



CANADA

LIBRARY OF PARLIAMENT
BIBLIOTHÈQUE DU PARLEMENT

Ottawa, Ontario K1A 0A9
6 March 2009

Mr. Garry Breitkreuz, M.P.
Room 685
Confederation Building
House of Commons
Ottawa

Dear Mr. Breitkreuz:

RE: Alternative Certification in Alberta and Northwest Territories

This is a response to an inquiry from Dennis Young of your office on 15 October 2008. Following a previous request made by Mr. Young to which the RCMP and the Chief Firearms Officer of Ontario responded in letters dated 13 and 15 August 2008, Mr. Young wanted to know why: "The CFO for Alberta and the NWT told us that they only process Alternative Certification Applications if the applicant does not live near a Canada Firearms Safety Course Instructor that is certified to deliver the course and/or administer the written test."

More precisely, Mr. Young requested that I write to the CFO of Alberta and the Northwest Territories in order to confirm their policy on alternative certification. My letter to the CFO of Alberta dated the 28 November 2008 was rerouted by the RCMP to Public Safety Canada. Please find enclosed a response I received recently from Public Safety in response to this request.

Should you require further information on this or any other subject, please do not hesitate to contact the Parliamentary Information and Research Service.

Yours sincerely,

Tanya Dupuis, Analyst
Legal Affairs Section
Parliamentary Information
and Research Service

TD/dl

Encl.

Library of Parliament Request

November 28, 2008

The Library of Parliament has requested, on behalf of a Member of Parliament, information Alternative Certification applications. Specifically, the Member is seeking information as to whether or not Alberta and the Northwest Territories have a policy in place to only process alternative certification applications when the applicant does not live near a Canada Firearms Safety Course Instructor that is certified to deliver the course and/or administer the written test.

The Member would like to receive the information in English.

Response

Royal Canadian Mounted Police (RCMP)

Paragraph 7(4)(a) of the *Firearms Act*, S.C.1995, C. 39, provides for the alternative certification of an individual by a provincial or territorial Chief Firearms Officer for the purposes of meeting the licensing eligibility requirements (firearms safety training provisions) of the Act. As the *Firearms Act* is federal legislation, the regulations regarding alternative certification apply to all provinces and territories.

Sections 17 and 18 of the *Firearms Licences Regulations*, SOR/98-199 set out the criteria to be used when considering a person for alternative certification:

s.17. For the purposes of paragraph 7(4) (a) of the Act, the circumstances are that the individual has continuously owned a firearm since January 1, 1979.

s.18. For the purposes of paragraph 7(4) (a) of the Act, the following are the criteria relating to the safe handling and use of firearms and the laws relating to firearms:

(a) knowledge of:

- (i) the principles relating to the safe storage, display, handling, transportation and use of firearms that is equivalent to the knowledge of those principles that is required for the purposes of the Canadian Firearms Safety Course,

- (ii) In the case of certification for the purpose of a licence authorizing an individual to possess restricted firearms, the principles relating to the safe storage, display, handling, transportation and use of restricted firearms that is equivalent to the knowledge of those principles that is required for the purposes of a restricted firearms safety course referred to in paragraph 7(2)(a) of the Act, and
- (iii) the basic operation of common hunting or sporting firearms; and
- (b) basic knowledge of the Acts of Parliament and of the legislature of the province in which the application is or will be made, and of the regulations made under those Acts, that relate to the use of firearms for hunting or sporting purposes and to the storage, display, handling and transportation of firearms by individuals.

Alternative certification may be used in the following circumstances:

- to upgrade from a Possession Only Licence to Possession and Acquisition Licence where course or tests are not available.
 - within a reasonable time;
 - in the client's community or at a location that can be reached from that community without undue cost or hardship to the client; or
 - at a cost that is reasonable in the circumstances.
- to accommodate senior clients (those 65 and over who had a Possession Only Licence with valid registration certificates but did not renew Possession Only Licence prior to expiry).
- to other unique situations such as client's previous knowledge of firearms and experience with firearms handling.

The administration of alternative certification is conducted on a one-on-one basis by full-time Chief Firearms Officer staff. As such, it is costly to the RCMP and is not a commonly granted substitute for the Canadian Firearms Safety Course.

Generally, alternative certification may be offered by telephone in cases where the Chief Firearms Officer has confirmed that the course or test is not available in the area where the client resides, the client meets certain criteria to reduce the risk (such as previous experience with firearms) and having an instructor travel to the client or the client travel to an instructor would result in undue cost or hardship being incurred. It is understood that no practical test can be administered in these cases; however the Chief Firearms Officer will ensure that suitable questions are asked in lieu of the administration of the practical test in an effort to mitigate the risk to public safety.

Province of Residence

Alternative certification will only be offered to the client in the province where he/she is normally resident.

Non-Residents

Alternative Certification will not be offered to non-residents. Non-residents will be required either to complete the Canadian Firearms Safety Course(s) or successfully pass the challenge test(s).