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Chair: Mr. Ron McKinnon



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• (1105)

[*English*]

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

Good morning, everyone. Welcome to meeting number 51 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 by using the Zoom application.

Pursuant to the order of reference of Thursday, June 23, 2022, the committee is resuming consideration of Bill C-21, an act to amend certain acts and to make certain consequential amendments with regard to firearms. The committee is resuming clause-by-clause consideration, and we will resume shortly, with Mr. Zimmer having the floor.

Before we resume debate, I will now welcome the officials who are with us today.

With us once again from the Department of Justice, we have Paula Clarke, counsel, and Phaedra Glushek, counsel, both from the criminal law policy section, and from the Department of Public Safety and Emergency Preparedness, we have Rachel Mainville-Dale, acting director general, firearms policy. Joining us freshly today, from the Royal Canadian Mounted Police, we have Rob Daly, director of strategic policy, Canadian firearms program, and Murray Smith, technical specialist in the Canadian firearms program.

Thanks to all of you for joining us today. Your assistance is most appreciated. Your answers to our numerous technical questions will help us to fulfill our duties in the law-making process, and I thank you again.

I'd also note for the committee members that there is a discussion happening, as there is a desire to bring in Minister Mendicino for estimates at some point in the next week or so. The work plan we adopted provides for that after Bill C-21; however, if I can get unanimous consent to seek an extra meeting slot next week for at least one of the ministers to attend, I would ask.... Wait a minute.

I have Madame Michaud and then Mr. Calkins.

[*Translation*]

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

I will allow you to continue what you were saying, but there are some things I am not sure I understood correctly.

You say that we could host ministers next week in the context of the supplementary estimates (B), and that would be in additional meetings, rather than during the usual committee hours. Is this correct?

[*English*]

The Chair: That is the suggestion I am making. We have a work plan and we're trying to follow it. The work plan is that we would bring ministers in on estimates after Bill C-21 and preferably before the break. This is a suggestion that the clerk and I look for another meeting slot next week and that if we find one, we invite one of the ministers or both ministers to attend in that slot. I'm looking for unanimous consent for that.

Before we proceed on that, Mr. Calkins wishes to speak, I believe.

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Thank you, Chair.

I would appreciate being put on the speakers list, not for this particular issue that you're talking about right now, but after whoever is on the speaking list for dealing with the amendments.

The Chair: Okay. We'll put you on there.

Mr. Motz, I believe, wants to be on the speaking list, or is it to speak on this matter?

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): It's on this matter, Chair, if I may. Thank you very much.

Obviously we don't agree to unanimous consent on any additional meetings. We're fine with pausing a review of Bill C-21 if the ministers need to attend, understanding that we'd return to Bill C-21 after those appearances are done.

Any extra meetings will have an impact on other resources in other committees elsewhere. That's always a concern that we have. I don't think any extra meetings are required at all, to be honest with you. If necessary, we can pass the estimates for the ministers on division, because we're going to have the main estimates coming after the new year anyway.

I don't see any need to have any extra meetings, and we certainly don't support that proposal.

The Chair: Go ahead, Ms. McPherson.

Ms. Heather McPherson (Edmonton Strathcona, NDP): Thank you, Mr. Chair.

I want a little bit of clarity. First of all, I would like to confirm that it is both the ministers who would be attending. Second of all, I would like to confirm that December 10 is the deadline for the ministers to come for the supplementary estimates, because if that is the case, this is quite urgent. If not, if Mr. Motz is correct, then it's not urgent. However, if December 10 is the deadline, I would suggest that ideally it could happen during committee time, but ministers, of course, don't always have control over their own schedules, so we would have to be flexible and be willing to try to find a compromise for a time when the ministers are available.

From my perspective, from the NDP perspective, it would be very important to have the ministers testify before this committee.

The Chair: The deadline for returning our report is the 10th, I believe; however, we can have ministers afterwards. We have done this in the past and we can do so going forward.

I believe it's a moot point at this point because we're not going to get unanimous consent to do this.

I would suggest to the committee that we talk about this among ourselves over the coming few days and see what we can work out to find a time for the ministers to come.

[*Translation*]

Ms. Michaud, you have the floor.

• (1110)

Ms. Kristina Michaud: Just to be clear, Mr. Chair, can you confirm that there is no unanimous consent to hold additional meetings? In any case, I for one do not give my consent.

If we are to receive ministers to discuss supplementary estimates before December 10, that will have to be during the normal sitting hours of the committee. We can suspend our consideration of Bill C-21 while we receive ministers, but I do not agree that we should add sitting hours next week.

[*English*]

The Chair: That conforms with what Mr. Motz has said, so there is no unanimous consent.

We do have a work plan that we all agreed to that was passed by the committee. It was that the estimates would happen after Bill C-21. I understand things have changed a little bit, but let us talk among ourselves and see if we can work something out.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Mr. Chair, I would like to ask for a vote on this so that we can at least be done with it and we don't waste any more of everybody's time.

The Chair: We can't actually vote on this. We can't move a motion, because we have a motion on the floor. That's why I was looking for unanimous consent.

Let's try to find a way forward on this behind the scenes. It would be good to have the ministers here to talk to them on the various issues, but let's see what we can work out off-line. Is that okay?

That being the case, let us resume our deliberations on G-4.

Mr. Zimmer, you have the floor.

Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC): Thank you, Mr. Chair.

I would like to thank our witnesses for coming. It's nice to see the addition of some experts on the file. At the last committee meeting I was here and asked many questions and didn't get answers. That's fair. Again, I say that you don't know what you don't know, so let's get on with it.

I think the question of the day in Canada, especially in our firearms community, is whether there are hunting rifles on the new prohibited list.

I have composed a list. It's not a comprehensive list, but it's several firearms. It gives Canadians a good idea of what's on the list.

Is the Benelli R1 semi-automatic hunting rifle prohibited?

Ms. Phaedra Glushek (Counsel, Criminal Law Policy Section, Department of Justice): Thank you for the photo. Whereabouts is that listed on the schedule, if you can refer to the schedule? We cannot comment on whether or not a gun listed is a hunting rifle or not. What we can say is whether it meets the criteria or not. If it meets the criteria, it is on the list.

Mr. Bob Zimmer: Maybe these questions would be better asked of Mr. Smith and Mr. Daly.

The Chair: Yes, go ahead, but I would remind Mr. Zimmer that we can't use props.

Mr. Bob Zimmer: Yes. It's just for quick reference. I know the experts at the end of the table might see the image and be able to get a quicker answer based on the image. That's why I have them.

Is the Benelli R1 semi-automatic hunting rifle prohibited?

Ms. Phaedra Glushek: Can you point out where it is on the list you're referring to. We see the picture, but—

Mr. Bob Zimmer: I'm sorry. I'm asking Mr. Smith and Mr. Daly.

Ms. Phaedra Glushek: Sure, and that might help my colleague see where it is on the schedule. Could you point that out for us?

Mr. Bob Zimmer: Let me just say this. The list was composed of the individuals sitting at the end of the table, who are the experts who have been participating in building this legislation. I hope that you would at least know which firearms are on that list or what firearms are not on the list.

The question is to Mr. Smith and Mr. Daly.

The Chair: I would remind everyone that the list in G-46 that we made public has not yet been moved, of course. It may change at some point.

Given that it's at least 480 pages, we might give the witnesses some time to—

Mr. Bob Zimmer: I know, as a person who got the list recently... I wasn't involved in compiling that list. I've been through it several times in the last seven days. I would suggest this should be a fairly straightforward answer.

Mr. Murray Smith (Technical Specialist, Canadian Firearms Program, Royal Canadian Mounted Police): The Benelli R1 rifle is not listed in either schedule 1 or schedule 2.

Mr. Bob Zimmer: I can't hear. Is there any sound?

• (1115)

Mr. Murray Smith: Do I need to repeat, Mr. Chair?

The Chair: Sir, please repeat your answer. The member couldn't hear you.

Mr. Murray Smith: The Benelli R1 rifle is not listed in either schedule 1 or schedule 2.

Mr. Bob Zimmer: Okay.

Let's go to the next example.

Is the Remington model 742 Woodsmaster hunting rifle on the list to be prohibited?

The Chair: Mr. Zimmer—

Mr. Tony Van Bynen (Newmarket—Aurora, Lib.): I have a point of order, Mr. Chair. I'm going to say “props”.

Mr. Bob Zimmer: I'm just trying to help our witnesses more quickly recall which firearms are on the list.

The Chair: Does the—

Mr. Tony Van Bynen: On a point of order, Mr. Chair, a prop is a prop and should not be permitted.

The Chair: I didn't quite hear the—

Thank you, Mr. Van Bynen.

The Standing Orders are against the use of props. They pertain in the committee room, so I would ask you to—

Mr. Bob Zimmer: It's an image of one of the firearms listed on the amendment. My hope is that it will aid our witnesses.

I'll go on and read off the actual model.

Is the Remington model 742 Woodsmaster hunting rifle on the prohibited list?

Ms. Phaedra Glushko: Again, I think it would be helpful to point out which paragraph it's in on the list, and whether it's on 1 to

96, which just codifies previously prohibited firearms, or is it on the new 400—

Mr. Bob Zimmer: With respect, the questions are for Mr. Smith and Mr. Daly. I would ask that they answer these questions.

You were here at the last meeting and you were unable to answer most of my questions, frankly.

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

Mr. Bob Zimmer: That's why they're here. I'm directing my questions to the witnesses who can answer my questions.

The Chair: Go ahead, Mr. Van Bynen, on a point of order.

Mr. Tony Van Bynen: It wasn't my point of order. I'll turn it over to Taleeb. I think it was his point of order.

The Chair: I'm sorry. Go ahead on somebody's point of order.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

I think it would behoove us all if we could perhaps not harass the witnesses, who are trying to be helpful. I just think our tone should respect the witnesses who are here giving us their time.

The Chair: Thank you, Mr. Noormohamed.

Mr. Zimmer, go ahead. You may specifically ask the witnesses that you want to answer questions. Ultimately, it's the chair's prerogative to recognize who is speaking. I understand that—

Mr. Bob Zimmer: [*Inaudible—Editor*] Mr. Chair, and I respect you for that.

The Chair: Please don't interrupt me, sir.

I certainly understand that you would like the Canadian Firearms Program to answer these particular questions, so go ahead.

Mr. Bob Zimmer: Thank you.

The Chair: Do you need a re-ask, Mr. Smith?

Mr. Bob Zimmer: I can ask it again, Mr. Smith.

Is the Remington model 742 Woodsmaster hunting rifle prohibited on this list?

Mr. Murray Smith: That particular rifle does not appear on either schedule 1 or schedule 2.

Mr. Bob Zimmer: Okay, the next one—

The Chair: Actually, Mr. Zimmer, when you say “this list”, I wonder whether you might specify, because the existing schedule is out there. There is the proposed list, which may or may not be introduced later with G-46.

Mr. Bob Zimmer: Thank you, Mr. Chair.

What I'm referring to is the legislation before us today, Bill C-21, and the amendments that are also before us. That's where my questions are coming from and sourced from.

I'll continue.

Is the Auto-Ordnance M1 carbine hunting rifle prohibited, according to this amendment?

Mr. Murray Smith: I believe it is on the list, but I would have to check to be entirely sure. It should be in the M1 carbine section.

Mr. Bob Zimmer: I can assure you that it's on the list. I'm just asking you to confirm it.

Ms. Paula Clarke (Counsel, Criminal Law Policy Section, Department of Justice): It would be helpful if the member of the committee could provide and pinpoint the location of the specific make and model he is asking about. It would facilitate our ability to answer the question if we had that information.

Mr. Bob Zimmer: I appreciate your thoughts on how I should ask my questions, but I'm asking my questions the way I have organized them. I'm asking them of our firearms experts. Again, I'm looking for answers, as opposed to not knowing the answers. That's why I'm asking Mr. Smith and Mr. Daly my questions.

The Chair: I think it's a fair point that if you know where it is on the list, you could help them to—

• (1120)

Mr. Bob Zimmer: It's a fair point, but it is in the amendment and it is in the legislation. I've researched this document extensively in the last week. Again, my assumption would have been that the experts would have and would know what firearms are on the list or aren't on the list.

Ms. Phaedra Glushek: To my colleague's point, I'd just like to add that there are numerous firearms on the list. There are about 400 pages, from what I understand, so to point it out—

Mr. Bob Zimmer: Mr. Smith—

Ms. Phaedra Glushek: —absolutely would be very helpful for us so that we could facilitate the answers for you today.

Mr. Bob Zimmer: I'm sorry. My question is to Mr. Smith and Mr. Daly.

Mr. Murray Smith: The firearm you mentioned I believe is the Auto-Ordnance M1 carbine. That appears on the list of schedule 2 at paragraph 81(f).

Mr. Bob Zimmer: Okay. Yes. I knew that as well.

I'll move to my next question. Is the Browning rifle BAR Mark III hunting rifle on the list to be prohibited?

Mr. Murray Smith: That particular rifle is not on either list, schedule 1 or schedule 2.

Mr. Bob Zimmer: Maybe I should ask it more clearly. As amendment G-46 lays out, would it be on that prohibited list if G-46 were to pass?

Mr. Murray Smith: What is or is not on the list is a matter of policy. I'm not in a position to address what the government should put on the list—

Mr. Bob Zimmer: You're not in a position to address what's on the list of G-46, the amendment that was put before us?

The Chair: I would remind Mr. Zimmer that the motion is not moved yet. The list is provided for public information and for discussion, but we don't know if it's going to pass or how it might change, so just bear that in mind.

Mr. Bob Zimmer: Thank you, Mr. Chair. I appreciate that.

I just know that you are appearing today to answer questions based on Bill C-21 and possible proposed amendments to Bill C-21. That's how I'm basing my questions and that's why you're

here today: to answer those questions. It seems pretty clear: To have the knowledge of what's on that amendment would have been.... It's a public document. It's out there. That you would have a good knowledge of that document....

I will let you know that the Browning rifle BAR Mark III hunting rifle is on the list.

I'll ask you this question. Will the Browning rifle BAR Mark III safari hunting rifle be prohibited if this amendment passes?

Mr. Murray Smith: I don't recall seeing the BAR on the list. Perhaps you could point out where you're seeing it.

I would also point out that there are two kinds of BARs. There's the BAR sporting rifle made by Browning and there's the BAR machine gun from the World War I era. Perhaps there's some confusion there as well.

Mr. Bob Zimmer: Well, maybe the confusion.... Maybe let's clarify. The amendment before us is also G-4. Are you familiar with amendment G-4?

Mr. Murray Smith: Is that the one that speaks to centrefire semi-automatic rifles?

Mr. Bob Zimmer: Yes. It states:

a firearm that is a rifle or shotgun, that is capable of discharging centre-fire ammunition in a semi-automatic manner and that is designed to accept a detachable cartridge magazine with a capacity greater than five cartridges of the type for which the firearm was originally designed,

I'm asking about G-4. That's a very all-inclusive amendment in just that paragraph alone. It's open-ended. It could really add any firearm in the future. That's where we're kind of looking for the interpretation today: Is it on the list?

We're looking for a definitive answer from you, Mr. Smith or Mr. Daly. Are these going to be captured in this new list of prohibited hunting rifle bans that the Prime Minister has laid before us?

Mr. Murray Smith: The schedules, schedule 1 and schedule 2, are not connected in any way to the proposed amendment you were referring to earlier about centrefire semi-automatic rifles. They operate completely independently. The firearms listed in schedule 1 are the firearms that are already prohibited, either in the 1990s or in 2020. In schedule 2, it's firearms that the government has proposed become prohibited if the bill passes. Those lists are curated. They are produced manually.

• (1125)

Mr. Bob Zimmer: What you're leading people to believe.... Maybe I shouldn't say that. I'll have you answer the question.

Some of the firearms I've already spoken about fall into that amendment G-4 category in that paragraph to be potentially prohibited under Bill C-21 if this legislation passes.

Are you saying that they're not going to be impacted by this legislation, or are you saying that they are going to be impacted by the legislation?

Mr. Murray Smith: I'm saying neither.

In response to the question about whether it would be on the list, I answered whether they were on the list or not. The impact of the evergreening clause, the semi-automatic centrefire clause that you mentioned earlier, was not part of the question and not part of the answer either.

Mr. Bob Zimmer: Well, let's keep going. I think we're looking for clear answers today, and we're still not getting them.

Law-abiding firearms owners know that they're going to be included by that paragraph. For you to say, "Well, no, they will not be—"

Mr. Tony Van Bynen: I have a point of order, Mr. Chair.

The statements made by the member are speculative. The amendments or any changes that might be contemplated for that schedule have not been dealt with, as has been mentioned earlier. It's an inappropriate comment.

The Chair: Thank you for your intervention, Mr. Van Bynen.

I would remind Mr. Zimmer that G-46 has not been moved. We are on debate on G-4.

Carry on.

Mr. Bob Zimmer: Okay, let's go on to the next one. It is on the Ruger No. 1 hunting firearm. Is that firearm going to be added to the prohibited list if the legislation, Bill C-21, passes with amendments?

Mr. Murray Smith: The Ruger No. 1 already appears in schedule 1. It's been on that list since May 2020. There's nothing new coming from Bill C-21.

Mr. Bob Zimmer: Then it will be prohibited.

Mr. Murray Smith: It's just being repeated in the schedule as opposed to being in the regulations; however, I would also point out that it's only those versions of the Ruger No. 1 rifle chambered for a calibre that is capable of producing 10,000 joules of energy or more that are listed in paragraph 95 of the existing regulations and of the proposed schedule 1.

Ordinary calibres—

Mr. Bob Zimmer: I have to keep moving. I know that some of my colleagues want to ask questions today too, so I'm going to try to make the answers more concise.

The fact of the matter is that the Ruger No. 1 is a hunting rifle, and it now will be prohibited as a result of that legislation.

Mr. Murray Smith: That would not be correct.

Mr. Bob Zimmer: Let's go on to the next—

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

Perhaps we could ask the witness to repeat his answer. Mr. Zimmer was speaking over his answer. I couldn't hear what he had to say. Could we get clarity there, please?

Mr. Bob Zimmer: It's my time, Mr. Chair.

The Chair: It's the committee's time. If the committee does not hear an answer, I would certainly invite the witness to state it again and maybe a little more loudly.

Mr. Murray Smith: The question, as I understood it to be, was about the Ruger No. 1 rifle and whether it was prohibited. My answer is that some Ruger No. 1 rifles are prohibited, in particular those that are chambered for a calibre capable of producing 10,000 joules of energy or more.

Versions of the Ruger No. 1 rifle that are chambered for ordinary hunting calibres, the type that someone would use in Canada for hunting deer or moose, would not be prohibited. In general, they would be non-restricted.

Mr. Bob Zimmer: Thank you, Mr. Smith.

Mr. Taleeb Noormohamed: I have another point of order, Mr. Chair. This is sincere. It's not to interrupt Mr. Zimmer. Is it me, or is it hard to hear?

It is hard to hear. Okay.

Is there any way we can turn...?

Thanks. I thought I was losing my hearing or something.

The Chair: Go ahead, Mr. Zimmer.

Mr. Bob Zimmer: Thank you, Mr. Chair.

Let's go on to the next hunting rifle, the Mossberg 702 Plinkster .22 long rifle. Will that hunting and target-shooting firearm be prohibited as a result of Bill C-21 legislation?

Mr. Murray Smith: No. The model 702 Plinkster is a conventional .22 calibre hunting rifle. It's unaffected by what's in Bill C-21.

Mr. Bob Zimmer: I'll go on to the next firearm, the hunting rifle, the Westley Richards model 1897. Is that firearm prohibited as a result of this legislation and associated amendments?

• (1130)

Mr. Murray Smith: For that particular rifle, whether it's prohibited or not depends on the calibre it's chambered for. That particular rifle is available in large African big game calibres, some of which will exceed 10,000 joules. Those versions of the rifle would be prohibited. Versions of it chambered for ordinary hunting calibres would not be prohibited.

I would further point out that this is no change from May 2020.

Mr. Bob Zimmer: I won't ask what you would say. I'll just say what I say. It is a hunting rifle and it will now be prohibited as a result of the legislation.

I'll go on to the next—

Mr. Murray Smith: Only those versions that produce—

Mr. Bob Zimmer: It's still a hunting rifle that would be prohibited.

The Chair: Let's let the witnesses answer, please.

I'm sorry. I missed your answer.

Mr. Bob Zimmer: Mr. Chair, let me clarify this. My understanding of a committee is that the member has the ability to ask questions. Our time is very precious and I am trying to get through these as quickly as I can, even with the delays, because I know other colleagues would like to speak to this bill.

My understanding is that when I am asking questions, that is the member's time.

Can you clarify that?

The Chair: All of the members are here to facilitate the study that the committee is undertaking. You're absolutely free to ask questions, provided that they're on topic.

It's also required that we give due respect and consideration to the witnesses. If we ask them a question, we should hear their answers and not talk over them.

I see Mr. Noormohamed on a point of order.

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

Can we also, as we're having these deliberations—Mr. Zimmer is asking excellent questions, and there is no question about that—ensure that when the witness is giving an answer, people do not mischaracterize the answer that the witness has given in a statement and not give the witness a chance to respond?

The Chair: Thank you, Mr. Noormohamed.

Does the witness wish to clarify his last response at all?

Mr. Murray Smith: I can repeat the answer.

The Westley Richards rifle is available in calibres that exceed 10,000 joules of energy. Those versions would be prohibited. Versions that are chambered for ordinary hunting calibres would not be prohibited and in general would be non-restricted.

Mr. Bob Zimmer: Thank you, Mr. Smith.

Let's go on to the next hunting firearm, which is the Winchester Model 54.

Will that be prohibited as a result of the passing of Bill C-21 and associated amendments?

Mr. Murray Smith: The Winchester Model 54 is not on any of the schedules. There is the potential for it to be impacted by the evergreen clause, however.

Mr. Bob Zimmer: Thank you, Mr. Smith.

The next hunting firearm is the Parker breech-loading shotgun.

Is that going to be included in the prohibited list, based on the passing of Bill C-21 and associated amendments?

Mr. Murray Smith: "Parker" is a brand name, and they make a variety of shotguns. As was the case with those other firearms you mentioned, some of them are available in large calibres that exceed 10,000 joules of energy. Those versions would be prohibited.

In the case of the Parker, which is a shotgun, it's more likely that the shotgun would be available in 8 gauge. With a barrel of that size, it would exceed 20 millimetres and be prohibited for that reason.

However, Parker shotguns that are chambered for ordinary hunting calibres—like 10 gauge, 12 gauge or 20 gauge, etc.—would be unaffected and would remain non-restricted.

Mr. Bob Zimmer: Once again, though, it's another hunting firearm being included in the prohibition list.

I have another question.

Will the Concari Farquharson 4 shotgun be included as a result of the passing of Bill C-21 and associated amendments?

Mr. Murray Smith: It's the same situation. It will be only those that are equipped with a barrel bigger than 10 gauge, 8 gauge being the most common. Those would exceed 20 millimetres and fall within the already-existing paragraph 96 that's been there since 2020.

Most of the shotguns would be unaffected, but the large-calibre ones would.

• (1135)

Mr. Bob Zimmer: Once again, it's another hunting firearm being included.

Mr. Murray Smith: It is a hunting firearm, but it's prohibited only in certain limited circumstances.

Mr. Bob Zimmer: It's still a hunting firearm, though.

Will the Charles Daly XT3 Classic Black Ranger be prohibited as a result of the passing of Bill C-21 and associated amendments?

Mr. Murray Smith: I don't recall whether that firearm is on the existing list or not.

Mr. Bob Zimmer: It would be captured by the paragraph in G-4 that talks about centrefire magazine capacity.

Mr. Murray Smith: What was the name of the firearm again, please?

Mr. Bob Zimmer: It's the Charles Daly XT3 Classic Black Ranger. I could show you an image, but I'm not supposed to.

Mr. Murray Smith: I don't recall the specifics of that firearm. If you were to provide more information or allow me to look it up, I could respond.

Mr. Bob Zimmer: I could do that following.... I'm happy to.

Let's go to the next one, the NX18. It's a hunting rifle. I have an image of it right in front of me. It's actually a semi-automatic shotgun. It's a 410. It's a hunting shotgun. Most of us have used 410s for grouse hunting, etc.

Would the NX18 semi-automatic 410 shotgun be included as a result of the passing of Bill C-21 and associated amendments?

Mr. Murray Smith: Again, I have to point out that I don't have every make and model memorized. I don't recall whether that shotgun has a detachable magazine or a fixed magazine. If it has a fixed magazine, it's unaffected. If it has a detachable magazine, it might be, but I'd need to look up the particulars for that particular shotgun.

Mr. Bob Zimmer: If it has the capability—and I think that's what's concerning many Canadians watching today—of having a detachable magazine, it will be included in the paragraph 84(1.2)(g) proposed by G-4.

Mr. Murray Smith: Detachable magazines for shotguns are relatively uncommon, even these days. It's more likely that a shotgun that's designed for hunting would have a tubular fixed magazine, and therefore would be unaffected.

Mr. Bob Zimmer: The thing is, though, that this is where the confusion is, and you're an expert. I know quite a bit about firearms too. There is even confusion among us with regard to whether it will be or not. The capability is the key language. If something is capable in the future of being deemed a certain way, this is, again, affecting firearms and hunters across this country.

I'll keep going because I know time is—

Mr. Tony Van Bynen: I have a point of order.

There is so much speculation here that we should be looking at the potential that certain of these weapons could be restricted in the future. To suggest that it's going to be captured is all premature. To suggest that it's going to be included in the list... We haven't dealt with the list yet. Why don't we wait until we deal with the list?

I would suggest that we request that the member provide amendments if there are weapons that he feels should not be included on the list rather than sitting here and speculating. I think the committee's time could be put to better use.

The Chair: Thank you, Mr. Van Bynen.

I would remind Mr. Zimmer that this amendment has not yet been moved. We are debating G-4, not G-46.

Mr. Bob Zimmer: Actually, I'm just referring to G-4 and this last firearm.

In answer to the question from the member, the onus is really on the government that's putting forward this legislation and the amendments included to really prove its case, without a shadow of a doubt, that certain firearms are not included on the list.

That's what I'm trying to do today. I'm trying to give Canadians a good impression, based on expert testimony at the end of the table, of whether they will be. It's speculative, but based on that definition, they certainly could be. Talking about the capacity opens up a whole bunch of firearms that are not in G-46 but certainly will be included as a result of the paragraph 84(1.2)(g) proposed by G-4.

Let me keep going.

Mr. Tony Van Bynen: I have a point of order, Mr. Chair.

Rather than speculate and suggest, why don't we have some suggestions and recommendations that would solve this? This would be a far more productive use of our time.

The Chair: Thank you, Mr. Van Bynen.

Mr. Tony Van Bynen: Recommendations to make amendments would be appreciated.

The Chair: Thank you, Mr. Van Bynen. We'll let Mr. Zimmer carry on.

Mr. Bob Zimmer: The easy answer is to repeal Bill C-21. Pull the legislation. There it is. That solves everybody's problem here.

Anyway, I'll move on.

The Remington 870 DM shotgun is a semi-automatic shotgun with a detachable clip. It is, at times, used for hunting. Will this firearm be included on the prohibited list of Bill C-21 and associated amendments?

• (1140)

The Chair: Once again, when you talk about a list, we haven't got a list for G-4. "Associated amendments" is pretty broad. It's kind of hard for anybody to answer these questions this way. I really encourage you to drill into the definition, which would be very helpful, I think.

Anyway, I certainly don't want to impede your inquiry about that, but I really would encourage you to focus on G-4.

Mr. Bob Zimmer: Mr. Chair, it is directly speaking to G-4 in that particular paragraph.

Anyway, can we have the answer from the firearms experts, please?

Mr. Murray Smith: My recollection is that the Remington model 870 shotgun is a pump-action shotgun.

Mr. Bob Zimmer: I'm asking about the semi-automatic variant of that particular firearm.

Mr. Murray Smith: If such a thing exists, the definition would apply.

Mr. Bob Zimmer: I'd show you the image, but I know it's...

Mr. Murray Smith: The definition would apply to the shotgun if it were semi-automatic and centrefire and has a detachable magazine, which appears to be the case, and the capacity of that magazine exceeded five cartridges. If the shotgun meets all those criteria, then it would be prohibited if that particular amendment passes in its existing form.

Those factors are all relatively easy for anyone to assess.

Mr. Bob Zimmer: I had an 870 Marine Magnum. We used to go fishing in the back country in B.C. and I used to pack that just in case a grizzly bear came upon us as we were fishing. It's obvious that it is included based on the definition, but the concern for many firearms owners across Canada is the variant option.

As the basis of the gun or the firearm is an 870, a well-known firearm that's probably been in most farmers' gun vaults over the last 100 years, the concern is that while this one might not be included, what about all the variants? That would put many of the shotguns under this prohibition.

Mr. Murray Smith: Previously we were talking about the evergreening definition, and the variant or modified-version clause is not applicable to that definition. The variant or modified version applies only to the schedules, and the Remington model 870 does not appear in the schedules anywhere, so there are no variants that would be affected now or in the future.

Mr. Bob Zimmer: Are you saying that the Remington 870 DM won't be prohibited?

Mr. Murray Smith: No, I'm not in a position to restrict what any future government would do. What I'm saying is that—

Mr. Bob Zimmer: I mean based on G-4 and that proposed paragraph 1(1.2)(g).

Mr. Murray Smith: G-4 is the evergreening definition. This definition would apply to any future model if the manufacturer of the firearm were to make it in such a way that it met the criteria of that definition.

Mr. Bob Zimmer: Okay. I'll keep going.

I have another firearm to ask you about, the Ruger PC carbine takedown hunting rifle. Will that be included if legislation in Bill C-21 and the proposed amendments pass, yes or no?

Mr. Murray Smith: First of all, I wouldn't characterize the PC carbine as a hunting rifle. The PC, to my recollection, stands for "police carbine". It's a small semi-automatic carbine that has a standard magazine size of I believe just under 20 cartridges—17, perhaps. I'd have to look it up to be sure.

As such, it would meet the evergreening definition in that it is semi-automatic, it fires a centrefire cartridge, it has a detachable magazine and the capacity of that magazine exceeds five shots. That firearm would be captured by that definition if it were to come into force.

Mr. Bob Zimmer: Okay. Thank you, Mr. Smith.

Let's go on to the Howa 1500 Hogue bolt-action hunting rifle. Will that particular firearm, if Bill C-21 passes with associated amendments, be prohibited?

• (1145)

Mr. Murray Smith: It could be prohibited if it's a calibre large enough to exceed 10,000 joules, but I think the likelihood of it for that particular firearm is limited, so probably not. It could be, but only in the case that—

Mr. Bob Zimmer: It is on the G-46. I know we're talking about G—4, but G-46 is out there. It's on that list.

Mr. Murray Smith: To the extent that it's on, it would only be for those that are chambered for the high-energy cartridges. I believe you would find it, if it is listed, in paragraph 95.

Mr. Bob Zimmer: Okay.

Mr. Murray Smith: That has been there since May 2020. There's no change in what's before the committee today.

Mr. Bob Zimmer: How about the Weatherby Mark 1, 2 or V hunting rifle?

It's a very common hunting rifle in Canada. We spoke with Weatherby yesterday. A thousand have been ordered by hunters this year and distributed among retailers.

Will those be prohibited if Bill C-21 legislation and associated amendments pass?

Mr. Murray Smith: The Weatherby Mark V is available in a high-energy calibre, which is known as the .460 Weatherby Magnum. Weatherby rifles chambered for that calibre would be prohibited because the energy exceeds 10,000 joules.

However, Weatherby offers the firearms in a wide variety of calibres, most of which are below the 10,000-joule threshold. Those would have the same classification as they do today, which is typically non-restricted.

Mr. Bob Zimmer: I'll bring this up once again: The concern out in the firearms community and hunting community across Canada is that it will be somehow associated because it's a variant of the particular calibre that you mentioned. By being a variant, will it be included?

I guess that isn't clear. That's why we're getting so many questions about it.

Mr. Murray Smith: The prohibited versions of the Weatherby Mark V would be that way because they are chambered for a high-energy calibre, so paragraph 95 applies. Paragraph 95 does not follow the same conventions as the other paragraphs in the regulations. There is no variant or modified version clause in that paragraph.

There is no question of any future variants whatsoever.

Mr. Bob Zimmer: Then I'll go back to the original question: Is the Mark 1, 2 or V hunting rifle on the prohibited list? You've answered yes.

Mr. Murray Smith: The Weatherby rifles would be prohibited only if it happened to be chambered for a calibre that exceeds 10,000 joules of energy.

Mr. Bob Zimmer: Okay.

I have another question, this one on a competition rifle. The FNAR Competition .308 rifle is semi-automatic. It's chambered in centrefire calibres.

Will this particular firearm be included in the prohibition list if Bill C-21 and associated amendments pass?

Mr. Murray Smith: That particular rifle is already prohibited. It's been prohibited since circa 1992 or 1995 in the original regulations, which you would find in schedule 1. There's no change there. The FN-FAL family is all prohibited.

Mr. Bob Zimmer: That's interesting, because that particular firearm is available for sale today. I've seen it. I'll show you. Again, I'd like to hold up a picture, but I can't.

Mr. Murray Smith: Are you sure it's an FN-FAL, sir?

Mr. Bob Zimmer: It's FNAR.

Mr. Murray Smith: Maybe I didn't hear it correctly.

Okay, that's a different gun. That's not a FN-FAL.

That firearm is a blend of the FN-FAL and AK-47. It's not explicitly on any of the older lists on schedule 1. I would have to check to see if its on schedule 2, if you just give me a moment.

Mr. Bob Zimmer: Just to clarify, too, Mr. Smith, this is in reference to proposed paragraph 84(1.2)(g) and falls into that definition, just by observation.

Mr. Murray Smith: Yes, it would fall within the bounds of that particular definition because it is a rifle. It is semi-automatic. It fires a centrefire cartridge and it has a detachable magazine, and the magazine sizes vary up to about 30 shots, so yes, it would be captured.

• (1150)

Mr. Bob Zimmer: Okay.

I've asked quite a few questions about firearms and my colleagues will likely have more to ask.

Again, this is all to do with Bill C-21. There's a little bit of a different question. If you can't answer it, I respect that.

I think Canadians are wondering about this too, because I think Canadians want to be safer. I think the Prime Minister has led people to believe that this legislation will make them safer. In capturing hunters and their hunting rifles, we know that hunters are not the problem when it comes to crime in Canada. We all, in this room, know that I'm going to be bringing up an article that speaks to that.

Maybe I'll ask you your opinion: Are hunting rifles the problem when it comes to public safety in Canada?

Mr. Murray Smith: That's a policy issue that is best answered by Public Safety. I'm here to answer technical questions.

Mr. Bob Zimmer: Okay. Let me refer to an article in the National Post from September 6. This again answers the question that I've just asked: "What is the problem?"

It states, "Most of the crime guns seized in Toronto are smuggled into Canada from the U.S.: police". That is the response. The quote is relevant because this is a statement that was made before the Public Safety committee.

The quotes that follow are from police chiefs directly. Regina Police Chief Evan Bray said, "Most laws we create are not going to be followed by people committing crimes with guns. We have a ban on murder in Canada, and yet sadly we still have homicides." Last, Toronto Deputy Chief Myron Demkiw testified that 86% of crime guns were smuggled into Canada.

Remember that number: 86%.

Mr. Tony Van Bynen: Mr. Chair, I have a point of order.

The Chair: I have Mr. Van Bynen on a point of order, please.

Mr. Tony Van Bynen: Mr. Chair, I thought we invited these experts in for technical advice. If we want to have some political commentary, we could do that another time. Our time is better spent asking the experts on firearms the technical questions that they were invited here for.

The Chair: Thank you, Mr. Van Bynen.

Mr. Zimmer, maybe just debating.... That would not be a question that you could really address to these witnesses, but you can certainly bring up these matters as a matter of debate.

Mr. Bob Zimmer: Yes. I'll continue.

As I said, Toronto Deputy Chief Myron Demkiw testified that 86% of crime guns were smuggled into Canada.

I will continue from the National Post:

Blandford said facing the nearly insurmountable task of securing Canada's porous borders and coastlines, it's not surprising Ottawa went after low-hanging fruit of punishing gun owners.

That's why I'm bringing it up today. It's because that's what we're talking about.

From the National Post:

"Legal gun owners go through a rigorous process to be vetted to own a firearm," he said.

"Legitimate gun owners, whether they're handgun or long-rifle, are probably amongst your most law-abiding citizens in the country."

"They're not the problem."

The reason I bring that up today is that this is why we're here today. We're talking about Bill C-21, a bill that's supposed to make us more safe by, again, tackling the wrong element. It's going after law-abiding firearms owners and their firearms, their hunting firearms.

Let me go on to talk about what the problem is. It's very relevant to this conversation because, again, Bill C-21 is meant to address this very question: "What is the problem?"

As I have just laid out, illegal guns coming across the border are the problem. According to Toronto Deputy Chief Myron Demkiw, 86% of those firearms that are killing our kids on the streets of Toronto, Vancouver and Montreal are coming from across the border.

What can we do about it? I'm going to talk about how many firearms were seized at the border.

This is another article, from CTV in July 2022, and it speaks to these guns that are coming across: "The number of firearms Canada seized at the border more than doubled last year to 1,110 from 495 in 2020—the highest total since at least 2016, according to the numbers provided to Reuters by Canada's Border Services Agency."

These are the only ones that they have seized: How many guns pour across our border and end up in criminals' hands and are, again, killing our kids?

It goes on:

Gun violence in Toronto, Canada's most populous city, reached a 15-year high in 2019, with 492 incidents involving firearms, according to police data. That number fell the following two years but 2022 is on track to rise once again.

That's the problem, and yet this government brings in Bill C-21 and brings in even a further amendment to punish law-abiding firearms owners even more.

On what Bill C-21 is going to cost Canadians, I think it's going to be relevant in my final point, because we know that even on the previous long-gun registry, which once again targeted law-abiding firearms owners, it was promised that it was going to cost \$2 million and it ended up costing \$2 billion.

Then what is the estimate? Well, I will read from an article from an expert. He's a Simon Fraser professor and said that the "Trudeau government 'buy back' firearms plan may cost up to \$6.7 billion".

That's prior to this latest G-46 amendment being laid on this committee's table.

I'll quote—

• (1155)

The Chair: Just as a point of reference, G-46 has not yet been laid on the committee's table.

This is good commentary, but it really doesn't pertain to G-4—

Mr. Bob Zimmer: It's relevant to Bill C-21, I know, Mr. Chair. It's completely relevant.

On the \$6.7 billion, it says, "This range—

Mr. Taleeb Noormohamed: On a point of order, Mr. Chair—

The Chair: We have Mr. Noormohamed on a point of order.

Mr. Taleeb Noormohamed: Are the questions not to be germane to the specific clause up for discussion?

The Chair: The debate is supposed to be on G-4, and it's very... Mr. Zimmer can bring it back at some point—

Mr. Bob Zimmer: Absolutely. I'm sorry, Mr. Chair.

The Chair: —and render that concern satisfied. I'm just encouraging him to do so.

Mr. Bob Zimmer: It absolutely is, because when G-4 and Bill C-21 will be implemented, that's exactly what I'm talking about. That's what the cost is going to be to Canadians. I'm going to get not just to the cost, because I think people would say they're willing to pay a price as long as it makes them safe, but what I'm arguing is that this isn't making them more safe.

The range estimate rises between \$2.6 billion and \$6.7 billion after you include compensation costs to owners. Then this same author has said that the addition of this potential new amendment adds another billion dollars, so it's between—and Ms. Dancho knows this too well—\$5 billion and \$10 billion, pretty easily, by the time it's all said and done.

For those moms of kids in our inner cities... I'm a father of four and I want to see our streets more safe. We know that violent crime has increased by 33% under this Prime Minister and government. We know that gang crime has increased by 92% since this government took office. What they're doing isn't working. This is another

bill put forward that has the image or certainly the facade that it will do something when it really won't.

We know that the cost is going to be between \$5 billion and \$10 billion. What could \$5 billion to \$10 billion do in a positive way, instead of going after law-abiding firearms owners and hunters in Canada?

It's simple math. Let's pick the lower amount, \$5 billion, as the amount that we're going to calculate this on. Based on an average salary and training for the average police officer or CBSA agent of \$150,000, we could put 10,000 officers on the streets for about four years. Imagine those containers. We hear that one in every 100 actually gets inspected at the border, where we know the problem is. Imagine putting another 5,000 CBSA agents at the borders to capture these guns before they get across to gang members in our inner cities. Just imagine that—or, as my colleague Mr. Calkins has informed me, with the equipment we could give those border agents to completely scan every container, we could easily pay for the manpower and this equipment to up our game at the borders dramatically to reduce the number of guns coming across. Why aren't we doing that? It's something that will have a real impact, and I guess in a positive way too.

Ultimately this ends up on the streets, and we see crime and firearms that are hurting our kids. We see the crime rates spiking and getting worse. The list that I read out earlier today is not comprehensive. As Mr. Smith acknowledged, proposed paragraph 84(1.2)(g) really opens it up to a whole bunch of other hunting firearms, potentially, and it's all for an almost zero effect, when we know that 86% of those firearms that are killing our kids are coming across the border. They're not coming from law-abiding hunters in my community. That's for sure.

My final point is we know that hunters are not the problem. We know what the problem is. Knowing what the problem is, how about our putting that huge amount of money in a place where it will actually work and keep our communities safe?

Thank you, Mr. Chair.

• (1200)

The Chair: Thank you, Mr. Zimmer.

We go now to Mr. Calkins. He represents my hometown, by the way, so welcome.

Mr. Blaine Calkins: I'm sorry. I couldn't hear you, Mr. Chair.

The Chair: I said you have the floor, but I just mentioned that you represent my hometown.

Mr. Blaine Calkins: Yes, I do. We've had that conversation before. Thank you, Chair.

I'm going to make some introductory remarks as the shadow minister for hunting, fishing and conservation in His Majesty's loyal opposition. Then I'll get to some of the questions I have for our esteemed witnesses.

Canada was once a refuge for a rugged individual, and we would be hard-pressed to make a case for that in Canada today. Since 1850, urbanization has swept the country, practically inverting the population of urban dwellers and rural residents. Today, nearly 80% of Canadians live in an urban area. As noted by one of the members opposite, Canada has changed.

Although he's not entirely wrong in his assessment, in this process of change, many aspects of this country have been improved; however, blind nostalgia does us no favours.

As different as the country looks today compared to the one the traveller would have found in 1850, this does not mean that all traces of this old Canada ought to be erased. For those Canadians and first nations who live in remote areas or participate in the outdoor way of life, their lived reality is different from that of those who live in the most populated parts of our nation.

As you can imagine, life in places like Pond Inlet in Nunavut; Ignace, Ontario; Sept-Îles, Quebec; Corner Brook, Newfoundland; or Prince Rupert, British Columbia, resemble nothing of the urban experience in downtown Vancouver, Toronto or Montreal. One should note that the prevalence of firearms licences per 100 people is the highest in Yukon, with a rate of 19.17%. One in five Yukoners has a firearm. This compares to the national average of just under 6%, thus indicating a wide swing in licence ownership in certain parts of the country.

It may come as a surprise to the members opposite, but those participating in the hunting lifestyle are surprisingly diverse. The hunters of today are not your trappers of the early fur trade, which, by the way, is an essential part of our history and the basis of modern commerce in our nation. Hunting is a genuine family-oriented activity, enjoyed by those of all creeds and ethnic backgrounds, and in it the wisdom of past generations is passed down to the new.

I am here at committee today because, with Bill C-21, the federal government has, whether it wants to admit it or not, basically said to hunters that their way of life is going to be no more.

Guns are not weapons of war, as some politicians would like to have you believe, but an essential harvesting tool used for hunters to feed their families. It provides food security in our northern and remote communities. I've heard scoffing and other rhetoric from other politicians indicating that this way of life is not even needed in a modern Canada.

I take particular offence to what appears to be the carelessness of the drafting of not only this bill but of the proposed amendments that are before it. It is clear to me that Bill C-21 is not based on science at all. It is not based on any evidence at all; it is a simple, political decision. The problem with this is that it tarnishes the time-honoured traditions of firearms owners and sport shooters in this country, hunters included. It sullies the reputations of these good, honest, law-abiding, patriotic Canadians.

The philosopher Jean-Jacques Rousseau, a proponent of naturalism, once stated that the only true freedom was found in nature alone and that one must remain close to nature and its inherent liberty and equality. It is Rousseau who created the concept of the social contract to counter the loss of freedom brought on by man's move away from the inherent freedom of nature. He believed that a man's participation in what he called unnatural collective activities infringed on his liberty and, as such, a bargain called a social contract had to be struck.

The purpose of the social contract made by sacrificing some individual freedom for state protection and co-operative benefits lays out the obligations of government towards its subjects.

Although we could argue about what these consist of, John Locke, another contributor to the theory of social contracts, explained it best when he said, "...being all equal and independent, no one ought to harm another in his Life, Health, Liberty or Possessions".

Bill C-21 is a piece of legislation that breaks this social contract. Beyond the obvious point of liberty, it also infringes on both the right to possess guns themselves and a right to personal health and freedom.

This may all seem academic, but fear not. I'm about to present some real-world, concrete examples of what the infringement on the Canadian social contract means for the hunting community.

- (1205)

Canadians have a reasonable right to own their possessions. One of the foundational pillars of the social contract, private property, lies at the heart of many democratic systems.

We know this to be true, as even though it is not enshrined in our legislation, Canada is a signatory to the 1948 Universal Declaration of Human Rights, which recognizes that everyone "has the right to own property" and provides that no one shall be "arbitrarily deprived" of his or her property. "Arbitrarily" is an important word in this context, as Bill C-21 does it exactly this way.

Not only is the classification of firearms in amendments G-4 and G-46 arbitrary, but the lack of buyback or any provisions hinting at a buyback is also proof of how little the government regards the concept of property rights.

It is also striking to me that many of these guns included on the list of firearms are not solely semi-automatic, as intended by the legislation and as advertised by the Prime Minister; many are bolt-action rifles and shotguns, including the likes of the Winchester model 54, the Weatherby Mark V, the Kimber 89 African and the Montana Rifle 1999. These are not military rifles that later became popular as hunting arms; they were designed explicitly for the purpose of hunting.

A separate point I would like to make is the availability of both firearms and ammunition in northern communities. Access to firearms in northern communities is already limited, and they can be hard to come by in the make and model desired by hunters. Notwithstanding COVID-19 supply chain issues, there has been a long-running difficulty in supplying the north with these items. In fact, Canada Post will no longer ship ammunition. Now, with this proposed ban, if it comes into force, replacing these banned firearms will be difficult for first nations and Inuit in an already stretched market.

By instituting such a wide-ranging ban, the Liberal government will make it difficult for these hunters to replace their firearms, yet these people are the most likely to perform sustenance hunting. This ban will endanger a critical method of ensuring food security in a harsh environment, where groceries come at an irregular pace and with high prices.

Lastly, I would like to focus on how our new gun laws will affect the tourism sector. Hunters inbound from abroad, especially the United States, contribute significantly to our hunting sector and keep our lodges and outfitters busy. I might add that for the last two years of COVID-19, guides and outfitters in lodges have been some of the hardest hit in the tourism sector.

I can tell you, as a hunter, that these tourists often prefer to take their own firearms, as they will not only be more ergonomic but also have the added safety benefit of the hunter knowing his own firearm. Depriving foreign tourists of their reasonable hunting rifles, as proposed—I can assure you it will happen with the evergreen clause, as it's referred to—with the scheduled list of firearms will result in yet another blow to the guides, outfitters and lodges across our country.

As for the health component of the social contract, it is clearly violated by Bill C-21. Those closest to the natural world—for example, our rural Canadians and hunters—are the most impacted by the loss of liberty engendered by an increasingly urbanized society. They are also the ones most vulnerable to the loss of their physical well-being due to the prohibition of their tools and property.

As previously mentioned, this bill may, in fact, affect food security. There is also a physical health component to the firearms debate that is not often discussed, which is that of workers in remote areas. In some parts of our country and in some industries, firearms are vital to one's physical safety. In this scenario, firearms are used for self-defence. Tour operators operating in the north need to ensure that their guests are protected from polar bears and other wildlife. They have a duty of care to protect their guests.

When beekeepers go out into remote areas to collect honey from their hives, it is not at all uncommon for a beekeeper to be caught unaware by a lingering bear. This is a completely different scenario from a hunter who is walking through the woods, carrying his or her firearm, ready at a moment's notice to pursue the hunt. These are people who find themselves in a defensive position. These are people who need to be able to react and respond quickly, because their primary focus and objective while they're working is not the same as the primary focus of somebody who is hunting.

• (1210)

I can tell you without any hesitation whatsoever that the ability to have a shotgun that would be caught up in the evergreening clause or on the schedule that is proposed in these amendments to Bill C-21 would take a vast number of firearms away from people who are just trying to defend themselves. I know beekeepers who carry with them a Tavor because it is compact, it has five rounds, it is chambered in .308 and it will stop a bear.

Now this beekeeper is going to have his property rendered valueless and he has to go and search for another firearm or shotgun that would have similar capabilities to the Tavor, not knowing if amendment G-4 to this proposed legislation, the amendment coming through, would in fact would eventually get that new firearm caught up in the prohibited list.

This violates the social contract between Canadians and their government, and it also potentially harms the health, safety and well-being of Canadians.

I remember very vividly, because I have worked most of my life prior to coming to Parliament in the outdoor industry. I was a conservation officer with the Province of Alberta and I was a national park warden in Jasper National Park. I'm also a hunter.

There are numerous reasons people would have a semi-automatic firearm. Anybody working in the forestry industry, anybody who has done the job of timber cruising where you are going down a cut line determining whether or not a cut block is going to be productive or not for your forestry company, would carry with them a shotgun likely advertised by the manufacturer as a defender. It could be semi-automatic. It could be pump action. It would likely have a pistol grip and it would likely be polymer plastic or made out of polymer and it would be black.

It would look to the untrained eye like a scary gun, but it is the firearm that would be best used and best positioned to provide the safety benefit to somebody's son or daughter, to somebody's brother or sister, to somebody's mom or dad who is working in the outdoor environment in a situation where they could be put at risk, not to mention all of the hunters in this land.

Not everybody who hunts does so with a firearm. There are bowhunters. If you don't have the knowledge or experience of what it's like to sit in a tree stand and call or bugle for an elk or for a buck or for a bull moose, what you are also doing in that act is letting every predator in the woods know that you are there as well. It is not unreasonable at all for a bow hunter to have a safety firearm with them. It needs to be small and compact; otherwise, it does not work in that scenario.

Numerous firearms that are newly added to the list in the proposed amendments will now render firearms that were bought specifically for the purpose of personal protection by people, either through their work or through their enjoyment of hunting, useless if not worthless. Their property will be rendered useless if not worthless.

Mr. Tony Van Bynen: I have a point of order, Mr. Chair.

The Chair: Go ahead, Mr. Van Bynen, on a point of order.

Mr. Tony Van Bynen: We have witnesses here, and I haven't heard a question yet. I'm wondering if we could—

Mr. Blaine Calkins: I haven't heard a question by Mr. Van Bynen either. If he wants the floor, he can ask for it.

Mr. Tony Van Bynen: Mr. Chair, I haven't asked for time to ask questions, but I'm here to have the benefit of the witnesses' information, particularly from a technical point of view, and if and when I do have a question, I will let the chair know.

• (1215)

The Chair: Thank you, Mr. Van Bynen; however, there is no obligation for the member to ask questions. The officials are here to provide answers if asked, but the member may certainly carry on his debate.

It is related to amendment G-4, I believe. Please carry on.

Mr. Blaine Calkins: Thank you, Chair.

Before I get to the officials for questions, I would like to remind my colleagues opposite of two things that are often forgotten when talking about firearm bans—the opportunity costs of these excessive and ineffective gun control measures being put in place and the small risk of being victimized by law-abiding firearms owners that actually exists.

I ask my colleagues what kind of cost-benefit analysis has been conducted for this project in terms of the cost of the buyback, the last part of which was not even completed yet. A host of measures could be purchased to actually improve public safety, as my colleague Mr. Zimmer has said, with the high estimate, or even just with a medium-term estimate of \$5 billion, which is what the Fraser Institute said for the last buyback before we even included new firearms through the proposed amendments.

We could make quick work of many outstanding needs at a cost of \$3 million U.S. That is how much Grand Cayman just spent this year for a modern shipping container scanning system. It finds not just firearms but all contraband, including drugs. In the nation of Canada where, I believe, we have 119 ports of entry, if we convert \$5 billion Canadian into U.S. dollars, we could literally buy 10 of these scanning devices for every port of entry, rather than buying five billion dollars' worth of firearms from law-abiding Canadians.

Now, you tell me and the Canadians who are watching which is likely to have a larger impact on public safety—being able to scan virtually every vehicle and every container that comes into our country or taking property away that's sitting there idly in the lockers and vaults of everyday Canadians? I already know what the answer to that question is. Only one per cent of containers currently passing through our ports of entry are scanned. That's it—one per cent. We obviously need to improve this if we're going to stem the tide of illegal firearms moving north from our southern neighbour—speaking of which, a large number of border patrol officers could also be hired to ensure a further reduction in cross-border smuggling. After all, most of the guns used in urban gang shootings—a staggering 85%—are smuggled in illegally, according to the Toronto police.

On the social services side of things, we could surely throw in that \$875 million that the Liberals promised in their last election campaign for mental health, which I would argue is probably at the root of most of the gun violence that we have in this country, if somebody from the law-abiding community were to do this.

How many times could we fund the mental health strategy that the Liberals haven't allocated a single dollar for, instead of potentially—and I don't even know—

Mr. Tony Van Bynen: On a point of order, Chair, I'm looking for relevance here with respect to the technical expertise we've invited to this meeting. I still haven't heard any.

The Chair: Thank you, Mr. Van Bynen. Again, the technical expertise is there for the member to call upon if needed, but as long as the remarks are addressed to the bill and particularly to the motion, he's free to speak on whatever he likes.

Mr. Blaine Calkins: Thank you, Mr. Chair.

Alternatively, if not invested in mental health, if not invested in purchasing scanners at our ports of entry.... It would be surprising for Canadians to know that in Miramichi, New Brunswick, only 10% of the required background checks are conducted in the renewal of or the application for a current firearms licence because it's not properly or adequately funded, Mr. Chair.

These are all tangible, concrete things that would actually improve safety for Canadians and public safety for our country with five billion dollars' worth of funding, which is what the Fraser Institute estimates it would cost if the Government of Canada were to provide compensation to firearms owners should Bill C-21 and its amendments come to pass.

With regard to the perception of legal gun ownership contributing to crime, we know that simply isn't true. Under this government, the prevalence of violent crime is up 32%, and there is a fear that it will only get worse. In fact, the banning of certain firearms seems to be a political exercise, and there is a legitimate fear that the crime issue will be used by the government to ban even more lawful firearms.

As we see from some of the amendments brought forth by the government, the list is not simply semi-automatics but a wide swath of firearms. Despite the fact that handguns are used to commit the vast majority of violent crimes in Canada, long guns and shotguns are bearing the full brunt of this government's policies.

Furthermore, firearm-related violent crimes typically represent less than 3% of of police-reported violent crime in Canada, a country where individuals own more than 20 million guns. Canadians have little to fear from law-abiding gun owners.

Ironically, in the U.K. during 2019 and 2020, nearly 16,000 knife crimes were committed in a nation with strict gun control. I will add that in comparison to Canada, the U.K. reported 33% more robberies, 22% more assaults, 30% more homicides and 28% more hate crimes. Ironically, many of the European nations that are held up against Canada due to their tight gun controls, including France, Belgium, Greece and Sweden, fare much worse in their crime rate, and Germany is also comparable.

Canada is not the United States, and it is not healthy to import their cultural issues for political gains. Every loss of life is a tragedy, but it does have to be put into perspective. A 2011 study from McMaster University found no significant association between gun laws passed and firearm homicide rates in Canada from 1974 to 2008, proving that the introduction of such laws within the Canadian context has been nothing more than a political exercise.

While homicide-related deaths get much more attention within the context of firearms' being used, many of the excess deaths are tied to suicide, yet this is still a very minimal number.

On the accident front, firearms have also attracted unwanted attention, yet accidents account for 0.3% of total accident incidents, ranking well below 37% for car accidents, 18% for people falling off roofs or falling from distances and 11% for poisoning. However, nobody here is arguing that we should not drive cars.

We are focusing so much time, so much effort and so much money on something that is so insignificant that it's not even funny.

To recapitulate, this is a bad law, as it breaks the social contract that Canadians have struck with their government; comes at a great expense, potentially, for taxpayers of Canada; and fails to improve public safety.

Now that I'm done with my rant, Mr. Van Bynen, you'll be very happy to know that I have some questions.

My question for our panel of experts is this: Is there any province or territory in Canada that prohibits, through its provincial wildlife rules, laws or regulations, a hunter from hunting with a firearm that has a force of over 10,000 joules?

• (1220)

Ms. Paula Clarke: Not that I'm aware of.

Mr. Blaine Calkins: Until this order in council and these proposed amendments were made, it was completely legal to hunt in Canada with a rifle that produced a force greater than 10,000 joules. Is that correct?

Ms. Paula Clarke: If that firearm had been unrestricted prior to May 1, 2020, or was not previously restricted in the classification regulations, then it would have been legal to use that firearm for hunting.

Mr. Blaine Calkins: Weatherby also makes much of its own ammunition. On its site, Weatherby says explicitly in its marketing that the .460 and other large ammunition—powerful ammunition, I will call it, even if it's in .30 calibre—is only good for animals up to about 2,000 pounds. Are there any animals in North America that are hunted lawfully, harvested lawfully, that are greater than 2,000 pounds?

Ms. Rachel Mainville-Dale (Acting Director General, Firearms Policy, Department of Public Safety and Emergency Preparedness): Thank you for the question.

I think this is outside the scope that we as officials can provide answers to.

Mr. Blaine Calkins: Let me ask the officials this: Had they conducted any research? Had they met with any hunting groups? Had they met with any northern hunting groups—for example, Inuit who hunt bowhead whales, narwhals and belugas—or anybody in the Yukon or northern Alberta where bison hunting is legal?

Has the department reached out to any of these organizations to find out the impact of limiting hunting to calibres that produce joules of less than 10,000 and what that might do for those people who are hunting large terrestrial or aquatic animals?

• (1225)

Mr. Paul Chiang (Markham—Unionville, Lib.): I have a point of order, Mr. Chair.

The Chair: Mr. Chiang, go ahead on a point of order.

Mr. Paul Chiang: Mr. Chair, the officials are here to answer technical questions, not questions about animals in Canada.

The Chair: Thank you, Mr. Chiang.

The point is taken. Certainly our officials are here today to answer technical questions on the bill and on the amendment before us. I would certainly encourage the member to—

Mr. Blaine Calkins: I simply asked, Mr. Chair, if any of our technical experts are aware of any information that the Government of Canada has from consultations with anybody who hunts large terrestrial or aquatic mammals in this country. It has a bearing on the 10,000 joules, part of the order in council from a few years ago, and it is wrapped up specifically in Bill C-21.

As the witnesses have already said, hunting with those calibres and that ammunition was perfectly legal, and now it is not. I'm wondering if anybody knows what the impact of that will be on the first nations communities of this country or on other people who hunt large terrestrial land animals.

That's a perfectly legitimate question, Mr. Chair. I would like to know the answer, if the officials have it.

Ms. Rachel Mainville-Dale: Thank you for the question.

In terms of the proposed amendments and in terms of your question with regard to 10,000 joules, those are already prohibited through the OIC. Therefore, there would be no change in what was prohibited if this motion were to pass.

Mr. Blaine Calkins: My question was actually this: Does the department have any information that it can table with this committee of any scientific rationale as to why, for the purpose of hunting, a 10,000-joule rifle should not be allowed to be used in Canada? Has any consultation been done with any of the groups that might be impacted?

Mr. Taleeb Noormohamed: On a point of order, Mr. Chair—

Mr. Blaine Calkins: I just want to know if that information exists or if this was just an arbitrary decision.

The Chair: Mr. Noormohamed has a point of order.

Mr. Taleeb Noormohamed: On a point of order, Mr. Chair, it is clear that Mr. Calkins is aware of what happens when you shoot something with 10,000 joules. You obliterate the animal. You know that belugas and narwhals are hunted using regular hunting firearms, not 10,000-joule things, and with bowhead whales we usually see explosive devices.

The questions we are asking witnesses here are outside the scope of their expertise. They do not represent the entirety of the Government of Canada.

I would really encourage you, Mr. Chair, to ensure that the questions are focused on the areas of expertise with which these witnesses have presented themselves and have been willing to offer their time.

The Chair: Thank you, Mr. Noormohamed. I think there was a bit of debate there, but I take your point.

The officials here can't comment on policy and on conjecture about what's going on behind the scenes, I believe.

At any rate, carry on, Mr. Calkins.

Mr. Blaine Calkins: Well, as Mr.—

[*Translation*]

Ms. Kristina Michaud: I have a point of order, Mr. Chair.

[*English*]

The Chair: Go ahead on your point of order, Madame Michaud.

[*Translation*]

Ms. Kristina Michaud: Mr. Calkins' questions are relevant. If the officials here cannot answer them, they could be put to the mover of the amendment.

If I were the mover of the amendment, I would have to explain on what basis I chose 10,000 joules, for example. Mr. Chiang could answer these questions. In fact, I have the same questions. Normally, these questions are put to the mover of the amendment.

I will let Mr. Calkins speak, but I think the government members could very well answer those questions.

[*English*]

Mr. Bob Zimmer: I have a point of order, Mr. Chair.

The Chair: To Madame Michaud's point, Mr. Chiang is not a witness. These are certainly matters that can be raised and asked in debate, absolutely, and perhaps at some point Mr. Chiang would care to respond in debate as well.

There was another point of order. Is it the same point of order?

Mr. Bob Zimmer: Yes. I would just support Ms. Michaud's proposal that the proponent provide their opinion in evidence to answer that question.

The Chair: Once again, Mr. Chiang is not a witness before this committee. He's a member of it, and it's not an appropriate part of the process.

Mr. Calkins, carry on, if you please.

Mr. Blaine Calkins: Thank you, Mr. Chair.

I take it that the department doesn't have any information to share with the committee on any consultations it's had with any of the hunting groups in Canada about whether or not the 10,000-joule limit is actually reasonable or not.

Mr. Smith, would any rifle chambered in a .460 Weatherby be prohibited as a result of the changes that are being proposed and in the order in council?

• (1230)

Mr. Murray Smith: The .460 Weatherby is a rifle made for a variety of purposes related to hunting. It is available in high-energy calibres. Those that exceed 10,000 joules are largely for hunting large African game. The rifle is also available in smaller calibres, which are typical of what would be used by hunters in Canada.

Mr. Blaine Calkins: My question for you is very technical, then, because if we're taking a look at, say, a Ruger.... Let's take a look at what I believe is the No. 1. Many of these firearms have interchangeable barrels. Would you agree with my assessment?

Mr. Murray Smith: Some firearms are modular. However, neither the Weatherby Mark V nor the Ruger No. 1 is modular. Changing the barrels on either of those firearms is a major gunsmithing undertaking.

Mr. Blaine Calkins: Let's use an example of a gun that does have a modular capacity that is currently prohibited. What would happen if somebody had one of those hunting firearms? They had a barrel that was for a .460, but they also had a .30-06 for it. How would the law interpret that?

Mr. Murray Smith: Our position or our interpretation of it is that in order for a firearm to be affected by the 10,000-joule provision, the firearm has to actually be chambered for that particular calibre.

Mr. Blaine Calkins: But you're not banning the barrel; you're banning the entire firearm, Mr. Smith. Explain to me how the law works.

I have a similar question for you when it comes back to the G-4 amendment. I'm simply talking about the barrel and not the rest of the firearm. If the barrel is changeable from a .30-06 to a .460 Weatherby....

Mr. Murray Smith: The barrels for rifles in general are not regulated. Possession of a barrel chamber for any calibre, be it one over 10,000 joules or not, is not regulated. The barrels are not a regulated commodity for rifles.

Mr. Blaine Calkins: Yet the barrel is the one that's responsible for the calibre that it can shoot. Is that correct?

Mr. Murray Smith: It's one of the characteristics responsible, but also the bolt itself has to be compatible with the calibre. The bolt face can change from one calibre to another.

Mr. Blaine Calkins: I would assume that a rifle manufacturer wouldn't manufacture barrels for which the bolt was incompatible. That would make no sense. Would you agree?

Mr. Murray Smith: I agree in part and I understand your point, but the point I'm making is that if you change, say, a Weatherby Mark V rifle from a smaller calibre, say a .338 Weatherby, to be chambered for a .460 Weatherby, which is over 10,000 joules, it's necessary to change the barrel and the bolt.

Mr. Blaine Calkins: That's in that particular example.

Mr. Murray Smith: It's in that particular firearm—

Mr. Blaine Calkins: But there are other firearms with barrels that you could change to be at over the 10,000 joules, are there not?

Mr. Murray Smith: It depends, again, on the exact circumstances, because there are—

Mr. Blaine Calkins: Okay. Hypothetically, what does the law do to an owner of a gun—and it doesn't matter the make or model—who has the ability to change the barrel to a calibre that can exceed 10,000 joules and to a barrel that doesn't exceed 10,000 joules? What happens to that individual's firearm?

Mr. Murray Smith: In my experience, the firearm would be prohibited only if the rifle is actually chambered for the high-energy calibre.

A parallel to that exists in law today. There's a provision under the restricted firearms definition for firearms that become restricted if they have a barrel length under 470 millimetres, plus other technical considerations. The firearm is considered restricted only if it has the short barrel and not if it doesn't.

That's an exact parallel to the situation you're describing. The way the courts have dealt with that is to consider what the firearm actually has mounted in order to assess its classification, so I don't think there's anything in particular for an owner of the type you described who happens to have a spare barrel in a calibre that's over 10,000 joules.

Mr. Blaine Calkins: What are you going to do when Weatherby loads their .460 Weatherby to produce 9,999 joules?

• (1235)

Mr. Murray Smith: The way the definition is framed in section 95 speaks to “capable” rather than actual, so downsizing the load would not change things. The firearm is still capable of receiving a standard .460 Weatherby and therefore would continue to be prohibited.

Mr. Blaine Calkins: Is every semi-automatic rifle that's capable of accepting a legal magazine capable of accepting an illegal magazine if it's manufactured for that rifle?

Mr. Murray Smith: Yes, but—

Mr. Blaine Calkins: That would mean that G-4 means every semi-automatic rifle in this country with a centrefire cartridge is now illegal.

The Chair: Mr. Calkins, please let the witness answer.

Mr. Murray Smith: No, I would not agree with that, because the magazine capacity is not linked—

Mr. Blaine Calkins: Could it just, then—

Mr. Murray Smith: —to the classification of the firearm.

Mr. Blaine Calkins: It's a friendly conversation, Mr. Chair.

The Chair: I understand, but we're not hearing the answers that the witness is giving.

Mr. Blaine Calkins: Okay.

The Chair: I encourage lively debate, but I would like to hear the answers.

Mr. Blaine Calkins: That's fair. Thank you, Chair.

Mr. Murray Smith: Under the present law, magazines and firearms are classified independently. We have magazine regulations that determine which magazines are lawful and which are not. We also have—

Mr. Blaine Calkins: I understand that, Mr. Smith. You're right. I agree with you. I'm not disputing that, but the evergreening clause in G-4 actually doesn't speak to magazines; it speaks to the rifle and if the rifle is capable.

Mr. Murray Smith: That's correct. That would be a change in the way things operate with respect to that particular provision—

Mr. Blaine Calkins: Yes, that's a big change, Mr. Smith. I agree with you.

Mr. Murray Smith: For firearms to meet the criteria of that definition, the firearm in question must be a rifle or a shotgun, must be semi-automatic, must have a detachable magazine, and the capacity of that magazine must exceed five shots—

Mr. Blaine Calkins: No, that's not what the law says, Mr. Smith. I doesn't say that the magazine has to have more.... It says it's capable of receiving a magazine that contains more than five. That is a capability issue, not a definition of how many shots are legal in a magazine. Would you agree with that?

Mr. Murray Smith: Yes, I would.

You are correct in that assessment. If the firearm is capable of accepting a magazine that exceeds five shots, then it would fall into the prohibited category. That's limited somewhat by language that—

Mr. Blaine Calkins: Do you need a licence to buy a magazine—

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

The Chair: Go ahead, Mr. Noormohamed, on a point of order.

Mr. Taleeb Noormohamed: The witness was literally in the middle of explaining what the caveat was and Mr. Calkins cut him off. Can we please have the witness finish the answer so that we can hear what he was trying say?

The Chair: Go ahead, Mr. Motz, on the same point of order.

Mr. Glen Motz: Can we please stop the government across the way from interrupting our questioning—

The Chair: That's not the same point of order.

I would certainly appreciate the witness being able to finish his answers.

Mr. Murray Smith: I was just looking at the actual definition there. It does not actually use the word “capable”. It uses the word “designed”.

Your point is partially correct in that the classification of the rifle or the shotgun is influenced by the kind of magazine it's designed to accept, but the use of the word “capable” is somewhat broader than that.

Ms. Paula Clarke: Could I clarify the drafting of the provision as well?

The Chair: Go ahead.

Ms. Paula Clarke: There seems to be a misunderstanding that the “designed to accept” a cartridge magazine means that it applies to any cartridge magazine over five. The phrasing of the provision says “greater than five cartridges”, and then what follows afterward says “of the type for which the firearm was originally designed”.

The “designed to accept” clause was drafted to refer to the magazine that was originally designed for that firearm by the manufacturer.

Mr. Blaine Calkins: With all due respect, Ms. Clarke, the first words in that clause are “a firearm that is a rifle or shotgun”. It's not talking explicitly about magazines.

Ms. Paula Clarke: It says, “a firearm that is a rifle or shotgun”, and then it goes on to say, “that is capable of discharging centre-fire ammunition in a semi-automatic manner”. Then the third requirement is that the firearm “is designed to accept a detachable...magazine with a capacity greater than five cartridges”. The final clause is, “of the type for which the firearm was originally designed”.

That means that the firearm and the magazine cartridge were designed together by the manufacturer. Compatibility with a third party manufacturer's magazine beyond the original design intent of that firearm would not render that firearm prohibited. That firearm would not be prohibited according to this definition.

Mr. Blaine Calkins: I don't—

Ms. Paula Clarke: Sorry; I haven't finished.

This would establish a stable classification of these firearms. That is unaffected by third party manufacturers of cartridge magazines.

• (1240)

Mr. Blaine Calkins: With the greatest respect, Madame Clarke, most of the firearms capable of receiving a magazine are “designed”. There is nothing different about the feeding mechanism of a magazine when it feeds a round of ammunition into the chamber.

There is nothing different about it, whether it can hold five or seven rounds.

Under Canadian law, there is no requirement at all to have a licence. Anybody can go into any store and purchase a magazine for a rifle without a firearm licence.

Am I correct?

Ms. Paula Clarke: You're correct.

Mr. Blaine Calkins: What this means, in my interpretation, is that.... Even though I appreciate your clarification, I'm worried about the fact that we don't have any restrictions on magazines, at all, in this country, other than that if they are going to be used, they have to be pinned to five. Would you agree with that statement?

Ms. Paula Clarke: I agree with that statement.

Mr. Blaine Calkins: However, that's not what this.... I know that's what you're trying to say it says.

This has caused fear in the firearms community, because there is no restriction on magazines. You do not need a licence to buy a magazine. Virtually every single manufacturer of the firearms we talked about—semi-automatic with detachable magazines—also makes magazines for the same model. They might be sold in different countries, but they make detachable magazines designed to go into that gun. That's what they are designed to do. Therefore, they meet your criterion of “designed to accept a detachable...magazine”.

Why would we put such ambiguous language in the legislation and create this problem? I simply don't trust the wording in this clause at all. Neither does any other hunter in this country who has a semi-automatic firearm.

Ms. Paula Clarke: My response would be that this is a motion put before the committee. The committee and Parliament have the ability to modify the wording of the proposed definition. This is something to be debated and passed by Parliament. Should an amendment to the definition be agreed upon by Parliament, that is a decision that could be made at the political level.

Mr. Blaine Calkins: Thank you, Madame Clarke.

I'll get back to hunting.

Has the department had any consultations with any provincial or territorial ministry responsible for hunting?

I will frame the context for you. I'm an Albertan, so I can tell you about the laws in Alberta, but I also know what they are in Saskatchewan, Ontario and other places. For example, the hunting management unit just east of Ottawa, right now, has a two-week shotgun hunting period for deer. The provincial regulations clearly say you can use a semi-automatic shotgun to do so. They don't indicate in any way, shape or form whether or not that firearm can have a pistol grip or appear in any way, shape or form to be a scary type of firearm. It can be a shotgun that looks like a Defender, the one I referenced in my introductory remarks.

Has the department consulted with any of the provincial ministries responsible for hunting on how many hunters in their province or territory use those types of firearms, which are now going to be prohibited, should this law come to pass?

Ms. Rachel Mainville-Dale: Thank you for your question.

The proposed amendments under G-4 do not contain any criteria related to pistol grips or the colour of the firearm.

Mr. Blaine Calkins: Okay.

Ms. Rachel Mainville-Dale: I can repeat the criteria. This has nothing to do with the criteria you outlined in your question.

Ms. Phaedra Glushek: I could add that even though there's provincial and territorial legislation that refers to different types of firearms—whether non-restricted, restricted or prohibited—once these firearms become prohibited, they will no longer be able to be used or possessed by Canadians for any purpose.

• (1245)

Mr. Blaine Calkins: I know I'm jumping ahead to G-46, but I would imagine the items on the G-46 list are there because of G-4.

A number of Benelli shotguns are now going to be prohibited. Benelli seems to be the only firearm that has a reverse list of exceptions in the schedule. Am I correct in that?

Ms. Paula Clarke: When the Benelli was proscribed as prohibited in the 1990s, there were firearms that were exempted from that definition, and that was the decision made at a political level: to exempt these makes and models from the prohibition.

Mr. Blaine Calkins: When Benelli comes out with a new model or a new variant of shotgun, we would need an act of Parliament in order to make it legal in Canada, because the Benellis that are legal are provided in a list of exemptions, and virtually every other Benelli that's not on that list is prohibited, correct?

Mr. Murray Smith: Yes, that would be correct.

On the listed exemptions in paragraph 7 of schedule 1, which is the one that deals with the Benelli M1 and M3 shotguns—which I believe are the ones you're referring to—that list is a closed list. The firearm make and model must be explicitly named in the list in order for it to be exempted, and any new model that comes out would fall within the variant and modified version clause of paragraph 7 and would be prohibited.

Mr. Blaine Calkins: Even if it appeared to be a bird-hunting, semi-automatic shotgun, it would be prohibited automatically because it's simply not on the list.

Mr. Murray Smith: That's correct, and it's been that way since 1992.

Mr. Blaine Calkins: The difference is that earlier, it would require just a simple order in council in order to put it on the list. Now it's going to require an act of Parliament in order to do that.

Am I missing something, Mr. Smith?

Mr. Murray Smith: No. That's consistent with my understanding as well.

Ms. Phaedra Glushek: Yes, that's correct. They will codify these into legislation.

Mr. Blaine Calkins: Then now, if you're a hunter who uses Benelli firearms and you want the newest make and model of what Benelli has to offer to the marketplace, you would have to contact your local member of Parliament and ask for an amendment to the statutes of Canada in order to be able to purchase and acquire a modern or a newer version of a Benelli turkey-hunting gun.

Ms. Phaedra Glushek: Yes, as with any other prohibited firearm.

Mr. Blaine Calkins: No, that's not true, because you used to be able to put items on the schedule through an order in council, and now it requires an act of Parliament.

Ms. Phaedra Glushek: Let me rephrase.

Yes, you would have to ask, because it would be in statute and codified in the Criminal Code as a prohibited firearm rather than a delegated authority through the GIC through regulations, which they are now and which some of them have been since the 1990s.

Mr. Blaine Calkins: Now that this has moved to being codified in the statute rather than just being something that can be done through an order in council, what are the chances, should this law come to pass and codify in legislation all of these Benellis, of any Benelli shotguns actually getting into the marketplace in Canada?

Ms. Phaedra Glushek: I don't think we can speculate on that, on what manufacturers would or would not do and how they would enter the market.

Does my colleague have anything to add to that?

Mr. Blaine Calkins: Do you think Benelli would have a legal case of being treated disproportionately?

Ms. Phaedra Glushek: I think we'd have to ask Benelli's counsel, but they would be prohibited from being imported into Canada.

Ms. Rachel Mainville-Dale: I'll just add, though, that it's not Benelli the manufacturer, right?

Mr. Blaine Calkins: I understand.

Ms. Rachel Mainville-Dale: It's not Benelli the manufacturer. It's variants of items that are prohibited.

Mr. Blaine Calkins: I understand.

Ms. Rachel Mainville-Dale: Thank you.

Mr. Blaine Calkins: Getting back to personal defence, I articulated in my opening remarks numerous scenarios of people who are in the outdoors and who currently would not have to seek any permission to use their non-restricted shotguns or rifles, like a Tavor chambered in .308. Is there anything in this legislation...?

Let's face it: If you have an employee who's working in a dangerous situation, you as an employer have a responsibility to provide your employees with all of the safety equipment that's necessary for them to conduct their duties safely. We've seen this in the RCMP, as a matter of fact. The RCMP lost a case for not providing the right equipment to their members.

Is there any provision in the legislation or the proposed amendments for people who work in dangerous industries in which they're proximal to wildlife or have been charged with the protection of other people? Are there any exemptions for them for any of the firearms they currently use right now? Is there a permitting path? Is there a way for them to get an exemption so that they can continue to use the firearms they purchased for the purpose of personal protection, or will their firearms that are now slated to go to the prohibited list go to the prohibited list, and it's too bad, so sad—go buy a different gun? What's the approach?

• (1250)

Ms. Phaedra Glushek: What I can say, being from up north and having experienced this because I worked at a fly-in fishing and hunting camp, is no, there's no right in Canada to a specific firearm. The law is well settled. Once it's prohibited, there is no ability to use that for self-defence or any other purpose in the wild.

What I can say is that there are sometimes authorizations to carry that are provided under the authority of the Firearms Act. I could possibly turn to my colleague Rachel, and perhaps she can....

Ms. Rachel Mainville-Dale: Thanks.

Under the Firearms Act there is a mechanism whereby individuals are specifically authorized to carry restricted firearms and use them for either personal protection or for the course of their employment. That's what exists right now.

An example is a security guard. A private security guard would have an exemption for the reason of their employment. We also see that sometimes—you mentioned in the north—for protection from wildlife, people will sometimes carry more than one weapon, maybe a handgun and a long gun. Restricted firearms can be used in those cases.

Mr. Blaine Calkins: Basically what you're saying right now is that certain firearms that people are using currently without having to ask for extra permission will be moved to a prohibited list. The only way they will be able to continue to use them for personal protection....

Of course, I'm not talking about somebody who would be an armoured car driver or something like this. This is not the exception I'm talking about. I'm talking about the person on a northern cruise ship who gets off the ship charged with the responsibility of protection if a polar bear comes and attacks the crew or the guests, and who currently uses a Tavor chambered in .308 or uses a shotgun that is now going to be prohibited. They would have to ask for permission from the local chief firearms officer. The northern cruise ship would potentially stop in Atlantic Canada and maybe in several provinces, each with its own chief firearms officer. It might stop in northern Quebec, in Nunavut, in the Northwest Territories.

Are you saying that that individual would need an ATC from each of those jurisdictions in order to do their job?

Ms. Rachel Mainville-Dale: In terms of the firearms, if the firearms they are currently using become prohibited, they won't be able to use them even with an ATC. An ATC applies for restricted firearms.

Mr. Blaine Calkins: It's only for restricted.

Ms. Rachel Mainville-Dale: That would be the impact if the firearms that they are currently using are prohibited. That would be the impact.

Mr. Blaine Calkins: If it's prohibited, it's now rendered useless for all of this, regardless. They would still have to switch to either a non-restricted firearm or get a restricted firearm and then ask for an authorization to carry.

• (1255)

Ms. Rachel Mainville-Dale: That is correct.

Mr. Blaine Calkins: They would need an authorization to carry from each jurisdiction, correct?

Ms. Phaedra Glushek: Correct.

That meets the objective of the government in banning all assault-style firearms, as they said in May 2020 and continue to say. Definitely, yes, any prohibited firearm would not be able to be used or possessed.

Mr. Blaine Calkins: Okay.

It's clear to me, Mr. Chair, that this law has a lot of problems in terms of its practicability for people who live and work in rural and remote communities. As well, it is going to make life less safe for hunters, for indigenous people living in remote and rural areas, and for people who are employed not necessarily by an organization such as Brink's but are self-employed as lodge owners and outfitters and so on.

Let's go to lodges and outfitters. As I said in my opening statement, lodges and outfitters, particularly hunting lodges, have basically been decimated by two years of COVID and closures and border restrictions. It's not your fault, and I'm not blaming you. I'm not blaming any of you for anything. I'm just asking for clarification.

We know from talking to the folks in this industry that whether it's a Canadian going to another country or others coming to Canada for the purpose of hunting, most will bring or will want to bring their own firearms with them. When I say most, 95% of hunters prefer to take their own firearms with them. That would be a Canadian going to the United States or Spain or wherever they happen to be hunting, and it's no different for people who are coming here from other countries.

If a firearm is now moved to the prohibited list, will that mean that any hunter from outside of Canada can no longer bring any of these prohibited firearms into the country for the purpose of short-term hunting at a guided or outfitted lodge or on a hunting excursion?

Ms. Paula Clarke: Classifying a firearm as "prohibited" means it is prohibited for everybody within Canada, including, for instance, those coming in from the U.S. to hunt as a form of tourism. It applies to any group that uses these firearms as part of a business. It applies to everybody in Canada. There are no exceptions.

Mr. Blaine Calkins: Then I guess it's the duty of a hunter coming to Canada from another country to know what the laws are if the laws change.

How would that be handled by our border agents if somebody was en route to their destination for hunting?

Ms. Rachel Mainville-Dale: When an individual enters Canada, they are asked if they have any firearms to declare. Again, I am speaking a little bit outside of my lane. This would be for my colleagues at the CBSA, the Canada Border Services Agency. People entering Canada are asked to declare any firearms they have, and if they declare that they have any firearms and those are prohibited, then the process that CBSA applies in cases of prohibited firearms would apply.

Mr. Blaine Calkins: I can assume, then, Mr. Chair, that numerous people who have come to hunt in Canada before, who in the past have brought with them firearms that are for hunting or that could be used for hunting, will be denied entry into Canada.

I am very concerned, Mr. Chair, about what that will do to our lodges and outfitters in this country, particularly those that offer northern hunting excursions for large moose, for example, in the Yukon or for bison or other large terrestrial mammals.

Ms. Phaedra Glushek: Could we just clarify one point?

It would be the firearm that would be prohibited from coming into Canada, and not the individuals.

Mr. Blaine Calkins: I understand, but 95% of people want to use their own guns, and if they're not allowed to bring their gun, they're not coming, ma'am. That's just the way it is, and that will definitely have an adverse impact on our lodges and outfitters.

My question to the officials who are here is this: Does the department have any information about what the impact will be on our guides and outfitters across this country should this law come to pass with respect to all of the firearms that are currently on the list and that are scheduled to be prohibited? What will be the net economic consequence to our lodges and outfitters?

• (1300)

Ms. Phaedra Glushek: No, we do not have that information before us.

Mr. Blaine Calkins: I could keep going, but I'm pretty sure I see the writing on the wall. This is a political exercise. It's not an economic exercise. It's not a hunting exercise. It's not a public safety exercise.

I will give up my time until I think of some other questions, but I'm sure I know what the answer is going to be.

The Chair: Thank you, Mr. Calkins, for your interventions today.

We are at the end of our time. I propose that we adjourn and resume in the next meeting from the point where we left off.

We'll adjourn. Suspending messes up all kinds of things.

We'll adjourn and we will resume the next meeting from the point where we left off. This means the next speaker will be Madame Michaud, followed by Mr. Noormohamed, Mr. Ruff, Mr.—

Ms. Raquel Dancho (Kildonan—St. Paul, CPC): I have a quick point of order. I'm sorry, Mr. Chair.

I know that you suspended when Mr. Noormohamed was making his comments. Can you explain why that is different from today? Why were we able to suspend then and not today on Mr. Calkins' remarks?

The Chair: I could suspend, but it messes up scheduling, giving notices and all kinds of stuff. I've been advised by my very capable clerk that it's better for the organization and for the administration if we adjourn as we did last time, and adjourn with the understanding that we will commence where we left off in the next meeting.

Ms. Raquel Dancho: There will be no more suspensions, then.

The Chair: There may be, but we're going to try to avoid them because it messed up the administration. The effect for us is the same; the effect for them is better.

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

For everyone's benefit, as we adjourn, the understanding is that we'll have the speakers list exactly as it stands right now. It will be Madame Michaud—

The Chair: That's exactly right. The motion will remain moved. The speakers list will carry on from where we are now.

Mr. Calkins has finished. The next on the list is Madame Michaud. If that's the understanding and everybody's good with that—

Go ahead, Mr. Ruff.

Mr. Alex Ruff (Bruce—Grey—Owen Sound, CPC): I want some clarity, because I do have more questions that are very specific and unfortunately I didn't get to address Mr. Smith. I'm assuming Mr. Daly's with him as well. It would be beneficial to have them there as the experts.

I know they're busy people as well, and I'm not trying to cause them.... I want to make sure they'll be invited back.

The Chair: We will continue to invite all of these wonderful witnesses and we certainly appreciate all of the input. I recognize that it's sometimes difficult to answer your questions.

That being the case, we are now....

You're on the list, sir, after Mr. Noormohamed.

We are now adjourned.

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