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• (1550)

[English]

The Chair (Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.)): I call this meeting to order.

Welcome to meeting number 38 of the House of Commons Standing Committee on Public Safety and National Security. We will start by acknowledging that we are meeting on the traditional unceded territory of the Algonquin people.

Today's meeting is taking place in a hybrid format pursuant to the House order of November 25, 2021. Members are attending in person in the room and remotely using the Zoom application.

Pursuant to the order of reference of Thursday, June 23, 2022, the committee commenced consideration of Bill C-21, an act to amend certain acts and to make certain consequential amendments (firearms).

We have today two panels of witnesses.

For the first hour, I'd like to welcome, from Airsoft in Canada, Brian A. McIlmoyle, director; Nicholas James Martin, member, who is with us by video conference, I believe; and Ziming Wan, member.

Welcome.

For the second hour, we also have, from Canadian Doctors for Protection from Guns, Dr. Najma Ahmed, Dr. Philip Berger and Dr. Julie Maggi. From the Canadian Sporting Arms and Ammunition Association, we have Wesley Allan Winkel, president.

Thanks to all of you for joining us here.

We'll start with statements from our groups of witnesses.

We'll start with Airsoft in Canada. Please go ahead for five minutes.

Mr. Brian A. McIlmoyle (Director, Airsoft in Canada): Thank you, Chair.

My name is Brian McIlmoyle. I'm a director at ASIC, the Saving Airsoft in Canada Association. I'm joined by Ziming Wan and Nicholas Martin by video conference.

Thank you for inviting us here today.

Airsoft is a sport practised by tens of thousands of Canadians all across the country. Airsofters come from diverse backgrounds, all genders and orientations, English and French, casual or enthusiast, sport competitor or collector. Airsoft is enjoyed by those exploring

military re-enactments and simulations and by costume role players attending anime conventions. Airsoft businesses employ over 1,400 people. Today is a very important day for these people.

In Canada, recreational airsoft is a \$220-million industry, with more than \$46 million spent annually on goods and equipment and more than \$36 million on event production and tourism in the small towns that typically host these events. Bill C-21, as currently written, would shutter this industry entirely.

The Canadian film, video game and media industry is worth \$9 billion-plus annually, with about \$5 billion of that from films involving firearms and airsoft gear. Rubber prop guns were prohibited by Bill C-68 in 1993. Film armourers have told us that they are entirely reliant upon the Canadian airsoft retailers because of the next-day turnarounds required by film studios. They require direct access to retail sources for airsoft equipment. Without it, film productions would be delayed for weeks.

Since the accidental shooting of Halyna Hutchins, we have been told that Hollywood productions have shrunk their demand for real firearms by 60%, and increased their use of airsoft by 40%, with some film unions calling to shift entirely to airsoft. About 66% of Canadian film industry prop guns are airsoft. Film armourers that we have consulted have stated that Bill C-21, as currently written, would make Canada far less attractive for these productions, threatening that \$5 billion of production.

We understand the concerns of law enforcement. In our consultations with them, they noted their top concern was mistaking airsoft for real firearms, in particular when youth and children were involved. Police are trained to treat any suspected gun as a deadly threat. This has historically included Nerf blasters, Lego, camera tripods and musical instruments. We should be taking every practical precaution to prevent any potentially tragic incident for both police officers and the persons who are accidentally or negligently abusing airsoft.

We believe the best means to mitigate these risks is an 18-plus restriction on the purchase of airsoft, which would prevent children from buying airsoft without parental knowledge. In addition, a legal acknowledgement of risk or a waiver, when signed and combined with some clear educational material, will impress upon parents and young adults the important and very mortal responsibility of owning airsoft gear.

We believe this will prevent the majority of police calls for service, resulting from accidental and negligent use of airsoft. This would also bring us in line with the majority our peers internationally.

If we are to go a step beyond that, ASIC has studied a self-regulatory system similar to the United Kingdom's Airsoft Retailers Association and the U.K.'s Violent Crime Reduction act, which stipulates membership in an airsoft association in order to possess airsoft. This kind of measure would require a higher administrative overhead, but there is a feasible appetite for it within our community.

These measures benefit from joint positions with the FSAQ, or Fédération Sportive d'Airsoft du Québec; the AABC, Airsoft Association of British Columbia; and the CSAAA, the Canadian Sporting Arms and Ammunition Association.

Bill C-21's proposed redefinition of a prohibited device would eliminate airsoft as a sport by changing the legal classification of virtually all airsoft in Canada. It also affects a larger category of products, including paintball markers, pellet guns, Nerf foam blasters, etc., all of which would be impacted by Bill C-21 to varying degrees.

How Bill C-21 is written would make airsoft illegal to buy, sell, import, export or transfer. It would make it subject to confiscation without legal recourse. Current owners would be in possession of a prohibited device and subject to the relevant laws.

There is no doubt the legal regulation around airsoft is confusing. Manufacturers, importers, the CBSA and law enforcement find it confusing as well. The legal context of airsoft involves multiple sections of the Criminal Code, the Firearms Act and examples of case law that involve different definitions, qualifications and quantifications.

- (1555)

We suggest that this committee empower the Governor in Council to work with consultative bodies such as ASIC to more comprehensively and exhaustively define “replica firearm” and/or “airsoft” through regulation. We hope today that the committee can work with our community to develop a solution.

I thank you for your time today, Mr. Chair, and I welcome any questions.

The Chair: Thank you. You were only 15 seconds over, which is good.

We go now via video conference to the Canadian Doctors for Protection from Guns.

Please go ahead for five minutes.

Dr. Najma Ahmed (Doctor, Canadian Doctors for Protection from Guns): Thank you.

Gun injury and death is an urgent public health issue. The Canadian Medical Association declares that “Firearm-related injuries and fatalities are a major cause of premature and preventable death in Canada.” A 2020 Ontario study shows that over a 15-year period, there were nearly 6,500 gun injuries, and 42% were fatal. Another 2020 Canadian study shows that 10% to 20% of patients with firearm injuries suffer lifelong disability.

Gun injuries stress our economy and public health systems. Many of my patients never go back to work or school because of the physical and emotional trauma they have suffered. The toll on families and communities is unimaginable. Canadians have called on governments to reduce this threat to public health and well-being.

Preventing injury and death from firearms is a multi-faceted challenge that demands evidence-based solutions. Canada needs Bill C-21, with a permanent ban on assault weapons to save lives. Indisputable peer-reviewed evidence from around the world shows that restricting access to guns saves lives. The stronger the measures, the safer it is, and this is irrefutable.

Canada has work to do. We rank ninth of 36 countries in the OECD for firearm mortality.

The gun is the vector of harm and death. This is why assault weapons—firearms that can kill and maim many people in mere minutes—have no place in our communities. Banning these firearms will not necessarily make our society less violent, but it will make the violence less lethal. It has worked in Australia. It worked in Switzerland. It even worked for a time in the U.S.

A similar type of gun, the SKS rifle, which is not currently covered by the order in council, was used recently to kill two police officers in Ontario. A clear line must be drawn to ban all semi-automatic rifles as part of this legislation.

Further, CDPG supports the ban on the sale and transfer of handguns. International research shows that a woman is five times more likely to be killed in a domestic violence situation when there is a gun in the home, most frequently by a handgun. In 2019, the Canadian Femicide Observatory identified firearms as the most commonly reported means used to kill women and girls. All guns, including handguns, can be used to intimidate and control.

Handguns smuggled from the U.S. are not the sole source of crime guns. A handgun stolen from a gun shop in Saskatchewan was used in the Danforth mass shooting.

We support the proposed “red flag” law. Family members, physicians and concerned individuals must have access to an efficient process to quickly have firearms removed from someone who may be at risk to themselves or others.

In Canada, suicide accounts for about 75% of gun deaths. A gun in the home increases adolescent suicide rates by threefold to fourfold. Evidence from other jurisdictions shows that “red flag” laws are effective in reducing firearm suicides.

Most people who survive a suicide attempt do not go on to die by suicide. This is why restricting access to lethal means saves lives. Suicide attempts with a gun are almost uniformly fatal.

Public education and easy access to a confidential process for the removal of firearms would strengthen this bill. New York State offers its citizens an online application reviewed by a judge within 24 hours. We urge the federal government to work with provinces and territories to mandate physician reporting of individuals at risk of harming themselves or others.

The ban on replica guns is good but insufficient. Non-powdered firearms have the speed and force to penetrate skin or eyes and are a source of injury to children and youth. We urge the government to create a strong regulatory framework for these guns. We recommend mandatory warning and education labels on all guns and ammunition at the point of sale, similar to tobacco and other products.

The government must invest in the social determinants of health. I have seen how the traps set by poverty, racism and the lack of opportunity combined with a firearm devastate young lives. I know the government has been listening to community voices. Now it must act.

Finally, Canada would benefit from a deeper understanding of firearm injury. This bill should include a national firearms research and policy centre to study existing and potential solutions to reduce harm from guns.

• (1600)

For 20 years I have been treating patients devastated by firearm injuries and consoling families left behind with immeasurable grief. Our sole interest today is to protect Canadians from gun injury and death.

Thank you for listening to me so patiently. I'm here with my colleagues, Dr. Maggi and Dr. Berger, and we would be pleased to answer any questions.

Thank you.

The Chair: Thank you very much.

We go now to Mr. Winkel with the Canadian Sporting Arms and Ammunition Association.

Go ahead, please, for five minutes, sir.

Mr. Wesley Allan Winkel (President, Canadian Sporting Arms and Ammunition Association): Thank you very much.

My name is Wes Winkel, and I'm the president of the Canadian Sporting Arms and Ammunition Association. We have a volunteer board of directors, and I represent over 4,100 licensed businesses in Canada, as well as over 40,000 employees. We have a 2018 study that shows that we have an \$8.5-billion economic impact to our country's economy, and \$2.6 billion of that is involved in sport shooting.

Bill C-21, as currently constructed, gives us the danger of losing another 20%. We lost 20% in the May 1 order in council, and with the handgun freeze and the airgun prohibitions, we could be looking at a total of over 30%. This could lead to over 15,000 jobs lost in Canada. Businesses in Canada have invested millions of dollars to adhere to the strict regulations and the strict regulatory environment already imposed and have done a great job in keeping guns out of the hands of the criminal element. Over 90% of handguns used in crimes are acquired through criminal means and are not sourced legally.

The Canadian Association of Chiefs of Police has denounced the handgun transfer freeze and says that it will not have an impact on crime guns in Canada. We believe that to decimate our whole industry is a mistake. It is virtually impossible for our industry to keep up with the speed and volume of regulation changes that have been coming our way, and we've spent countless hours training staff and trying to remain up to date in our regulatory environment.

We request some compromise and some relief inside Bill C-21 and in the current regulations. We've been asking for a change of the “replica firearm” definition, as previously discussed by the air gun industry. We're looking for the committee to consult the air gun industry and to find a way to identify firearms for law enforcement to ensure that they are differentiated from real live firearms and we again recommend the implementation of the 18-year-old guideline for purchase.

We request that they remove the transfer freeze on handguns for individuals. Canada has probably the largest vetted and legal handgun ownership in the world. These sport shooters conduct their sport at ranges safely and provide no risk to the Canadian public. We have many participants who operate in this safe environment, and the businesses ensure that these firearms only reach the hands of those licensed individuals. We're requesting that the government not cease the sale of firearms to these licensed, vetted individuals but rather find an alternative method to restrict ownership and to keep those vetted individuals able to purchase and stay in our sport. There's a possibility of capping licences but ensuring that we can continue to sell and trade current firearms among ourselves.

We also ask that this committee look at respecting all competition shooters with the same exceptions as Olympic target shooters. We have sport shooters at international competitions such as the Single Action Shooting Society, or SASS; the International Practical Shooting Competitions, or IPSC; and the IDPA. These are internationally recognized shooting competitions with trained shooters who have dedicated their lives to their sport. They conduct it in a safe manner and they've always adhered to the government regulations. There is no need to attack this community because certain guns are used in the criminal element.

Furthermore, our businesses are asking that the government remove the downgrade of classification of firearms inside Bill C-21. By definition, the government has declared certain firearms a higher risk to society by labelling them as "restricted" and "prohibited", and it makes no sense why the government would want us to stop downgrading these firearms. If they've deemed that the public safety is enhanced by changing the firearms from prohibited to restricted, why would we want to limit that? Businesses have spent thousands of dollars training gunsmiths and investing in equipment to produce equipment and ensure that these firearms get downgraded successfully and safely. There is no need, at this point, to restrict that.

• (1605)

Furthermore, there are three more items discussed at the bottom of the regulatory amendments with the intention of implementation by order in council. We request more clarity on these things before they're brought in, and a high level of consultation with the industry, first and foremost on the magazine restriction intentions. To limit all firearms to five rounds or less would create a nearly impossible situation for the industry in conducting its business.

The Chair: Excuse me. Could you wrap up quickly?

Mr. Wesley Allan Winkel: Yes.

We would also ask that they look at those regulations closely and consult with industry. The same goes for the firearms-marking regulations and the enhanced security measures for storage.

Thank you very much. We're free to answer questions at any time.

The Chair: Great. Thank you.

Thank you all. We'll now go to our round of questions.

Mr. Lloyd, please go ahead for six minutes.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Thank you, Mr. Chair.

I want to thank all the witnesses for coming here and sharing their unique perspectives.

I'm going to start with a question for Canadian Doctors for Protection from Guns.

I found it interesting to hear—and my own research backed up your claim—that 75% to 80% of firearms-related deaths in Canada are caused by suicide. I note that the department in the last meeting justified Bill C-21 because of its ability to reduce suicide by firearms. I'm concerned, though, if you're aware of it, that a 2004 peer-reviewed study from Jean Caron showed that while gun control measures did reduce the prevalence of firearm-related suicides, it didn't reduce the overall suicide rate, as people found alternative means of committing suicide.

I think we should be promoting policies that reduce suicide overall. We know we're in a mental health challenge. It seems like this policy might have an impact on reducing firearms-related suicide, but do you have any evidence to suggest that it would reduce suicide absolutely?

Dr. Najma Ahmed: Thank you for the question.

There is actually strong evidence. I'll defer to my colleague Dr. Maggi on that. She is the mental health expert and knows the literature quite well.

Mr. Dane Lloyd: Because of my limited time, can you please submit that evidence to committee for our review when we have more time? Thank you—

Dr. Najma Ahmed: We would be delighted to submit, but we would also request that we be allowed to answer the question—two sentences, please.

Mr. Dane Lloyd: Okay.

Dr. Najma Ahmed: Thank you.

Mr. Dane Lloyd: Go ahead.

Dr. Julie Maggi (Doctor, Canadian Doctors for Protection from Guns): We will submit, I think in summary, that the mental health community is unanimously in favour of means restriction, which has been put in place in many different areas, to prevent suicide, including on things like bridges. Very few people, a minority of them, actually substitute. When they do, they typically substitute to suicide attempts with less lethal means.

I'll leave it at that, and we will—

• (1610)

Mr. Dane Lloyd: Thank you. We'll expect some more stuff.

I was also interested in a Statistics Canada report from 2020 that said “four out of five (83%) victims of violent crime where a firearm was present were either not injured (61%) or they sustained a minor injury that required no professional medical treatment or only some first aid”. The Statistics Canada report also said that “Victims of firearm-related violent crime were less likely to be injured than victims where no firearm was present....”

How does that match up with the evidence that you have presented here today? This was Statistics Canada.

Dr. Najma Ahmed: I'm not aware of that specific data, but I can tell you that a recent CMAJ study published by first author David Gomez cited a 42% mortality rate for patients who arrive to hospital.

I don't know that specific data. That's not peer-reviewed data. I'm not familiar with that data. I'd have to study that and get back to you on that.

That is not what the body of evidence shows, and that is not what we're seeing in our trauma rooms, our emergency departments and hospitals on a daily basis.

Mr. Dane Lloyd: Thank you.

I'll move on to my next question. This is to the CSAAA.

I would note that in the last meeting, I was asking about the five-round magazine limit. I'm aware that there are a number of primarily non-restricted rifles in Canada that can use a substituted handgun magazine that can hold 10 rounds. Do you have any evidence or inherent facts that these firearms that have 10 rounds have been used in crimes? Is this something that's a concern?

Mr. Wesley Allan Winkel: Absolutely not. There's been no direct correlation of data with those particular firearms that have the ability to have a higher capacity due to the pistol magazine exemption of the five-round limit in semi-automatic firearms. There's been no evidence that those firearms have been used in crimes or that there's been an increase in public safety concerns.

Mr. Dane Lloyd: To clarify, nobody is suggesting that we should be legalizing high-capacity magazines in Canada.

In the case of these firearms in particular, which could be impacted by this legislation, you haven't seen any crimes. There hasn't been a public safety argument as far as you've seen that these are being used in crimes because of their capacity.

Mr. Wesley Allan Winkel: That's correct. We've seen no data to suggest that there's an increase in public safety concerns.

Mr. Dane Lloyd: One concern I had was a provision in the bill about forcing people to show their licence to prevent trafficking. An example was straw purchasing.

I've always kind of thought straw purchasing for handguns or restricted weapons was a bit of a red herring, considering that they are registered. Anyone who would straw purchase a restricted firearm and then sell it on the black market would be really opening themselves up, because it would be quite easy to identify who is committing this.

Can you talk about straw purchasing? Is it a serious issue?

Mr. Wesley Allan Winkel: Straw purchasing represents a very small number of guns that end up in the hands of criminals. It is still something that is on the radar. The industry has worked a lot with NWest to identify straw purchasers. We've had a three-year program now that has been extremely successful in lowering these amounts of straw purchasing.

Mr. Dane Lloyd: Did you receive government support for this program, or was this something industry took on itself?

Mr. Wesley Allan Winkel: This is something that industry took on all on its own. We receive no government support and no government direction.

Mr. Dane Lloyd: Would government support help you to make that program stronger?

Mr. Wesley Allan Winkel: Absolutely. We have requested it and we have not received it, but it would definitely help out.

Mr. Dane Lloyd: That's a shame.

In my last few seconds, can you give examples of what kind of straw purchasing you have seen?

Mr. Wesley Allan Winkel: There have been a couple of examples of individuals purchasing handguns in volume from different retailers, thus making it hard for the retailers to identify them. However, every one of those transactions was approved by the chief firearms office and the RCMP. It seemed more concerning to us—and that's why we took it on as an industry to look into it—because we could not understand how the chief firearms office and the RCMP were not able to identify this before they approved the transactions.

The Chair: I'm sorry; I have to cut you off there. Thank you.

The bells are ringing for a vote, so I need unanimous consent to carry on if there's a will to do so. We have three more six-minute slots left in this round. Would we have unanimous consent to carry on that far?

Okay, we have unanimous consent for 15 minutes, so we'll maybe shorten the six-minute round to five minutes apiece if that's okay. Then we'll be able to finish the first round.

We'll go now to Mr. Noormohamed for five minutes, please.

● (1615)

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): I'm sorry, Mr. Chair; before we start my time, I'm curious about why we are cutting the time. Do we have unanimous consent to cut the time? Why are we doing that if we're willing to keep going?

The Chair: We don't have unanimous consent to cut the time, but it is sort of a chair prerogative to try to fit things in where we can.

We have 15 minutes with unanimous consent to carry on, so we can finish the round if we do five minutes apiece. Perhaps we can make it up later somehow.

Mr. Taleeb Noormohamed: Thank you very much. I will speak more quickly than I ordinarily would.

I want to thank all the witnesses for being here. I'll start with Dr. Maggi.

I think you touched on something really important in talking about suicides and mental health. In your professional opinion, do you think that reducing the number of guns in homes or guns available to people will reduce the number of suicides?

Dr. Julie Maggi: Thanks for the question.

We know that if you live in a home with a gun, you're five times more likely to die by suicide. Further, most suicides are impulsive actions. By impulsive, I mean the suicidal crisis passes in 10 minutes to a hour. Reducing the means by which someone can do something drastic in that period of time is one of the most important interventions that we can have for suicide risk reduction.

Mr. Taleeb Noormohamed: In other words, making it harder for people to kill themselves makes it harder for people to kill themselves.

Dr. Julie Maggi: That's correct.

Mr. Taleeb Noormohamed: I've got it. For you as a doctor, that's an important intervention because of...what?

Dr. Julie Maggi: For me as a doctor, it's an important intervention because suicide is the end result of many different illnesses. A lot of factors go into the final moment.

Being able to actually limit the means is one of the strongest pieces of evidence we have to actually decrease the number of people who die by suicide. For an individual, if I'm working with an individual, removing the means often allows me to keep them out of hospital for extended periods of time. It allows me to have more time to treat their mental illness, if they have one. Keeping them alive opens up a lot of options.

Mr. Taleeb Noormohamed: Thank you.

Can you give a brief answer to this question? I represent a riding with a lot of medical professionals, a lot of doctors, a lot of nurses. Tell us what it's like for you, as doctors, when you have to deal with gunshot victims. What is it like? What does that do for you? What does it do for the families? Why should we take that into consideration when we're making decisions around this legislation?

Dr. Julie Maggi: It's extremely difficult, as a physician, to see someone who has had a gunshot wound, but it's not just me. It's the people who surround that individual who has had the gunshot wound. It's the family. It's the community. This is an injury that has multiple rippling effects. Again, it doesn't just keep the individuals who are injured out of work and decrease their own lives and productivity, but it does so for their families and communities.

All the statistics we look at that are just about the one person who may have died do not capture the rippling effects of gunshot wounds.

Mr. Taleeb Noormohamed: Thank you for that.

I'd like to turn for the couple of minutes I have left to our friends from the airsoft industry.

I think that everyone in this room understands that airsoft doesn't kill people, but they do get people killed because of the way they look. They might not be used in the way that you intend them to be used, and then perhaps their aesthetic causes law enforcement to respond in a way that law enforcement should if they see something that looks like a lethal weapon.

I don't think anybody here wants you to shut down your industry. What is the industry willing to do to help ensure that the airsoft guns you manufacture or that you use don't look like lethal firearms?

We heard the nerf analogy earlier, but a nerf gun looks nothing like an airsoft gun.

We don't want to shut your industry down. We do want to make it something that doesn't get people killed, so tell us what you would be willing to consider so that we can find ways to work together to make sure that people who are playing this sport are not able to inadvertently become the cause of people dying, particularly young people.

Mr. Brian A. McIlmoyle: I'm going to pass that question over to my technical specialist, Mr. Ziming Wan.

• (1620)

Mr. Ziming Wan (Member, Airsoft in Canada): Thank you for the opportunity to answer your question.

We've actually consulted many active-duty law enforcement officers from multiple agencies across Canada, and the general consensus is that we would like to reduce these occurrences in the first place. The consensus is also that when this difficult situation does arise, the determining factor generally is not whether or not a person had an object that may or may not have looked like a firearm; the general consensus is that the determining factor is the body language and the mannerisms displayed by the person in the situation.

There also have been many cases in which objects that were clearly not firearms have been mistaken for firearms. An example of that would be from Sean Arbuthnot, who is the founding director of ASIC, our organization. He was actually taken down at gunpoint in a city over a camera tripod that looked nothing like a firearm.

Mr. Taleeb Noormohamed: Just to interrupt, with the time we have, we are trying to find ways to find solutions. Rejecting the premise of the question doesn't help. What I'm trying to say to you is that we have heard from law enforcement saying that this is a problem, so we are trying to find ways to be helpful here.

Tell us what you are willing to do to make sure that things that look like AR-15s that might shoot nerf darts don't actually end up getting people killed. That's what we're trying to get to.

The Chair: You have 15 seconds for that answer.

Mr. Ziming Wan: With that opened, I think that reducing these instances in the first place would be the best scenario, so we recommend liability waivers and the 18-plus requirement to reduce these instances in the first place.

The Chair: Thank you.

[Translation]

I now give the floor to Ms. Michaud for five minutes.

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Before we begin, Mr. Chair, I understand that we all agreed to continue the meeting, but the NDP and I have had our time cut by one minute. One minute is basically a lot, because we don't have much time. Given that it was the Conservatives who were proposing to go to the House to vote, could we not cut their time rather than ours?

The Chair: You are talking too fast for me. Can you repeat that?

Ms. Kristina Michaud: I said we agreed to continue the meeting despite the vote, and that it was the NDP's time and my time that was getting cut off. We already don't have much time. Given that it was the Conservatives who proposed going to the House to vote, could we not cut into their time rather than ours?

[English]

The Chair: They've already had their slot. You can't cut their time.

I was trying to fit in a full round within 15 minutes. Mr. Noormohamed actually ended up with six minutes.

I'm going to propose that we stop at the agreed-upon 15 minutes and invite our guests to come back after the vote if they are able to do so, and then we will continue wherever we left off.

I don't know if our witnesses are going to be able to stay, but perhaps we shall proceed on that basis, and in that case, please go ahead for six minutes.

[Translation]

Ms. Kristina Michaud: Thank you, Mr. Chair. I appreciate that.

I thank the witnesses for their attendance.

I will first address the representatives of Airsoft in Canada. Earlier, my colleague from the Liberal Party said that the purpose of the bill was not to put you out of business. However, if I understand correctly, you were not consulted before this bill was introduced. Is that correct?

[English]

Mr. Brian A. McIlmoyle: Thank you for your question. It's a very good one, and the answer to that question is no. The government did not consult the industry or the player associations that exist in various provinces before this bill was tabled.

I think the volume of the response from our community, including direct submissions to this committee, perhaps made it clear to the honourable members that this is a serious issue, that many people are engaged in it and that when looking at legislating an industry

away, consultation should be part of that process. In this case, it was not. We were not consulted in any way.

• (1625)

[Translation]

Ms. Kristina Michaud: I tend to agree with you. I find it peculiar that my colleagues in the Liberal Party say they don't want to shut you down and they want to find common ground, but they didn't consult you.

In my opinion, the approach of the Fédération sportive d'airsoft du Québec, with whom you probably work, is very constructive and reasonable, since your industry, the airsoft pellet shooting industry, is extremely affected by the bill. Instead of removing all the sections that affect your industry, you are proposing amendments. To find a compromise, you have based yourselves in particular on what is done in California and in British legislation.

I imagine that you agree with the recommendations of the Quebec federation, but I would like you to tell us more about them. How far do you think the bill should go to further regulate your industry, without completely shutting it down?

[English]

Mr. Brian A. McIlmoyle: That's another very good question.

The airsoft community and industry have been operating in an absence of regulation for a very long time, and one of the things we want to achieve by this process is to bring clear regulations into place so that not only players but importers and retailers all know the lay of the land and can predict outcomes. This is one of the biggest issues with airsoft in general, because it operates within the spaces between regulations. It has been a successful community for a very long time and has been built to the size that I mentioned earlier, but it's very true that this bill is an opportunity to clear away this landscape of unsure circumstances and put in place clear regulations.

What we propose—and our colleagues in the Quebec federation agree as well—is a clear 18-plus requirement for purchase, a waiver at point of sale indicating clearly the potential responsibilities and dangers in the possession of these things and, in addition to that, clear markings and labelling on these devices so that people who purchase them know their responsibilities and know that they are responsible to ensure they're used safely and according to the law.

In addition, the application of clear regulations allows us to clearly provide that information to end-users, importers, exporters, purchasers and retailers. What we're really hoping to achieve here is to remove the fog, so to speak, and provide clear regulation and a clear path forward for our industry.

The esteemed members have said they don't want to destroy our industry, but this bill does, completely and finally, and without clear regulation, it's devastating for these things to happen to the many people who have invested their life savings in businesses and purchased properties—

The Chair: I'm sorry, sir. I have to cut you off there.

Mr. Brian A. McIlmoyle: Thank you. I appreciate that.

The Chair: Madame Michaud, you have one minute left.

I'm going to invite all of the witnesses to come back after the vote. I'm not exactly sure how long that will be. It will probably be half an hour. We'll then finish one minute with Madame Michaud and then six minutes with Mr. MacGregor. I apologize to you all, but the votes happen when they happen.

Thank you.

We are now suspended.

• (1629)

(Pause)

• (1700)

The Chair: I call this meeting back to order.

I apologize to the witnesses. Thank you for sticking around. It's the way of life on the Hill, and these things happen.

We will continue with Madame Michaud.

[*Translation*]

You have the floor for one minute.

Ms. Kristina Michaud: Thank you, Mr. Chair.

Mr. Winkel, we often hear your association or its members say that arresting an honest citizen gun owner is not going to stop a criminal from shooting someone. We tend to agree with you on that. We also agree with you that there is a problem with the trafficking of illegal weapons. That is what is causing deaths and injuries in cities like Montreal right now. We see it a lot in the media.

However, we must not forget that legal weapons remain dangerous and that it is normal and necessary to continue to supervise them. We are not saying that they should be removed everywhere and always, but it is normal to regulate an object that can kill someone, because it is not trivial.

It should be remembered that shootings have been perpetrated by legitimate gun owners. One need only think of Polytechnique, Dawson College or the Quebec City mosque. There have also been shootings in Fredericton, Moncton and Vernon.

Are you aware that militant groups fear that this could happen again and that another legitimate gun owner could do something irreparable?

• (1705)

[*English*]

Mr. Wesley Allan Winkel: Of course I am aware that there are groups against this.

Respectfully, we are talking about completely shutting down the handgun industry. You said that we weren't looking to do that, but we are. We're completely restricting the sale of handguns to all vetted owners.

I'd also like to say that we have a situation in which these items are severely restricted, and all of these owners are vetted by the

RCMP. Is there any situation in which you have 100% safety with any item? No. That's not the case. It's our job to do the best we can to limit the number of these items getting into criminal hands, and I think the industry has done a very good job of that.

Now we're using an extreme amount of resources to try to limit the less than 10% of firearms that are acquired legally and we are not using our resources to attack the 90% that are not acquired legally. In the meantime, we're shutting down an industry that represents \$8.5 billion to our economy and many jobs, and we can't minimize that. That's a great deal of cost to our overall economy and to these people in this industry who have participated in it legally for their whole lives.

The Chair: Thank you.

We'll go now to Mr. MacGregor for six minutes.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Thank you, Mr. Chair.

Thank you to all of our witnesses for helping to guide our committee through this study.

I'd like to start with Airsoft in Canada.

This summer, my constituent Jon Bell took me out to the Victoria Fish and Game Protective Association and put me in some referee garb. I got to watch one of your competitions. You're right. I agree with your opening statement. There were people, young and old, all kinds of demographics, who had come to enjoy a good time in the outdoors. I'm very sympathetic to your sport.

It's obvious that people who engage with it are very passionate. As evidenced by the campaign thus far, they are very motivated to engage with this committee, so I salute you in your efforts for that political engagement.

In the way Bill C-21 is currently written, an airsoft gun is suddenly deemed a prohibited device. I know it's for the purposes of sections of the Criminal Code—weapons trafficking, possession for the purpose of weapons trafficking, and so on, so it's specific sections—but what effect does it have on an owner to know that suddenly your device is now going to be deemed prohibited? What's that chill effect?

Mr. Brian A. McIlmoyle: Thank you for the question.

I'll put that question over to my colleague Nicholas Martin, who is our community liaison. He can answer that question.

Mr. Nicholas James Martin (Member, Airsoft in Canada): Alistair, thank you for the question.

A few of the issues we get right now are concerns about what happens after the bill is passed. What will happen if they decide to sell it? Obviously that will be illegal under the Criminal Code, because they will be considered prohibited firearms under the Criminal Code.

The immediate chilling effect is that we have been told that we can keep the ones we have and we get to keep using them, but as Bill C-21 is currently written, section 117.03 of the Criminal Code will empower police officers to take airsoft guns on sight. There is no reason required; they don't have to have a reason or probable cause. They need nothing.

The fear is that if they were to go to a paintball field and play an airsoft game, a police officer could show up and take their property, and there is no way to get it back.

The fear is that we—

• (1710)

Mr. Alistair MacGregor: May I interrupt? I'm sorry about that. I have limited time.

You made some helpful suggestions for our committee in your opening statement. You recommended restricting purchasing to those 18 or older, and the risk waiver that would make a person who's purchasing understand the responsibility that comes with owning such a device.

However, when I look at how Bill C-21 is written, I'm trying to figure out how we are going to fit your amendments in, given how Bill C-21 is currently written, because we'd be adding a new subsection to the Criminal Code—specifically, a subsection 3.2 after the existing subsection 3.1 of section 84.

Have you figured out some of the wording for the technical pieces? Do you believe this existing clause can be amended properly to take into account what you're hoping to achieve? I guess what I'm asking is whether you can help guide our committee through how you would ultimately like to see this clause rewritten.

Mr. Nicholas James Martin: Some of the difficulty, right now, is that we haven't had consultation until this point. The process of discussing the amendments we'd be open to, or how to achieve them, hasn't even begun, because the government hasn't spoken with us.

We would be more than happy to talk and explore options about how this can be fitted into the bill and what amendments are and are not possible within our community.

Mr. Alistair MacGregor: Thank you.

I heard you state, in your opening statement and in answer to one of my colleagues, that you are also looking for some more specifics through regulatory power. Perhaps this bill could authorize the government to make specific regulations on how the guns are marked, etc.

Mr. Nicholas James Martin: I'll hand it back to Brian.

Mr. Brian A. McIlmoyle: Thank you.

Specifically, we're seeking to empower the government to make regulations in the context of this bill, because regulations are where the rubber hits the road. We're looking for regulations that clearly define what a replica is, rather than the broad definition we have now, and hopefully define, specifically and exactly, what an airsoft gun is and how it fits within the context of the regulations.

This would clear the field for everybody and allow importers to import articles that meet those requirements, retailers to sell articles that meet those requirements and end-users to confidently know that the objects they have in their possession are not illegal and don't represent a risk for any sort of prosecution just from having them.

Mr. Alistair MacGregor: Thank you. I'm sorry for rushing you through this. I only have one minute left and I want to get a question in to the Canadian Doctors for Protection from Guns.

I appreciate your opening statement regarding the red flag laws portion of Bill C-21. As you may be aware, the Canadian Association of Emergency Physicians was quite critical of the previous version of Bill C-21. They were quite concerned about the onus placed on family members. I know this current version of Bill C-21 has built in a lot of added protections, such as making sure a cloak of anonymity can be brought down on the person bringing forward the complaint.

Are you happy with the existing provisions in Bill C-21 as they've been reworked, as they are in their current state?

Dr. Najma Ahmed: I'll start, then Dr. Maggi can add to it.

As we said, we are supportive of the red flag laws because they have been shown to decrease rates of suicide and mass shootings in jurisdictions where they have been properly implemented to protect confidentiality, and with the assistance of a safety plan to make sure that women and children are safe during the process of those firearms being removed. If we could educate the public, our police forces and women, we would look forward to building legislation that could protect women in these circumstances.

Dr. Maggi, perhaps you have further comment.

Dr. Julie Maggi: I'll add quickly to that.

I may be mistaken, but I don't see a provision within this document to allow for physicians to make a report based on their interaction with a patient. That, to me, would be something important to discuss, because there's nothing in there about being able to breach confidentiality, essentially.

Second, I think important components for effective red flag laws include being able to access a judge urgently, and the training of judges.

Third, I think they should ensure there's no increased stigma for mental illness and that it's based on risk factors and not diagnosis of mental illness, which I understand is not in there. That's part of the training that needs to happen.

• (1715)

The Chair: That's great. Thanks, all of you.

Thank you, Mr. MacGregor.

We'll start our second round now with Mr. Shipley for five minutes, please.

Mr. Doug Shipley (Barrie—Springwater—Oro-Medonte, CPC): Thank you, Chair.

I'd like to start with Mr. Winkel.

Thank you, Mr. Winkel, my good neighbour just up Highway 11 there. I'm from Barrie—Springwater—Oro—Medonte. I'm sure you're well aware of where that is. Welcome here today.

I have just a couple of quick questions, Mr. Winkel, because we're under a tight timeline, and I'd like to get through a few here. Specifically, what amendments or changes would you like to see in regard to Bill C-21?

Mr. Wesley Allan Winkel: I'd like to see first and foremost that when it comes to the magazine restriction, we implement the words at minimum of “detachable and centerfire” when it comes to magazine capacity restrictions. That way, it will not limit the number of firearms affected.

I would like to see that we continue to allow all licensed and vetted individuals to purchase handguns.

We would like to see the committee work with the air gun industry to ensure there are options for air guns that do not provide a high risk to law enforcement to be sold and properly identified.

Also, we're looking for competition exemptions, similar to the Olympic exemptions, for all international competitor shooters and target shooters in all the different sports.

Mr. Doug Shipley: Thank you for that. If you think of anything else, you can please put that in writing to us.

I'd like to switch quickly—because I am going to be short on time—to my friends at Airsoft.

I recently received an email. I'm not going to mention the gentleman's name. He's from Barrie. It's a little lengthy, but I'm going to read a couple of paragraphs from it and ask for your input as to whether this is normally what's going on in it, because I don't play airsoft. Some family members have in the past, but I don't know a lot about it.

I'm going to paraphrase here by starting with this from my resident: “It is truly a team sport that brings together players from all different walks of life, and provides a community that accepts all sorts of people gathering around a common passion. I also believe that it has a part to play in getting the youth away from screens and video games, and puts them out into an afternoon of play, requiring some physical effort as well as critical decision making. Airsoft has helped my life personally in so many ways including sobriety. There is so much positivity surrounding the sport! I play competitively with a very active team every week but I also play on another team called AAA “Airsoft Addicts Anonymous”. We meet up usually once a month or more and it keeps growing and growing. Airsoft is for everyone, and has zero downsides. It should have no place in this bill.

“It will break my heart if Bill C-21 is passed, and these opportunities are taken away from the current and future generations of players, having their favourite sport outlawed for reasons we do not find legitimate, nor convincing.”

The letter is a lot longer, but I'll leave it at that.

Perhaps you could comment on that and tell me a little bit about the type of people who are playing this sport across Canada.

Mr. Brian A. McIlmoyle: Thank you for the opportunity to answer that question.

I've been involved in the community since 2005. I've seen people...mostly young men, because the demographic does slide to young men participating in airsoft, although that's broadening now. The appeal is broadening. I've seen young men change before my eyes over a period of a couple of years, from basement dwellers who don't see the light of day to young men who are empowered and who become leaders and mentors in their own right.

This is what keeps me involved in it. I'm way older than most people who are involved in airsoft, but this is what keeps me involved in this community: the transformation that happens with young men and women who get involved in it. It's inspiring to see.

There are few opportunities for young people to learn leadership skills, and this is one of the environments where it does happen. They learn confidence and learn how to interact with other people in a collaborative and co-operative way. All of these skills are learned and developed on the airsoft field. The transformation of young people into becoming adults, becoming entrepreneurs, starting businesses and getting jobs to pay for their hobby really is something to see.

The impact is very large, and that letter is a very good example of the kinds of things we hear every day.

● (1720)

Mr. Doug Shipley: Thank you.

Mr. Chair, I'm very low on time. How much time do I have?

The Chair: You have 22 seconds.

Mr. Doug Shipley: Very quickly, then—and this is probably not going to get much of an answer—a constituent of mine owns a paintball and airsoft pro shop in Barrie. He says that Bill C-21 in its current form will result in a loss of 60% to 70% of his revenue and force the closure of his business that he has spent 20 years building. Are you hearing that?

Mr. Brian A. McIlmoyle: Yes. I'll pass that over to Mr. Wan. He's a business owner himself.

Mr. Ziming Wan: I've been working in the airsoft industry for about a decade now, and about 50% of retail sales are from the airsoft devices themselves. I believe the statistic we gathered was that over 90% of airsoft businesses expect to close immediately if Bill C-21 is passed in its current state.

The Chair: Thank you, Mr. Shipley. We're going to go to Ms. Damoff for five minutes. We're going to have to terminate this round after Mr. MacGregor so we can have time to get the next panel in.

Go ahead, Ms. Damoff, for five minutes, please.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Chair, and thank you to all of our witnesses for being here.

Dr. Ahmed, I think I heard you say you have to leave at 5:25, so I'm going to start with you.

I want to thank you, first of all, for your advocacy. I know you've come under extensive attack, you and the other doctors, from the Canadian gun lobby. It's been horrific what you've experienced because you've advocated public health measures. I know doctors looked at the burden of injury from car accidents and advocated seat belts, looked at smoking and advocated smoking laws, and the burden of injury from firearms is quite high. You mentioned suicide. We know that in terms of gender-based violence, women who live in a home with a firearm are more likely to be coercively controlled.

I had an extensive conversation with Dr. Alan Drummond about the red flag laws, and I know you mentioned that you're supportive of what is in the bill. One of the issues that Dr. Drummond explained to me is that the red flag falls under numerous jurisdictions, including provincial, and also your physicians and surgeons society. If there's an obvious, immediate danger, the physician is able to call the police or hold somebody in the hospital, but if there's a suspicion that there could be a danger either to themselves or others, there's no mandatory reporting, and that actually does not fall within the federal legislative framework. Is that correct?

Dr. Najma Ahmed: Yes. As you correctly point out, it is complicated, because firearm legislation is a federal jurisdiction but physician regulation and the health care system are provincial matters. You are correct, and I'll hand it over to Dr. Maggi, who can explain the responsibility of physicians related to people who are an immediate risk to themselves under the Mental Health Act.

As it currently stands, there's no way for a physician, if they are concerned about the safety of a woman in a domestic situation or they're concerned that a person might kill themselves with a firearm, to have the firearm removed.

There are many other situations in which we have the mandated responsibility to report. For example, if tonight I see someone in the trauma bay who was injured while they were driving their vehicle drunk, I have a duty to report in a mandatory fashion. Similarly, if we are concerned about a child being abused in their home, we have a mandatory obligation to report it, but there are gaps, as you are outlining.

I'm going to hand it over to Dr. Maggi, who may have further comments in this area.

Ms. Pam Damoff: Dr. Ahmed, I'm going to cut you off because I only have two minutes left. I think there's an opportunity for the federal government to take some leadership on this and work with the provinces and the licensing bodies.

To our friends at airsoft, this recommendation, as you know, has come from the Canadian Association of Chiefs of Police. The government didn't just come up with it on its own. In June of 2021, I met with the Airsoft Businesses Association and I did pass on their comments, similar to yours, to the previous minister. You have been meeting with the current minister's staff to discuss these types of things, correct?

• (1725)

Mr. Brian A. McIlmoyle: There has been the opening of meetings. It's in the preliminary stages at this point. We're hoping to develop far more connections and more meetings, so—

Ms. Pam Damoff: Would you be open to safe storage regulations?

Mr. Brian A. McIlmoyle: Safety in storage and transportation is something that we absolutely are interested in, and our community is not against it.

Ms. Pam Damoff: We had the opportunity to chat. You mentioned a U.K. model that is used that you're going to provide us in a written brief. Could you very quickly describe that?

Mr. Brian A. McIlmoyle: Yes. The U.K. model brings into place a requirement to be a member of an insured association before you can purchase an airsoft gun.

There's a two-tier system in there in which the lower tier of airsoft items is coloured or partially transparent, and these are widely available. Then the higher tier—

Ms. Pam Damoff: I'm sorry; I'm going to have to cut you off because I have a really quick question for Mr. Winkel.

What—

The Chair: Ms. Damoff, I'm sorry. Your time is way past.

Ms. Pam Damoff: It's not. It's five minutes right now.

Okay, that's fine, but I had a little bit of time left, Chair.

The Chair: Okay. Be quick, and let's have a quick answer if we could.

Ms. Pam Damoff: What role do you think gun shops can play, Mr. Winkel, in assuring effective and safe buyback of firearms?

Mr. Wesley Allan Winkel: I think that gun shops have a natural objection to the buyback program as a whole, because of a large amount of uninterest in the program from the legal firearms community.

We've seen that provinces such as Alberta, Saskatchewan, Yukon and now New Brunswick have agreed to opt out of all the buyback initiatives, and therefore at this time I think most of the gun shops would look to be opting out of a buyback situation.

The Chair: Thank you, Ms. Damoff.

[Translation]

Ms. Michaud, you have the floor for two and a half minutes.

Ms. Kristina Michaud: Thank you, Mr. Chair.

I have a question for the representatives of Canadian Doctors for Protection from Guns.

I read, in an article in La Presse published in 2019, the statements of a trauma surgeon at the Montreal General Hospital, Dr. Andrew Beckett. He points out that not all cases are publicized and that he sees about one gunshot patient a week at the hospital. This is probably what prompted him to advocate for better gun control.

He said, “We need to see gun injuries and deaths as a public health crisis. It is a growing crisis in Canada, but one that is totally preventable”. He sees his stance “...from a public health perspective like the ones that led to mandatory seat belts in cars or helmets on bicycles. These are measures that save lives”.

Ms. Maggi, in your opinion, does the government sufficiently see the proliferation of firearms as a public health issue in its approach to the problem and Bill C-21?

[English]

Dr. Julie Maggi: I do think that it has started to see the problem of guns as a public health issue and the reflection of the extreme risks. The red flag law within there, I think, is one example of that.

I think one thing we need to realize and be cognizant of is that even if we don't see something like the word “health” in the legislation, limiting handguns and the proliferation of guns is an example of a health intervention. That's the kind of thing we see reflected.

[Translation]

Ms. Kristina Michaud: I understand you are in favour of emergency prohibition orders, or red flags, and suspensions, or yellow flags. Did I understand that correctly?

[English]

Dr. Julie Maggi: Yes, that's correct.

[Translation]

Ms. Kristina Michaud: Since the bill was introduced, we have heard from many women's groups across the country that these measures, particularly the emergency prohibition orders, increase the danger to victims. Even though their identity may be protected, they are putting themselves at risk by reporting a potential abuser.

What do you think?

• (1730)

[English]

Dr. Julie Maggi: That is a very excellent point. I think it's critical that we work with women's groups to ensure that any legislation put forward does not increase the risk to individuals. I don't think it's something we can very quickly sort out in two minutes. I think this is an important question for ongoing discussion.

I see very similar things in my clinical practice when I'm bound to report child protection issues in the context of domestic intimate partner violence. In that situation, I'm bound to make an immediate phone call. There's a whole system in place to ensure that that family, that child, is kept safe. We need something similar in this situation.

The Chair: Thank you.

I will go now to Mr. MacGregor for two and a half minutes.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

I'll use the remainder of my time with Airsoft in Canada. This is the one time we have you before our committee.

When the committee was suspended, we were having a conversation about what the U.K. has used. You mentioned two tiers of airsoft. Some are, I guess, translucent and obviously don't look like a real firearm, and then there's a more professional class. In other jurisdictions, I think California might require an orange tip on the end of the barrel.

When it comes to the appearance, I know that a lot of people in the sport have spent a lot of money on airsoft guns that really do look like the real thing. That's very important to industries like the film industry, where they want to use a replica to re-enact a historical scene, as an example.

I guess this could happen through regulations, but have you fleshed out anything on the topic of how we could modify their appearance even when the airsoft guns are in transport so that it's quite obvious what it is when you're carrying it? Maybe it has an orange tip on it so that it could not be mistaken for something else when you're going from your place of residence to where you're engaging in the sport.

Is there anything you can add to that conversation ?

Mr. Brian A. McIlmoyle: Thank you. I'll put that question over to Mr. Wan, as our technical expert.

Mr. Ziming Wan: Thank you for the question.

I believe that having something like an orange tip may not be the most effective solution. One problem right now is that there is no federal-level transport law regarding airsoft devices. Right now they're under municipal bylaws.

What would be helpful would be a universal transport-type regulation stipulating that you had to use an opaque container so that you would not be carrying one of these devices in the public eye.

Mr. Alistair MacGregor: Then you could never be mistaken for carrying something that looked like the real thing. Having that opaque case, in your mind, is the preference for your industry.

Mr. Ziming Wan: I think that is something that most responsible players are already engaging in. However, it would be good if that were enforced rather than having individual retail outlets telling their customers to do so.

Mr. Alistair MacGregor: Thank you for your answer.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. MacGregor.

That brings our second round to a close. It's as far as we can go.

I would like to thank all of our witnesses for sharing their time and expertise with us and for helping us in our study.

With that, I will suspend for two minutes as we bring in the second panel. Thank you.

● (1730)

(Pause)

● (1735)

The Chair: I'm calling this meeting back to order.

For everyone's clarification, we have a hard stop in 35 minutes, so we'll get done what we can in that time.

We'll start by welcoming the witnesses.

We have with us, from the Canadian Shooting Sports Association, Tony Bernardo, who is in the room with us. By video conference, we have Fédération Sportive d'Airsoft du Québec. We have Yannick Guénette, first vice-president, and François Gauthier, second vice-president.

Let us start with statements from our witnesses. We'll start with Mr. Bernardo.

Mr. Bernardo, go ahead, please. You have five minutes.

Mr. Tony Bernardo (Executive Director, Canadian Shooting Sports Association): Thank you very much.

Good afternoon, ladies and gentlemen. I'm Tony Bernardo. I'm the executive director of the Canadian Shooting Sports Association. We are 62 years young and in our entire time have never had a single fatal accident on a shooting range, which is not bad.

In keeping with the five minutes allotted for me to speak and for the purpose of brevity, I will refer you to my curriculum vitae for more details.

The people who are using guns now aren't the lawful owners who have registered guns and done the background checks and been trained and safely store them. Those are not the people committing the violent crimes. It's people who are using smuggled guns from the United States. That's the vast majority of guns used in crimes, handguns.

There are all kinds of laws in effect now that those people are disobeying, so adding more laws for the lawful owners isn't going to impact the criminals, who don't care about laws. They commit them all, including murder.

According to Chris Lewis, the former OPP commissioner, banning lawfully owned handguns is just not going to solve the problem.

The National Police Federation president, Brian Sauvé, testified, "Resources should prioritize the criminal use of firearms, with a coordinated strategy that effectively combines prevention, law enforcement and social programs."

Deputy RCMP commissioner Stephen White testified, "The reality is that of the number of firearms that were seized last year across the country—well over 30,000—the national tracing centre under the Canadian firearms program traced just a very small percentage of those handguns and other firearms."

Speaking before this very committee in February 2022, Mark Weber, the national president of the Customs and Immigration

Union, testified, "Perhaps the most glaring of all are the rail mode operations, where, according to the union's own data, as of 2019, only one one-millionth of all rail cargo was effectively being examined."

Let me just repeat that: "one one-millionth of all rail cargo was...being examined." The reality is that our current operational abilities in the rail field are virtually non-existent.

As of last month, media outlets have reported that 661 repeat offenders, all arrested for committing other serious crimes, were also charged with 1,514 counts of breaching firearms prohibition orders, yet our public safety minister refuses to lift a finger to fix Canada's broken firearms prohibition order system to address this serious public safety issue.

CSSA, our organization, even went so far as to present a system to remedy the firearms prohibition order problem, but no response was received from the current government, nothing at all.

These experts have all told you the problem. They have told you the so-called science to reduce gun crime. It's right in front of you. They've told you. Why is this government not listening to them? Why are you directing the efforts of this Government of Canada against the law-abiding, as opposed to directing them against the criminal misuse of these objects? It seems clear that the government is engaged in a witch hunt against millions of lawful Canadian citizens, and it raises the question, "Why?"

I would like to also address the devaluation and confiscation of handguns. This bill clearly does not simply freeze handguns or their transfers; it mandates fiscal destruction and finally confiscation without compensation. Worse, it doesn't confiscate them from me; it takes the cowardly route of confiscating billions of dollars of property from grieving spouses left behind when their loved ones perish. It literally robs large sums of money—large sums of money—from the purses of widows and widowers at their worse moments of vulnerability. It leaves this obscenely immoral issue to another government to deal with.

England didn't do it that way. Australia didn't either. Even New Zealand had the courage to pay compensation to its citizens. However, this government chooses to ignore the experience of our Commonwealth partners and British common law.

● (1740)

Even this government recognized how wrong this was when they enacted the May 2020 order in council confiscation of modern sporting and hunting firearms. They pledged fair market compensation for the theft of these firearms. What's the difference? The May 2020 guns you want to take away from me—the handguns—are going to come from my grieving widow.

The Chair: Could you wrap it up, please?

Mr. Tony Bernardo: Thank you for your time and attention.

The Chair: Thank you.

[*Translation*]

I now give the floor to Mr. Guénette, from the Fédération sportive d'airsoft du Québec, for five minutes.

Mr. Yannick Guénette (First Vice-President, Fédération sportive d'airsoft du Québec): Thank you, Mr. Chair, and good afternoon to everyone.

I am accompanied by my colleague, Mr. François Gauthier.

At the outset, allow me to specify that the Fédération sportive d'airsoft du Québec, or FSAQ, is in favour of the control of legal and illegal firearms that were acquired legally or by illicit means. However, because airsoft markers resemble real firearms, airsoft pellet shooting is directly targeted by Bill C-21, and its survival is in jeopardy. This is also the case for many small and medium-sized businesses throughout Quebec and Canada. We would like to officially dissociate ourselves from the firearms lobby, because the majority of airsoft shooters in Quebec and Canada do not own firearms and have no intention of becoming owners. The people who practise this activity do so primarily for entertainment purposes, similar to life-size games with a more realistic flavour.

The FSAQ wishes to work with the government and relevant authorities to remove airsoft shooting from the provisions of Bill C-21 and find a pathway that will allow our community to continue to practise our sport within a safe or legislated framework.

The FSAQ was created in 2018, following a meeting of several stakeholders in the world of airsoft shooting. Our primary goal, which remains the same to this day, is to promote synergy and fulfillment between players, organizers and retailers in a safe environment.

The FSAQ's mandate is to establish official sport recognition and to represent the community to various government authorities, as was the case in 2020, when the FSAQ acted as a bridge between the Quebec airsoft shooting community and the Quebec government in the context of the sanitary measures imposed following the COVID-19 pandemic. Our exchanges allowed us to demonstrate that airsoft bead shooting is a safe sport practice that respects the recommendations issued by public health.

In its current form, Bill C-21 will deprive practitioners of their sport, which is practised by tens of thousands of Quebec and Canadian citizens of all social strata, nationalities and generations. This would also eliminate the economic benefits of airsoft shooting across the country. It is an inclusive, respectful and diverse community, just like Quebec and Canada. Our sport allows us to bond, to stay in shape and to surpass ourselves. For these reasons, the FSAQ respectfully asks you to consider the impact that Bill C-21 will have on honest citizens who practise airsoft shooting.

Following extensive consultation with organizations, the community and international representatives in Japan, Great Britain, California and several other countries where firearms regulations are stricter than in Canada and where the practice of airsoft shoot-

ing is permitted, the FSAQ has prepared a series of recommendations aimed at providing a framework for the safe practice of this activity, which will ensure its survival and that of the thousands of jobs attached to it. In our brief, you will find possible solutions concerning, among other things, the recommended minimum age for the purchase of markers, the transportation of markers, the appearance of markers, as well as the creation of federative and sporting bodies to ensure supervision, to name but a few.

The FSAQ encourages the government to follow the example of several countries that have done so, by working jointly with us and representatives of the airsoft shooting industry to find a path towards a safe and legislative framework, which will allow the practice of our sport without altering its realistic, immersive and recreational side.

We would like to thank the Standing Committee on Public Safety and National Security for allowing us to testify before it about the main challenges that Bill C-21 poses for our sport. We reiterate our willingness and openness to work together to find a viable solution to allow for the continuation of airsoft shooting in Quebec and Canada, which has been going on since the 1990s.

Thank you for your attention.

• (1745)

[*English*]

The Chair: We'll start our only round of questioning with Mr. Motz. Please go ahead for six minutes.

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Thank you, Chair.

Thank you to Mr. Bernardo, Mr. Guénette and Mr. Gauthier for being here today.

Mr. Bernardo, I'm going to start with you. As an industry leader, would you say that the time, expenses and resources that the government expended on gun control have garnered a greater result if they had been focused on illegal firearms?

What do you recommend that they focus on? How do they do that, given your opening remarks?

Mr. Tony Bernardo: Thank you, Mr. Motz.

I think the first thing we have to do is start getting young people out of gangs. That's a huge thing right there. It needs to be done and it needs to have a concentrated effort. I'm not talking about putting in basketball courts; I'm talking about doing stuff to make people not want to be in gangs.

Part of the plan we had given this government was to do precisely that. As I said, we never even got a response.

Mr. Glen Motz: You're talking similarly to my friend Marcell Wilson's One By One Movement out of Toronto, which is doing exactly the same thing.

Mr. Tony Bernardo: Correct. Mr. Wilson's program absolutely knocks it out of the park. It's really good.

Mr. Glen Motz: You mentioned a couple of things. You've been around this industry for many years—decades.

I've worked with my colleague across the way, Ms. Damoff, for years on this before I was on this committee. I know she's well-intended and I know the government is well-intended, but we have divisions not only on this issue but on other issues. We have divisions in this country on this issue, and I believe it's because people don't understand the current laws we have, and they work.

From your perspective, why do we have the great division on...? We have this huge need for gun control, and yet there are people who are equally as passionate and believe the evidence that's before them that says that we don't need this gun control; we need gun control, but not what's being proposed. What do you say to that?

Mr. Tony Bernardo: I think there are a number of factors in play. First of all is the media. Everything that most people learn about firearms comes from either a Hollywood movie or watching the CBC, and quite frankly neither one of them is very accurate.

Firearms ownership in Canada is a huge step. It takes months to get a firearms licence, and of course right now with the firearms centre being backed up for at least eight or nine months on the services we actually pay for, we are not even seeing that. People can't get courses. There's no availability.

We're trying to get people safe here. All the safety things, every safety measure that has been legitimate and actually saves lives, came from our community. It didn't come from an airy-fairy world of, "Jeez, maybe we'll try this." We know what to do with this. That's why our safety record is as impeccable as it is.

Thank you.

• (1750)

Mr. Glen Motz: Thank you, Tony. I really appreciate the perspective on that.

You mentioned earlier that crime guns seized by police and examined by NWEST and others have shown that the majority of crime guns.... I'm going to mention Toronto, because that's where we have as many homicides as there are anywhere related to gun crime and gangs. I've heard as high as nine out of 10 of those firearms, the crime guns used in the commission of an offence, are smuggled in from the United States.

You mentioned rail. What can we do? We're actually trying to make a difference here on smuggled firearms, and I think we all agree that this is our number one issue. How do we deal with that appropriately?

Mr. Tony Bernardo: I think there have been a lot of great efforts made on this already that get more money into the hands of the CB-SA, but of course every time somebody does something preventive, the crooks think up a new way to beat it, so you have to stay in front of them all the time, and there simply isn't enough money. I realize there are government announcements coming out saying that we put x number of extra hundred million dollars into the CB-SA to find guns this year, but if you look really carefully, they also took it out some place else.

Mr. Glen Motz: Exactly. The point you can make to that is that if we take the money that's going to come from the confiscation of

firearms under the OIC from May 2020—the \$2 billion or \$3 billion, at a minimum, of that cost—plus this cost, it could be put toward effectively dealing with smuggled firearms.

I think I only have limited time left. The other issue is breaching of bail conditions on prohibition orders already in effect. There have been 660-some offenders with over 1,500 offences and firearms offences. It's the revolving door of justice. This is what aggravates Canadians. This is why they lack trust in the justice system and in governments that don't fix the loophole in the revolving door. How do we fix that?

Mr. Tony Bernardo: There are a number of ways to fix it. The system we proposed before is one of the ways to do it, but the biggest problem, as we see it, is that there are not enough jail spaces. What happens is that unless somebody has committed a murder, they slap him or her with a firearms prohibition and out he or she goes. We have one guy who we've actually found has had 17 consecutive firearms prohibitions and has never done a day in jail. That's because there's nowhere to put them.

What you have to do is give some teeth to that firearms prohibition order. I'd be happy to work with any member to deal with this, because this is a chronic problem that needs to be dealt with, and we have a solution.

The Chair: Thank you, Mr. Motz. You had five seconds left.

We go now to Mr. Chiang. Go ahead for six minutes, please.

Mr. Paul Chiang (Markham—Unionville, Lib.): Thank you, Mr. Chair.

I'd like to thank the witnesses, first of all, for participating in our panel here.

My question is directed to Mr. Guénette.

As a former police officer, I understand that while airsoft guns may not be able to kill people in most cases, severe safety risks arise when law enforcement officers cannot tell the difference between an airsoft gun and a real gun. If they do not know if it's a real gun, they have no choice but to assume that it's a real gun. As a result, people possessing airsoft guns have tragically lost their lives.

As experts on airsoft sports, how do you propose we differentiate airsoft guns and replica guns from the real thing? Maybe it would be with bright colours or an indicator of some sort. What would you suggest?

• (1755)

[Translation]

Mr. Yannick Guénette: Thank you for the question.

We suggest some form of marking, among other things. For the first part of your question, I will let my colleague answer.

Mr. François Gauthier (Second Vice-President, Fédération sportive d'airsoft du Québec): Thank you, Mr. Guénette.

We often talk about how similar a real gun is to an air gun used for airsoft pellet shooting, which is a toy. It is difficult to tell them apart.

Nowadays, everything looks like a gun, like a camera tripod or some construction tools. In Quebec, someone had called the police to say that a person had a gun in his hands. Yet when the police officer intervened, he saw that the person had a tool in his hands. These things happen and it's hard these days to distinguish between a gun and something that isn't one.

As my colleague Mr. Guénette said, we advocate some form of marking of airsoft guns and some regulation, especially for their transportation. The law could also be tougher on people who take out an airsoft gun or anything that looks like a firearm for non-recreational purposes. As we said in the brief we filed, we are open to the idea of adding some markings to airsoft guns to make them more easily distinguishable from real firearms.

[English]

Mr. Paul Chiang: Thank you so much for your answer.

Mr. Chair, I will give my time to Mr. Schiefke.

The Chair: Thank you, Mr. Chiang.

Mr. Schiefke, please go ahead for three minutes.

[Translation]

Mr. Peter Schiefke (Vaudreuil—Soulanges, Lib.): Mr. Guénette and Mr. Gauthier, thank you for your presence and for your opening words.

As a first question, in order to ensure that this bill does the right thing and supports the activities of members of the airsoft shooting community in Quebec and across the country, many of whom are in my riding of Vaudreuil-Soulanges, would you be in favour of requiring owners of air guns to store them in secure boxes or compartments when they are not using them?

Mr. François Gauthier: As we explained in our brief, we are fully in favour of safe storage. We even support safe storage during transport.

Mr. Peter Schiefke: Thank you, Mr. Gauthier.

As a second question, would you support requiring owners of air guns to obtain a licence to acquire such a gun?

Mr. Yannick Guénette: Such a licence would cause additional expenses for taxpayers. A start could be made by restricting the purchase of such weapons to those aged 18 and over. This would require fairly easy proof and could be a good option.

Mr. Peter Schiefke: Thank you.

As a third question, would you agree to require that newly produced and sold air gun models be manufactured in such a way that they cannot be mistaken for real firearms by police officers or by a victim of assault or robbery?

Mr. Yannick Guénette: Yes, absolutely. That said, there are different ways to ensure that an airsoft pellet gun, which is a toy, does not look like a real gun. Perhaps we should discuss this together, as well as with industry partners, to find a solution acceptable to all.

Mr. Peter Schiefke: All right.

Is it important for the airsoft shooters to have a weapon that looks as much like a real firearm as possible, like an AK-47? Do you think they will mind if they have to buy something that does not look like a real gun?

Mr. Yannick Guénette: The problem at the moment is in the definition of likeness. Today's real guns look like what were imitations 10 years ago, as evidenced by an internet search for images of the F2000 model.

The answer to your question is yes. However, we need to agree on this definition of likeness and there is a lot of work to be done in this regard.

Mr. Peter Schiefke: Mr. Gauthier and Mr. Guénette, thank you for your replies.

[English]

The next questions that I have are for the Coalition for Gun Control. There have been some discussions about some of the things that are not included in this piece of legislation, most notably—

Ms. Pam Damoff: I have a point of order, Chair.

That witness is not here. Am I correct?

The Chair: That's correct.

Mr. Peter Schiefke: Okay. I would imagine that concludes my line of questioning. Thank you.

• (1800)

The Chair: Thank you, Mr. Schiefke.

[Translation]

Ms. Michaud, you now have the floor for six minutes.

Ms. Kristina Michaud: Thank you, Mr. Chair.

I thank the witnesses for being here.

Mr. Guénette and Mr. Gauthier, thank you for accepting our invitation to testify today; we appreciate it. We met a few months ago. That's when you introduced me to this sport, which I was not at all familiar with and which I think Bill C-21 targets quite unfairly.

Earlier I commended the approach taken by Airsoft in Canada. I would like to convey the same message to you: you have opted for a constructive approach. In your brief, which I have read, you propose solutions, a middle ground. This allows us to have a constructive dialogue, and I thank you for that.

I very much liked the questions posed by my colleague Mr. Schiefke. However, I would have liked it even more if the government had put them to you before tabling Bill C-21. Indeed, I have the impression that the government has not consulted your industry and is proposing measures that are a bit vague.

I would like to ask you some questions in this regard. You talked about the definition of likeness in a document that the government gave us to explain how they're going to do it. The government says they want to ban air guns that look like real guns.

How do manufacturers and retailers of airsoft guns feel about this? What do they think of this definition?

To my mind, the distinction between what looks like a firearm and what doesn't is pretty blurry. I think it will have to be defined in the bill. When the committee met with the officials two weeks ago, they did not seem to know what was meant by the law. Now, before we legislate on these issues, which are quite important and can have a big impact on your industry, we should be clear.

Can you tell us more about the definition of likeness? How could air guns that are very similar to real guns be modified before they come to market?

Mr. Yannick Guénette: You are absolutely right.

The first draft of Bill C-21 has no doubt given many people on Parliament Hill an opportunity to learn about airsoft shooting. It gives us a good opportunity to take a stand.

The definition of what looks like a firearm is quite subjective. Indeed, as long as there is a barrel, that is, something long with an opening at the end, or something that looks like a handle, almost everyone, in almost every situation, thinks it is a firearm.

Our first recommendation would be to remove the words “or intended [...]to resemble with near precision” that are found under the definition of “replica firearm” in the Criminal Code, as amended by subsection 1(1) of the current bill. In our view, this is really where the problem lies and this is the most important problem we have with Bill C-21.

Ms. Kristina Michaud: Earlier, you said that you agreed that the purchase of airsoft shooting equipment should be restricted to those 18 years and older. You also talked about safe storage and transportation of this equipment, similar to what sport shooters do with their real firearms. You also said you agreed that there should be different marking.

Is there anything else you haven't mentioned or that we missed? Your submission indicates that we could look to the laws in California and Britain for inspiration.

Mr. Yannick Guénette: We can draw inspiration from the various good practices that exist around the world. So I invite all stakeholders to get together to find the perfect practice for Canada and for Quebec.

That said, I would like to bring another element to your attention. Quebec retailers are proactive in that they have already long required purchasers of airsoft shooting equipment to purchase a carrying box, whether it is for repairing a marker or for bulk purchase.

The primary reason for the existence of the FSAQ, which was created in 2018, is to promote safety in our sport.

Ms. Kristina Michaud: Thank you.

Mr. Gauthier, I think you want to add something.

● (1805)

Mr. François Gauthier: I would indeed like to add a relevant clarification to your question.

I don't know if it's like this in Ontario or the rest of the provinces, but the airsoft shooting community in Quebec has a lot of children or teenagers, who come to play and participate in events accompanied by their parents.

The province's largest family organizer, the Club des petits guerriers, has 2,600 members and provides mandatory health, safety and toy airsoft gun training to any minor player who wants to participate in an event.

Ms. Kristina Michaud: Thank you very much.

Mr. Chair, I don't know if I have time left to ask Mr. Bernado a question.

The Chair: You have 10 seconds left.

Ms. Kristina Michaud: So I'm going to stop here.

We'll talk later, Mr. Bernado, and thank you for your testimony.

The Chair: Thank you, Ms. Michaud.

[English]

We will go now to Mr. MacGregor. You have six minutes, please.

Mr. Alistair MacGregor: Thank you very much, Mr. Chair.

Mr. Bernardo, I'd like to start with you.

Bill C-21 covers a few different areas. Clause 14 does provide, for some of the offences in the Criminal Code—such as possession of a prohibited or a restricted firearm, possession of a weapon obtained by the commission of an offence, and a number of weapons trafficking charges—an increased penalty, going up from the current 10 years to 14 years, thus allowing a judge freedom to impose a harsher sentence.

Are you in agreement with that section of the bill?

Mr. Tony Bernardo: Yes. We don't have any problem with that, except that if you look at the reality, you see that they're never imposed

Mr. Alistair MacGregor: Let's not deal with hypotheticals. We can only deal with the bill in front of us.

We have also had some testimony regarding the red flag laws. We, of course, want law enforcement to have the first crack at it, and they should be taking responsibility when a firearm might be posing a danger to someone or to anybody else. There's been a discussion about giving people who might be under threat of domestic violence, especially when a firearm is within the home, the ability to go to court to get an emergency protection order and allowing the judge to protect that person with anonymity, because if it were found out that they brought the charge against someone, their life might be in danger.

Do you have any opinions on that—on giving people further abilities to protect themselves when a firearm might be in the home?

Mr. Tony Bernardo: No, we have no problem with that, but we've been living with red flag laws for 25 years now. This is not new. This is an enhancement of existing laws. For 25 years now, if someone were to make a complaint that they were being threatened with a firearm, the police would have the ability to come right that minute and remove the firearm. That's in Bill C-68, in the Firearms Act. That's been around for a long time.

In terms of enhancement of that, again, there's no problem with enhancement, but I think you might be running into a little bit of a legal issue here, because we're supposed to be able to face our accusers, and that's in British common law. That's something that this committee would have to deal with. This is certainly beyond my level of expertise. That would be Supreme Court stuff.

Mr. Alistair MacGregor: Sure.

Given that you are here representing the Canadian Shooting Sports Association, I want to turn my next question to shooting sports, to the different disciplines.

Clause 43 of the bill takes the time to specifically mention “the programme of the International Olympic Committee or the International Paralympic Committee”. Do you know the number of people practising in those specific professions in Canada right now?

Mr. Tony Bernardo: It's very small. It's very much an elitist type of sport.

However, there are other sports shot with handguns. There are a number of them. Examples are IPSC, IDPA, CLAS-H and cowboy action shooting. All these things involve the use of handguns. This bill makes no reference to allowing those people to continue these recreational activities with their handguns. Interestingly, the Australian legislation that banned handguns specifically did. To this day, they have thriving sport shooting communities in Australia that use handguns.

• (1810)

Mr. Alistair MacGregor: You are aware that in the current version of Bill C-21 there are exemptions for people who need handguns as a part of their normal jobs or for their own protection. For example, in a previous life, I was a tree planter for eight years. I

met a forester who was regularly out in grizzly country by himself. He didn't go out unless he had his .45 with him. That's an example of a profession where that would be allowed.

Is that your understanding?

Mr. Tony Bernardo: That program has been around a long time. It's called the wilderness carry permit.

Mr. Alistair MacGregor: Yes. I'm just saying that Bill C-21 is not changing that.

When we had Public Safety officials before our committee for our first meeting on this bill, I asked them about this, because there has been talk about how businesses will be exempted. I got them to confirm that gun ranges....

For example, in my own riding of Cowichan-Malahat—Langford, the Victoria Fish and Game Protective Association, as per Public Safety's understanding of this bill, would be allowed to legally own a cache of handguns, which people could come to their range to use under the lawful supervision of an RPAL holder.

Are you aware of that?

Mr. Tony Bernardo: No, that's a new one to me.

Mr. Alistair MacGregor: Okay. They confirmed that this would be allowed.

In your mind, would that still allow someone to train? They could go to their local gun range. They may not be able to own a handgun themselves, but they could pay for the privilege of using one at a licensed facility.

Mr. Tony Bernardo: I have not seen that in this bill. I'm sorry. I'll go back and redouble my efforts to scan through the bill, but I haven't seen that.

Mr. Alistair MacGregor: In your mind, for the different disciplines, would you be in favour of seeing a little more clarity on that, because of just how elite the Olympic and Paralympic levels are?

Mr. Tony Bernardo: Yes, it needs a lot more clarity, because a championship shooter is like an NHL hockey player. They don't just fall off the tree. They require decades of training to get to where they have to be. It takes hundreds of thousands of rounds of ammunition to be able to get that good. It's a very difficult sport.

There's no provision made here for somebody to start. Usually they start shooting when they are eight, nine or 10 years old, and it becomes a lifetime avocation.

The Chair: Thank you, Mr. MacGregor. That brings us to the end of our questions.

I thank the witnesses for being here today, for sharing with us your experience and knowledge, and for helping us with our study.

With that, we are now adjourned.

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