i> D19-6-1</p>
<p>SUPERSEDED MEMORANDA “D” –</p> <p>D19-13-2, March 19, 1993</p>	

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