

**DEPARTMENT OF JUSTICE
MINISTÈRE DE LA JUSTICE**

**PRIVY COUNCIL SECTION
SECTION DU CONSEIL PRIVÉ**

VOLUME II

VOLUME II

SUBJECT: Authorization to Export or Import Firearms Regulations
OBJET (Businesses)

Règlement sur l'autorisation d'importation et d'exportation d'armes à feu (entreprises)

FILE NO.: 96-560-01 **VOLUME II**

FROM THE DEPARTMENT OF Dept. of Justice
MINISTÈRE D'ORIGINE

DATE RECEIVED _____ **July 24, 1996**

ENGLISH VERSION **JULIA McILRAITH**

FRENCH VERSION **MARIE-ANDREE ROY**
VERSION FRANCAISE



Department of
Canada

Ministère de la Justice
Canada

Ottawa, Canada
K1A 0H8
Room 634
Place 222
222 Queen Street

October 31, 1996

Mr. William Bartlett
Counsel
Canadian Firearms Centre
9th Floor
Constitution Square
360 Albert Street - Tower 1
Ottawa, Ontario
K1A 0H8

Dear Mr. Bartlett:

- RE: 96-216-02 - *Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*
96-224-01 - *Non-Prohibited Ammunition Transfer Document Regulations*
96-242-02 - *Authorizations to Carry Restricted Firearms and Certain Handguns Regulations*
96-243-02 - *Authorizations to Transport Restricted Firearms and Prohibited Firearms Regulations*
96-458-01 - *Firearms Licences Regulations*
96-560-01 - *Authorizations to Export or Import Firearms Regulations (Businesses)*
96-564-01 - *Storage, Display and Transportation of Firearms and Other Weapons by Businesses Regulations*
96-566-01 - *Conditions of Transferring Firearms and other Weapons Regulations*
96-584-01 - *Firearms Records Regulations*
96-585-01 - *Aboriginal Peoples of Canada Adaptations Regulations (Firearms)*

Please find enclosed, in both official languages, two stamped copies of each of the above-noted instruments, which have been examined in accordance with the *Statutory Instruments Act*. Also enclosed is an automated version of the above-noted Regulations.

In addition to the above-noted Regulations, we have included a discussion draft, in both official languages, of

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the *Firearms Fees Regulations*. One version of these Regulations contains redlining to identify revisions.

If we can be of any further assistance, do not hesitate to contact the lawyers responsible for the individual files, making reference to the above-noted file numbers.



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Encls.

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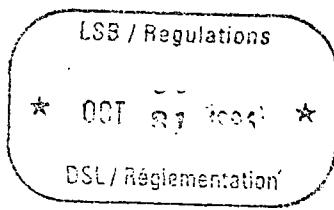
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JUS-96-560-01
(DORS/SOR)

Attendu que, conformément à l'article 118 de la *Loi concernant les armes à feu et certaines autres armes*^a, le ministre de la Justice a fait déposer le projet de règlement intitulé *Règlement sur les autorisations d'exportation ou d'importation d'armes à feu (entreprises)*, conforme en substance au texte ci-après, devant chaque chambre du Parlement le 1996, laquelle date est antérieure d'au moins trente jours de séance à la date du présent décret,

À ces causes, sur recommandation du ministre de la Justice et en vertu des articles 44 à 47, des alinéas 117a), b) et i), du sous-alinéa 117k)(iii) et de l'alinéa 117w) de la *Loi concernant les armes à feu et certaines autres armes*^a, Son Excellence le Gouverneur général en conseil prend le *Règlement sur les autorisations d'exportation ou d'importation d'armes à feu (entreprises)*, ci-après.

^a L.C. 1995, ch. 39



JUS-96-560-01
(DORS/SOR)

RÈGLEMENT SUR LES AUTORISATIONS D'EXPORTATION OU D'IMPORTATION
D'ARMES À FEU (ENTREPRISES)

DÉFINITION

1. Dans le présent règlement « Loi » s'entend de la *Loi sur les armes à feu*.

PARTIE I

AUTORISATION D'EXPORTATION

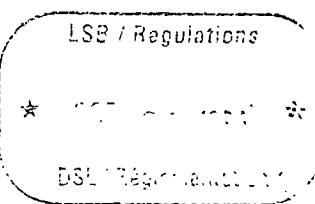
Finalité de l'exportation — marchandises prohibées

2. Pour l'application de l'alinéa 44b) de la Loi, la finalité de l'exportation des marchandises visées à cet alinéa est l'une ou l'autre des fins mentionnées à l'article 21 du *Règlement sur les permis d'armes à feu*.

Renseignements à communiquer au directeur

3. (1) Pour l'application de l'alinéa 44e) de la Loi, l'entreprise qui demande l'autorisation d'exporter des marchandises visées à l'article 43 de la Loi communique au directeur les renseignements suivants :

- a) la quantité de marchandises de chaque type;
- b) une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*;
- c) le nom du pays de la destination finale des marchandises ainsi que le nom des pays d'escale, s'ils sont connus;
- d) les nom et adresse du destinataire;
- e) les nom et adresse de l'entreprise qui fait la demande;
- f) les numéro et date d'expiration du permis visé à l'alinéa 44c) de la Loi;
- g) le cas échéant, les numéro et date d'expiration de la licence d'exportation délivrée à l'entreprise aux termes de la *Loi sur les licences d'exportation et d'importation*;
- h) la date d'exportation prévue;



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i) le bureau de douane, désigné par le ministre du Revenu national aux termes de l'article 52 de la Loi, par où passeront les marchandises;

j) les nom et numéro du permis du transporteur;

k) le fait que les marchandises seront réimportées au Canada.

(2) Dans le cas d'une demande visant une arme à feu, les renseignements suivants sont communiqués en plus des renseignements visés au paragraphe (1) :

a) la marque, le modèle, le type, le mécanisme et le calibre et la longueur du canon, si ces renseignements sont connus;

b) sous réserve du paragraphe (3), le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement.

(3) Lorsque le numéro de série d'une arme à feu existe mais n'est pas connu au moment de la présentation de la demande, l'entreprise peut présenter la demande sans le donner et le directeur assortit l'autorisation qu'il délivre de la condition selon laquelle l'entreprise doit le lui fournir avant le moment de l'exportation de l'arme à feu.

Condition

4. Lorsqu'une entreprise demande l'autorisation d'exporter des marchandises visées à l'article 43 de la Loi, le directeur assortit l'autorisation d'exportation qu'il délivre de la condition selon laquelle l'emballage extérieur des marchandises doit être marqué, en une forme lisible par machine, de façon à indiquer la quantité de marchandises de chaque type qu'il contient et les renseignements suivants :

a) dans le cas des armes à feu :

(i) une description de celles-ci suffisamment détaillée pour en permettre l'identification selon les définitions de l'article 84 du *Code criminel*,

(ii) la marque et le modèle, s'ils sont connus,

(iii) le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement;

b) dans les autres cas, une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*.

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Sort des marchandises retenues

5. (1) Pour l'application du paragraphe 45(4) de la Loi, l'agent des douanes dispose des marchandises retenues en vertu du paragraphe 45(3) de la Loi de l'une des manières suivantes :

- a) il les retourne à l'entreprise qui a présenté la demande d'autorisation d'exportation, si celle-ci paie à Sa Majesté du chef du Canada les frais engagés par elle pour l'entreposage des marchandises;
- b) il les remet à la Gendarmerie royale du Canada ou au contrôleur des armes à feu de la province de rétention pour leur usage ou pour toute autre fin légitime, sauf la vente;
- c) il les fait détruire.

(2) Avant de disposer des marchandises, l'agent des douanes avise le directeur au sujet des marchandises retenues et de la manière d'en disposer.

PARTIE II

AUTORISATION D'IMPORTATION

Finalité de l'importation — marchandises prohibée

6. Pour l'application de l'alinéa 46d) de la Loi, la finalité de l'importation des marchandises visées à cet alinéa est l'une ou l'autre des fins mentionnées à l'article 21 du *Règlement sur les permis d'armes à feu*.

Renseignements à communiquer au directeur

7. (1) Pour l'application de l'alinéa 46f) de la Loi, l'entreprise qui demande l'autorisation d'importer des marchandises visées à l'article 43 de la Loi communique au directeur les renseignements suivants :

- a) la quantité de marchandises de chaque type;
- b) une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*;
- c) le nom du pays duquel les marchandises sont importées;
- d) les nom et adresse des escales au Canada et du destinataire au Canada;

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- e) lorsque les marchandises sont en transit au Canada, les nom et adresse de la destination finale à l'étranger;
- f) les nom et adresse de l'entreprise qui fait la demande;
- g) les numéro et date d'expiration du permis visé à l'alinéa 46a) de la Loi;
- h) la date d'importation prévue;
- i) le bureau de douane, désigné par le ministre du Revenu national aux termes de l'article 52 de la Loi, par où passeront les marchandises;
- j) les nom et numéro de permis du transporteur.

(2) Dans le cas d'une demande visant une arme à feu, les renseignements suivants sont communiqués en plus des renseignements visés au paragraphe (1) :

- a) la marque, le modèle, le type, le mécanisme et le calibre et la longueur du canon, si ces renseignements sont connus;
- b) sous réserve du paragraphe (3), le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement.

(3) Lorsque le numéro de série d'une arme à feu existe mais n'est pas connu au moment de la présentation de la demande, l'entreprise peut présenter la demande sans le donner et le directeur assortit l'autorisation qu'il délivre de la condition selon laquelle l'entreprise doit le lui fournir avant le moment de l'importation de l'arme à feu.

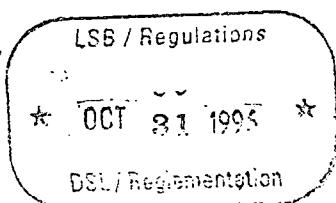
Condition

8. Lorsqu'une entreprise demande l'autorisation d'importer des marchandises visées à l'article 43 de la Loi, le directeur assortit l'autorisation d'importation qu'il délivre de la condition selon laquelle l'emballage extérieur des marchandises doit être marqué, en une forme lisible par machine, de façon à indiquer la quantité de marchandises de chaque type qu'il contient et les renseignements suivants :

a) dans le cas des armes à feu :

(i) une description de celles-ci suffisamment détaillée pour en permettre l'identification selon les définitions de l'article 84 du *Code criminel*,

(ii) la marque et le modèle, s'ils sont connus,



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- (iii) le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement;
- b) dans les autres cas, une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*.

Sort des marchandises confisquées

9. (1) Pour l'application du paragraphe 47(4) de la Loi, l'agent des douanes dispose des marchandises confisquées en vertu de ce paragraphe de l'une des manières suivantes :

- a) il les remet à la Gendarmerie royale du Canada ou au contrôleur des armes à feu de la province de confiscation pour leur usage ou pour toute autre fin légitime, sauf la vente;
- b) il les fait détruire.

(2) Avant de disposer des marchandises, l'agent des douanes avise le directeur au sujet des marchandises confisquées et de la manière d'en disposer.

PARTIE III

DISPOSITIONS GÉNÉRALES

Avis de refus ou de révocation

10. (1) L'avis de refus de la délivrance d'une autorisation d'exportation ou d'importation ou l'avis de révocation d'une telle autorisation est dûment transmis s'il est envoyé à la dernière adresse connue de l'entreprise qui a demandé l'autorisation ou qui est titulaire de l'autorisation et s'il est, selon le cas :

- a) remis en mains propres durant les heures normales de bureau de l'entreprise;
- b) envoyé par courrier recommandé ou par poste certifiée;
- c) expédié par un moyen électronique pouvant produire une transcription sur papier;
- d) dans le cas de l'avis de révocation, remis en mains propres à la personne qui présente l'autorisation au bureau de douane.

(2) L'avis est réputé reçu :

- a) le jour de sa livraison, s'il est remis en mains propres;

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b) le cinquième jour ouvrable, à l'exclusion du samedi et des jours fériés, suivant la date du cachet postal, s'il est envoyé par courrier;

c) le jour de sa transmission, s'il est expédié par un moyen électronique.

Révocation des autorisations

11. Le directeur peut révoquer une autorisation d'exportation ou d'importation à tout moment avant son attestation par l'agent des douanes aux termes des paragraphes 45(2) ou 47(2) de la Loi.

12. Le directeur révoque une autorisation d'exportation ou d'importation, avant le moment de l'exportation ou de l'importation des marchandises, s'il a des motifs raisonnables de croire que les permis visés aux alinéas 3(1)f) et 7(1)g) ou la licence visée à l'alinéa 3(1)g) ne sont plus valides.

Avis de refus d'attester

13. Dans le cas où l'agent des douanes refuse d'attester une autorisation d'exportation ou d'importation aux termes des paragraphes 45(2) ou 47(2) de la Loi, il avise l'entreprise et le directeur, par écrit, des raisons du refus et lorsque les marchandises sont retenues en vertu du paragraphe 45(3) de la Loi, des raisons de leur rétention.

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JUS-96-560-01
(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons*^a, the Minister of Justice has had a copy of the proposed *Authorization to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons*^a, hereby makes the annexed *Authorization to Export or Import Firearms Regulations (Businesses)*.

^a S.C. 1995, c. 39

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JUS-96-560-01
(SOR/DORS)

AUTHORIZATION TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

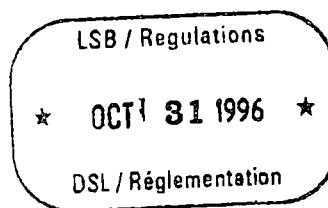
AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:
 - (a) the quantity of each type of goods;
 - (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
 - (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
 - (d) the name and address of the consignee of the goods;
 - (e) the name and address of the business that is making the application for an authorization to export the goods;
 - (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;



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(g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

(h) the proposed date of export of the goods;

(i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;

(j) the name and licence number of the carrier; and

(k) whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

(a) if known, the make, model, type, action, calibre and barrel length of the firearm; and

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the export of the firearm.

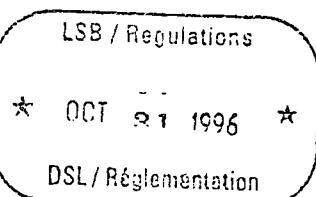
Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and



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- (ii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;
- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Detained Goods

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

- (a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;
- (b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are detained for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or
- (c) have the goods destroyed.

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

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- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) the name of the country from which the goods are imported;
- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act;
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

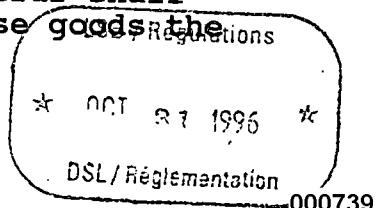
(a) if known, the make, model, type, action, calibre and barrel length of the firearm; and

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the import of the firearm.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the



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condition that the goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; and

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. (1) For the purposes of subsection 47(4) of the Act, a customs officer shall dispose of goods forfeited under that subsection in the following manner:

(a) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are forfeited for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or

(b) have the goods destroyed.

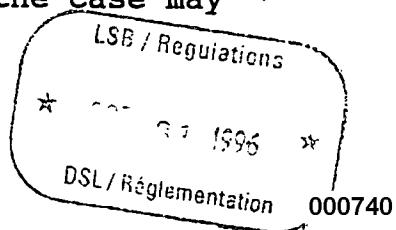
(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were forfeited and the manner in which those goods are to be disposed.

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to export or import goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and the notice is, as the case may be,



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- (a) delivered personally during normal business hours of the business;
 - (b) sent by registered or certified mail;
 - (c) transmitted by electronic means that can produce a paper record; or
 - (d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.
- (2) The notice is deemed to be received
- (a) on the day of delivery, if it is delivered personally;
 - (b) on the fifth working day, excluding Saturdays and holidays, after the postmark date, if it is mailed; and
 - (c) on the day of transmission, if it is sent by electronic means.

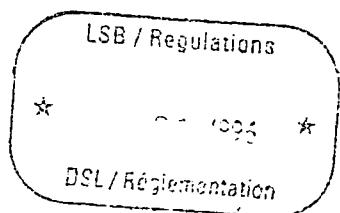
Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to export or import under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.



Oct 1 / 96

JUS-96-560-01
(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons*^a, the Minister of Justice has had a copy of the proposed *Authorization to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons*^a, hereby makes the annexed *Authorization to Export or Import Firearms Regulations (Businesses)*.

Stanwood

Oct 31 / 96

^a S.C. 1995, c. 39

JUS-96-560-01
(SOR/DORS)

AUTHORIZATION TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:
 - (a) the quantity of each type of goods;
 - (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
 - (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
 - (d) the name and address of the consignee of the goods;
 - (e) the name and address of the business that is making the application for an authorization to export the goods;
 - (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
 - (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

- (h) the proposed date of export of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;
- (j) the name and licence number of the carrier; and
- (k) whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

(a) if known, the make, model, type, action, calibre and barrel length of the firearm; and

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the export of the firearm.

Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and

(ii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Detained Goods

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

- (a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;
- (b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are detained for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or
- (c) have the goods destroyed.

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) the name of the country from which the goods are imported;

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- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act;
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
 - (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.
- (3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the import of the firearm.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

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(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; and

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. (1) For the purposes of subsection 47(4) of the Act, a customs officer shall dispose of goods forfeited under that subsection in the following manner:

(a) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are forfeited for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or

(b) have the goods destroyed.

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were forfeited and the manner in which those goods are to be disposed.

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to export or import goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and the notice is, as the case may be,

(a) delivered personally during normal business hours of the business;

(b) sent by registered or certified mail;

(c) transmitted by electronic means that can produce a paper record; or

(d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.

(2) The notice is deemed to be received

(a) on the day of delivery, if it is delivered personally;

(b) on the fifth working day, excluding Saturdays and holidays, after the postmark date, if it is mailed; and

(c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to export or import under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.



Department of Justice Canada
Ministère de la Justice Canada

Room 610, 222 Queen Street, Ottawa K1A 0H8

MEMORANDUM/NOTE DE SERVICE

Security classification -- Cote de sécurité

File number -- Numéro de dossier

JUS-96-560-01

Date

October 1, 1996

Telephone/FAX -- Téléphone/Télécopieur

957-0084/952-1166

TO/DEST: William Bartlett, Counsel
Canadian Firearms Centre

FROM/ORIG.: Marie-Andrée Roy - Julia McIlraith
Legislative Services Branch

SUBJECT/OBJET: Authorization to Export or Import Firearms Regulations
(Businesses)

Comments/Remarques

Further to your request for copies of the above-noted Regulations for consultation purposes, please find enclosed English and French discussion drafts, dated October 1, 1996, that have been edited and revised.

As discussed, since these drafts will be used in consultation, each page has been stamped with the words "DRAFT/ÉBAUCHE" and displays the date.

If we can be of any further assistance, do not hesitate to contact us, making reference to the above-noted file number.

Marie-Andrée Roy

Encl.

Julia McIlraith

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(DORS/SOR)

Attendu que, conformément à l'article 118 de la *Loi concernant les armes à feu et certaines autres armes*^a, le ministre de la Justice a fait déposer le projet de règlement intitulé *Règlement sur les autorisations d'exportation ou d'importation d'armes à feu (entreprises)*, conforme en substance au texte ci-après, devant chaque chambre du Parlement le 1996, laquelle date est antérieure d'au moins trente jours de séance à la date du présent décret,

À ces causes, sur recommandation du ministre de la Justice et en vertu des articles 44 à 47, des alinéas 117a), b) et i), du sous-alinéa 117k)(iii) et de l'alinéa 117w) de la *Loi concernant les armes à feu et certaines autres armes*^a, Son Excellence le Gouverneur général en conseil prend le *Règlement sur les autorisations d'exportation ou d'importation d'armes à feu (entreprises)*, ci-après.

^a L.C. 1995, ch. 39

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JUS-96-560-01
(DORS/SOR)

RÈGLEMENT SUR LES AUTORISATIONS D'EXPORTATION OU D'IMPORTATION
D'ARMES À FEU (ENTREPRISES)

DÉFINITION

1. Dans le présent règlement « Loi » s'entend de la *Loi sur les armes à feu*.

PARTIE I

AUTORISATION D'EXPORTATION

Finalité de l'exportation — marchandises prohibées

2. Pour l'application de l'alinéa 44b) de la Loi, la finalité de l'exportation des marchandises visées à cet alinéa est l'une ou l'autre des fins mentionnées à l'article 21 du *Règlement sur les permis d'armes à feu*.

Renseignements à communiquer au directeur

3. (1) Pour l'application de l'alinéa 44e) de la Loi, l'entreprise qui demande l'autorisation d'exporter des marchandises visées à l'article 43 de la Loi communique au directeur les renseignements suivants :

- a) la quantité de marchandises de chaque type;
- b) une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*;
- c) le nom du pays de la destination finale des marchandises ainsi que le nom des pays d'escale, s'ils sont connus;
- d) les nom et adresse du destinataire;
- e) les nom et adresse de l'entreprise qui fait la demande;
- f) les numéro et date d'expiration du permis visé à l'alinéa 44c) de la Loi;
- g) le cas échéant, les numéro et date d'expiration de la licence d'exportation délivrée à l'entreprise aux termes de la *Loi sur les licences d'exportation et d'importation*;
- h) la date d'exportation prévue;

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i) le bureau de douane, désigné par le ministre du Revenu national aux termes de l'article 52 de la Loi, par où passeront les marchandises;

j) les nom et numéro du permis du transporteur;

k) le fait que les marchandises seront réimportées au Canada.

(2) Dans le cas d'une demande visant une arme à feu, les renseignements suivants sont communiqués en plus des renseignements visés au paragraphe (1) :

a) la marque, le modèle, le type, le mécanisme et le calibre et la longueur du canon, si ces renseignements sont connus;

b) sous réserve du paragraphe (3), le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement.

(3) Lorsque le numéro de série d'une arme à feu existe mais n'est pas connu au moment de la présentation de la demande, l'entreprise peut présenter la demande sans le donner et le directeur assortit l'autorisation qu'il délivre de la condition selon laquelle l'entreprise doit le lui fournir avant le moment de l'exportation de l'arme à feu.

Condition

4. Lorsqu'une entreprise demande l'autorisation d'exporter des marchandises visées à l'article 43 de la Loi, le directeur assortit l'autorisation d'exportation qu'il délivre de la condition selon laquelle l'emballage extérieur des marchandises doit être marqué, en une forme lisible par machine, de façon à indiquer la quantité de marchandises de chaque type qu'il contient et les renseignements suivants :

a) dans le cas des armes à feu :

(i) une description de celles-ci suffisamment détaillée pour en permettre l'identification selon les définitions de l'article 84 du *Code criminel*,

(ii) la marque et le modèle, s'ils sont connus,

(iii) le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement;

b) dans les autres cas, une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*.

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Sort des marchandises retenues

5. (1) Pour l'application du paragraphe 45(4) de la Loi, l'agent des douanes dispose des marchandises retenues en vertu du paragraphe 45(3) de la Loi de l'une des manières suivantes :

- a) il les retourne à l'entreprise qui a présenté la demande d'autorisation d'exportation, si celle-ci paie à Sa Majesté du chef du Canada les frais engagés par elle pour l'entreposage des marchandises;
- b) il les remet à la Gendarmerie royale du Canada ou au contrôleur des armes à feu de la province de rétention pour leur usage ou pour toute autre fin légitime, sauf la vente;
- c) il les fait détruire.

(2) Avant de disposer des marchandises, l'agent des douanes avise le directeur au sujet des marchandises retenues et de la manière d'en disposer.

PARTIE II

AUTORISATION D'IMPORTATION

Finalité de l'importation — marchandises prohibée

6. Pour l'application de l'alinéa 46d) de la Loi, la finalité de l'importation des marchandises visées à cet alinéa est l'une ou l'autre des fins mentionnées à l'article 21 du *Règlement sur les permis d'armes à feu*.

Renseignements à communiquer au directeur

7. (1) Pour l'application de l'alinéa 46f) de la Loi, l'entreprise qui demande l'autorisation d'importer des marchandises visées à l'article 43 de la Loi communique au directeur les renseignements suivants :

- a) la quantité de marchandises de chaque type;
- b) une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*;
- c) le nom du pays duquel les marchandises sont importées;
- d) les nom et adresse des escales au Canada et du destinataire au Canada;

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- e) lorsque les marchandises sont en transit au Canada, les nom et adresse de la destination finale à l'étranger;
- f) les nom et adresse de l'entreprise qui fait la demande;
- g) les numéro et date d'expiration du permis visé à l'alinéa 46a) de la Loi;
- h) la date d'importation prévue;
- i) le bureau de douane, désigné par le ministre du Revenu national aux termes de l'article 52 de la Loi, par où passeront les marchandises;
- j) les nom et numéro de permis du transporteur.

(2) Dans le cas d'une demande visant une arme à feu, les renseignements suivants sont communiqués en plus des renseignements visés au paragraphe (1) :

- a) la marque, le modèle, le type, le mécanisme et le calibre et la longueur du canon, si ces renseignements sont connus;
- b) sous réserve du paragraphe (3), le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement.

(3) Lorsque le numéro de série d'une arme à feu existe mais n'est pas connu au moment de la présentation de la demande, l'entreprise peut présenter la demande sans le donner et le directeur assortit l'autorisation qu'il délivre de la condition selon laquelle l'entreprise doit le lui fournir avant le moment de l'importation de l'arme à feu.

Condition

8. Lorsqu'une entreprise demande l'autorisation d'importer des marchandises visées à l'article 43 de la Loi, le directeur assortit l'autorisation d'importation qu'il délivre de la condition selon laquelle l'emballage extérieur des marchandises doit être marqué, en une forme lisible par machine, de façon à indiquer la quantité de marchandises de chaque type qu'il contient et les renseignements suivants :

- a) dans le cas des armes à feu :
 - (i) une description de celles-ci suffisamment détaillée pour en permettre l'identification selon les définitions de l'article 84 du *Code criminel*,
 - (ii) la marque et le modèle, s'ils sont connus,

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- (iii) le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement;
- b) dans les autres cas, une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*.

Sort des marchandises confisquées

9. (1) Pour l'application du paragraphe 47(4) de la Loi, l'agent des douanes dispose des marchandises confisquées en vertu de ce paragraphe de l'une des manières suivantes :

- a) il les remet à la Gendarmerie royale du Canada ou au contrôleur des armes à feu de la province de confiscation pour leur usage ou pour toute autre fin légitime, sauf la vente;
- b) il les fait détruire.

(2) Avant de disposer des marchandises, l'agent des douanes avise le directeur au sujet des marchandises confisquées et de la manière d'en disposer.

PARTIE III

DISPOSITIONS GÉNÉRALES

Avis de refus ou de révocation

10. (1) L'avis de refus de la délivrance d'une autorisation d'exportation ou d'importation ou l'avis de révocation d'une telle autorisation est dûment transmis s'il est envoyé à la dernière adresse connue de l'entreprise qui a demandé l'autorisation ou qui est titulaire de l'autorisation et s'il est, selon le cas :

- a) remis en mains propres durant les heures normales de bureau de l'entreprise;
 - b) envoyé par courrier recommandé ou par poste certifiée;
 - c) expédié par un moyen électronique pouvant produire une transcription sur papier;
 - d) dans le cas de l'avis de révocation, remis en mains propres à la personne qui présente l'autorisation au bureau de douane.
- (2) L'avis est réputé reçu :
- a) le jour de sa livraison, s'il est remis en mains propres;

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- b) le cinquième jour ouvrable, à l'exclusion du samedi et des jours fériés, suivant la date du cachet postal, s'il est envoyé par courrier;
- c) le jour de sa transmission, s'il est expédié par un moyen électronique.

Révocation des autorisations

11. Le directeur peut révoquer une autorisation d'exportation ou d'importation à tout moment avant son attestation par l'agent des douanes aux termes des paragraphes 45(2) ou 47(2) de la Loi.

12. Le directeur révoque une autorisation d'exportation ou d'importation, avant le moment de l'exportation ou de l'importation des marchandises, s'il a des motifs raisonnables de croire que les permis visés aux alinéas 3(1)f) et 7(1)g) ou la licence visée à l'alinéa 3(1)g) ne sont plus valides.

Avis de refus d'attester

13. Dans le cas où l'agent des douanes refuse d'attester une autorisation d'exportation ou d'importation aux termes des paragraphes 45(2) ou 47(2) de la Loi, il avise l'entreprise et le directeur, par écrit, des raisons du refus et lorsque les marchandises sont retenues en vertu du paragraphe 45(3) de la Loi, des raisons de leur rétention.

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(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons^a*, the Minister of Justice has had a copy of the proposed *Authorization to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons^a*, hereby makes the annexed *Authorization to Export or Import Firearms Regulations (Businesses)*.

^a S.C. 1995, c. 39

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JUS-96-560-01
(SOR/DORS)

AUTHORIZATION TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
- (d) the name and address of the consignee of the goods;
- (e) the name and address of the business that is making the application for an authorization to export the goods;
- (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;

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(g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

(h) the proposed date of export of the goods;

(i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;

(j) the name and licence number of the carrier; and

(k) whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

(a) if known, the make, model, type, action, calibre and barrel length of the firearm; and

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the export of the firearm.

Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and

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- (ii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;
- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Detained Goods

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

- (a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;
- (b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are detained for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or
- (c) have the goods destroyed.

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

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- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) the name of the country from which the goods are imported;
- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act;
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
- (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the import of the firearm.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the

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condition that the goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; and

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. (1) For the purposes of subsection 47(4) of the Act, a customs officer shall dispose of goods forfeited under that subsection in the following manner:

(a) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are forfeited for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or

(b) have the goods destroyed.

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were forfeited and the manner in which those goods are to be disposed.

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to export or import goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and the notice is, as the case may be,

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- (a) delivered personally during normal business hours of the business;
 - (b) sent by registered or certified mail;
 - (c) transmitted by electronic means that can produce a paper record; or
 - (d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.
- (2) The notice is deemed to be received
- (a) on the day of delivery, if it is delivered personally;
 - (b) on the fifth working day, excluding Saturdays and holidays, after the postmark date, if it is mailed; and
 - (c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to export or import under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.

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JUS-96-560-01
(DORS/SOR)

Attendu que, conformément à l'article 118 de la *Loi concernant les armes à feu et certaines autres armes*^a, le ministre de la Justice a fait déposer le projet de règlement intitulé *Règlement sur les autorisations d'exportation ou d'importation d'armes à feu (entreprises)*, conforme en substance au texte ci-après, devant chaque chambre du Parlement le 1996, laquelle date est antérieure d'au moins trente jours de séance à la date du présent décret,

À ces causes, sur recommandation du ministre de la Justice et en vertu des articles 44 à 47, des alinéas 117a), b) et i), du sous-alinéa 117k)(iii) et de l'alinéa 117w) de la *Loi concernant les armes à feu et certaines autres armes*^a, Son Excellence le Gouverneur général en conseil prend le *Règlement sur les autorisations d'exportation ou d'importation d'armes à feu (entreprises)*, ci-après.

^a L.C. 1995, ch. 39

SEP 27 1996

JUS-96-560-01
(DORS/SOR)

RÈGLEMENT SUR LES AUTORISATIONS D'EXPORTATION OU D'IMPORTATION
D'ARMES À FEU (ENTREPRISES)

DÉFINITION

1. Dans le présent règlement « Loi » s'entend de la *Loi sur les armes à feu*.

PARTIE I

AUTORISATION D'EXPORTATION

Finalité de l'exportation — marchandises prohibées

2. Pour l'application de l'alinéa 44b) de la Loi, la finalité de l'exportation des marchandises visées à cet alinéa est l'une ou l'autre des fins mentionnées à l'article 21 du *Règlement sur les permis d'armes à feu*.

Renseignements à communiquer au directeur

3. (1) Pour l'application de l'alinéa 44e) de la Loi, l'entreprise qui demande l'autorisation d'exporter des marchandises visées à l'article 43 de la Loi communique au directeur les renseignements suivants :
- a) la quantité de marchandises de chaque type;
 - b) une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*;
 - c) le nom du pays de la destination finale des marchandises ainsi que le nom des pays d'escale, s'ils sont connus;
 - d) les nom et adresse du destinataire;
 - e) les nom et adresse de l'entreprise qui fait la demande;
 - f) les numéro et date d'expiration du permis visé à l'alinéa 44c) de la Loi;
 - g) le cas échéant, les numéro et date d'expiration de la licence d'exportation délivrée à l'entreprise aux termes de la *Loi sur les licences d'exportation et d'importation*;
 - h) la date d'exportation prévue;

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- i) le bureau de douane, désigné par le ministre du Revenu national aux termes de l'article 52 de la Loi, par où passeront les marchandises;
- j) les nom et numéro du permis du transporteur;
- k) le fait que les marchandises seront réimportées au Canada, si ce fait est connu.

(2) Dans le cas d'une demande visant une arme à feu, les renseignements suivants sont communiqués en plus des renseignements visés au paragraphe (1) :

- a) la marque, le modèle, le type, le mécanisme et le calibre et la longueur du canon, si ces renseignements sont connus;
- b) sous réserve du paragraphe (3), le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement.

(3) Lorsque le numéro de série d'une arme à feu existe mais n'est pas connu au moment de la présentation de la demande, l'entreprise peut présenter la demande sans le donner et le directeur assortit l'autorisation qu'il délivre de la condition selon laquelle l'entreprise doit le lui fournir avant le moment de l'exportation de l'arme à feu.

Condition

4. Lorsqu'une entreprise demande l'autorisation d'exporter des marchandises visées à l'article 43 de la Loi, le directeur assortit l'autorisation d'exportation qu'il délivre de la condition selon laquelle l'emballage extérieur des marchandises doit être marqué, en une forme lisible par machine, de façon à indiquer la quantité de marchandises de chaque type qu'il contient et les renseignements suivants :

- a) dans le cas des armes à feu :
 - (i) une description de celles-ci suffisamment détaillée pour en permettre l'identification selon les définitions de l'article 84 du *Code criminel*,
 - (ii) la marque et le modèle, s'ils sont connus,
 - (iii) le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement;
- b) dans les autres cas, une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*.

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Sort des marchandises retenues

5. (1) Pour l'application du paragraphe 45(4) de la Loi, l'agent des douanes dispose des marchandises retenues en vertu du paragraphe 45(3) de la Loi de l'une des manières suivantes :

- a) les marchandises sont retournées à l'entreprise qui a présenté la demande d'autorisation d'exportation, si celle-ci paie à Sa Majesté du chef du Canada les frais engagés par elle pour l'entreposage des marchandises;
- b) elles sont remises à la Gendarmerie royale du Canada ou au contrôleur des armes à feu de la province de rétention pour leur usage ou pour toute autre fin légitime, sauf la vente;
- c) elles sont détruites.

(2) Avant de disposer des marchandises, l'agent des douanes avise le directeur au sujet des marchandises retenues et de la manière d'en disposer.

PARTIE II

AUTORISATION D'IMPORTATION

Finalité de l'importation — marchandises prohibée

6. Pour l'application de l'alinéa 46d) de la Loi, la finalité de l'importation des marchandises visées à cet alinéa est l'une ou l'autre des fins mentionnées à l'article 21 du *Règlement sur les permis d'armes à feu*.

Renseignements à communiquer au directeur

7. (1) Pour l'application de l'alinéa 46f) de la Loi, l'entreprise qui demande l'autorisation d'importer des marchandises visées à l'article 43 de la Loi communique au directeur les renseignements suivants :

- a) la quantité de marchandises de chaque type;
- b) une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*;
- c) le nom du pays duquel les marchandises sont importées;
- d) les nom et adresse des escales au Canada et du destinataire au Canada;

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- e) lorsque les marchandises sont en transit au Canada, les nom et adresse de la destination finale à l'étranger;
- f) les nom et adresse de l'entreprise qui fait la demande;
- g) les numéro et date d'expiration du permis visé à l'alinéa 46a) de la Loi;
- h) la date d'importation prévue;
- i) le bureau de douane, désigné par le ministre du Revenu national aux termes de l'article 52 de la Loi, par où passeront les marchandises;
- j) les nom et numéro de permis du transporteur.

(2) Dans le cas d'une demande visant une arme à feu, les renseignements suivants sont communiqués en plus des renseignements visés au paragraphe (1) :

- a) la marque, le modèle, le type, le mécanisme et le calibre et la longueur du canon, si ces renseignements sont connus;
- b) sous réserve du paragraphe (3), le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement.

(3) Lorsque le numéro de série d'une arme à feu existe mais n'est pas connu au moment de la présentation de la demande, l'entreprise peut présenter la demande sans le donner et le directeur assortit l'autorisation qu'il délivre de la condition selon laquelle l'entreprise doit le lui fournir avant le moment de l'importation de l'arme à feu.

Condition

8. Lorsqu'une entreprise demande l'autorisation d'importer des marchandises visées à l'article 43 de la Loi, le directeur assortit l'autorisation d'importation qu'il délivre de la condition selon laquelle l'emballage extérieur des marchandises doit être marqué, en une forme lisible par machine, de façon à indiquer la quantité de marchandises de chaque type qu'il contient et les renseignements suivants :

- a) dans le cas des armes à feu :
 - (i) une description de celles-ci suffisamment détaillée pour en permettre l'identification selon les définitions de l'article 84 du *Code criminel*,
 - (ii) la marque et le modèle, s'ils sont connus,

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(iii) le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement;

b) dans les autres cas, une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*.

Sort des marchandises confisquées

9. Pour l'application du paragraphe 47(4) de la Loi, l'agent des douanes dispose des marchandises confisquées en vertu de ce paragraphe de l'une des manières suivantes :

- a) elles sont remises à la Gendarmerie royale du Canada ou au contrôleur des armes à feu de la province de confiscation pour leur usage ou pour toute autre fin légitime, sauf la vente;
- b) elles sont détruites.

PARTIE III

DISPOSITIONS GÉNÉRALES

Avis de refus ou de révocation

10. (1) L'avis de refus de la délivrance d'une autorisation d'exportation ou d'importation ou l'avis de révocation d'une telle autorisation est dûment transmis s'il est envoyé à la dernière adresse connue de l'entreprise qui a demandé l'autorisation ou qui est titulaire de l'autorisation et s'il est, selon le cas :

- a) remis en mains propres durant les heures normales de bureau de l'entreprise;
- b) envoyé par courrier recommandé ou par poste certifiée;
- c) expédié par un moyen électronique pouvant produire une transcription sur papier;
- d) dans le cas de l'avis de révocation, remis en mains propres à la personne qui présente l'autorisation au bureau de douane.

(2) L'avis est réputé reçu :

- a) le jour de sa livraison, s'il est remis en mains propres;
- b) le cinquième jour ouvrable, à l'exclusion du samedi et des jours fériés, suivant la date du cachet postal, s'il est envoyé par courrier;

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c) le jour de sa transmission, s'il est expédié par un moyen électronique.

Révocation des autorisations

11. Le directeur peut révoquer une autorisation d'exportation ou d'importation à tout moment avant son attestation par l'agent des douanes aux termes des paragraphes 45(2) ou 47(2) de la Loi.

12. Le directeur révoque une autorisation d'exportation ou d'importation, avant le moment de l'exportation ou de l'importation des marchandises, s'il a des motifs raisonnables de croire que les permis visés aux alinéas 3(1)f) et 7(1)g) ou la licence visée à l'alinéa 3(1)g), ne sont plus valides.

Avis de refus d'attester

13. Dans le cas où l'agent des douanes refuse d'attester une autorisation d'exportation ou d'importation aux termes des paragraphes 45(2) ou 47(2) de la Loi, il avise l'entreprise et le directeur, par écrit, des raisons du refus et lorsque les marchandises sont retenues en vertu du paragraphe 45(3) de la Loi, des raisons de leur rétention.

1st Edn

UNEDITED AND UNREVISED

SEP 05 1996

7 pm

Julia: A very quick edit - lots of problems, of course.
JUS-96-560-01
(SOR/DORS)

GTR 6/9/96

Whereas, pursuant to section 118 of An Act respecting firearms and other weapons^a, the Minister of Justice has had a copy of the proposed Authorizations to Export or Import Firearms Regulations (Businesses), substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this Order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of An Act respecting firearms and other weapons^a, hereby makes the annexed Authorizations to Export or Import Firearms Regulations (Businesses).

Julia: I didn't have time to review the whole text as a unit, so my comments may be piecemeal - it'll have to be looked at again (because of current time restraints). GTR.

^a S.C. 1995, c. 39 ✓

JUS-96-560-01
(SOR/DORS)

AUTHORIZATIONS TO EXPORT OR IMPORT FIREARMS REGULATIONS ✓
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations. ✓

"Act" means the *Firearms Act*. (*Loi*)

referred to in
paragraph 44(b)
of the Act

we should be consistent.

PART I

AUTHORIZATION TO EXPORT

Manner of Identification

2. (1) For the purposes of paragraph 44(b) of the Act, a business that applies for an authorization to export the goods described in that paragraph shall identify those goods by marking the following information in writing and in a machine-readable form on the outer packaging of the goods:

clearer,
I think

Check Wendy + Sean

to be identified
as prohibited
weapons with
the meaning
of section
84 of the
Criminal
Code?

(a) in the case of prohibited firearms, a description that is sufficiently detailed to permit the identification of the firearms, in accordance with the definitions set out in section 84 of the Criminal Code, the make and model, if known, and the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; and

(b) in the case of other goods, a description that is sufficiently detailed to permit the identification of the goods, in accordance with the definitions set out in section 84 of the Criminal Code. (Question: does the definition "prohibited device" in Criminal Code cover the "components and parts" described in section 44(b) of Act?)

- (2) A business that applies for an authorization to export goods described in section 43 of the Act, other than those mentioned in paragraph 44(b) of the Act, shall identify those goods by marking the following information in writing and in a machine-readable form on the outer packaging of the goods:

Should we
specify
the
expressions
we mean?)

(a) in the case of firearms, a description that is sufficiently detailed to permit the identification of the goods, in accordance with the definitions set out in section 84 of the Criminal Code, the make and model, if known, and the serial number or, where no serial number exists, the firearms

MA

necessary? ✓
(Compare (2)) ✓

detailed
enough?

subparagraph?

to be
identified

goods

to be
identified

as

within the
meaning of ... ?

suggestion: (a little different than last time)

4. (1) For the purposes of paragraph 44(e) of the Act, ~~is it necessary to mention 44(e)?~~ a business applying for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed (detailed enough?) to permit them to be identified in accordance with the definitions set out in section 84 of the Criminal Code;
- (c) the name of the country that is the final destination...
- (d) the name and address...
- (e) the name and address of the business;
- (f)...

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm;
- (b) subject to subsection (3), the serial number, where a serial number exists; and
- (c) where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number, and the Registrar may issue the authorization on the condition that (but nothing in (1) or (2) says when the material has to be provided, so is 2(b) really subject to (3)? We are still saying it has to be provided. What you really have in (3) is permission for the Registrar to issue the authorization without the serial number, on condition that it is provided at least 48 hr. before the export. We still have to say that the business has to provide the number no later than 48 hours before the exportation.)

a business that applies for an authorization to export goods described in the application or purpose for the exportation that is described (specified?) in section 21 of...? - 2 -

identification number assigned by the Registrar at the time of registration; and

(b) in any other case, a description that is sufficiently detailed to permit the identification of the goods, in accordance with the definitions set out in section 84 of the Criminal Code.

necessary?

Purposes of Exportation

to be identified

3. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the Firearms Licences Regulations is a prescribed purpose for the exportation of goods described in that paragraph.

assume OK.

4. (1) For the purposes of paragraph 44(e) of the Act, the following information is to be provided to the Registrar:

(a) the quantity of each type of goods;

(b) in the case of

(i) a firearm,

(A) a description that is sufficiently detailed to permit the identification of the firearms, in accordance with the definitions set out in section 84 of the Criminal Code,

(B) if known, the make, model, type, action, calibre and barrel length of the firearm, and

(C) subject to subsection (2), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration, and

(ii) other goods, a description that is sufficiently detailed to permit the identification of the goods, in accordance with the definitions set out in section 84 of the Criminal Code;

(c) the name of the country that is the final destination of the goods and, where available, the name of any country in which the goods stop over;

(d) the name and address of the consignee of the goods;

(e) the name and address of the business that is making the application for an authorization to export the goods;

that also applies
a business applying
for an authorization
to export goods
described in
section 93 of
the Act
shall provide
the Registrar with
the following information

To be identified

To be identified

- 3 -

permit?

(f) the licence number and the expiry date of the export licence issued to the business pursuant to the *Export and Import Permits Act*;

(g) the proposed date of export of the goods;

(h) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported; and

(i) the name and licence number of the carrier.

(2) Where the serial number for a firearm exists but is not available at the time the application is made, an authorization to export the firearm may be issued to a business by the Registrar on the condition that the business provides the serial number to the Registrar at least 48 hours prior to the export of that firearm.

*an authorization to confirm under subsection 42 (2) of the Act and the
export goods is not Disposal of Goods*

MR

5. Where goods are detained pursuant to section 45(3) of the Act, the Registrar shall notify, in writing, the business to which the authorization to export the goods was issued of the reasons for not confirming that authorization.

6. Goods detained pursuant to section 45(3) of the Act shall be disposed of in the following manner:

(a) released to the business that made the application for the authorization to export if the exporter pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;

(b) destroyed by a customs officer; or

(c) given (transferred) to the Royal Canadian Mounted Police or the chief firearms officer of the appropriate province for

(i) destruction or disposal, or

(ii) donation to a museum or forensics laboratory.

PART II

AUTHORIZATION TO IMPORT

Manner of Identification

7. For the purposes of paragraph 46(b) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall identify the goods by marking on the

these

the following
information
in writing and
in a manner
readable on
000775

of the goods

- 4 -

outer packaging of the goods in writing and in a machine-readable form a description that is sufficiently detailed to permit the identification of the goods in accordance with the definitions set out in section 84 of the Criminal Code and, in the case of firearms, the make and model, if known, and the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

Purposes of Importation

8. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in section 43 of the Act.

Information Provided to the Registrar

9. (1) For the purposes of paragraph 46(f) of the Act, the following information is to be provided to the Registrar:

- (a) the quantity of each type of goods;
- (b) in the case of
 - (i) a firearm,
 - (A) a description that is sufficiently detailed to permit the identification of the firearms in accordance with the definitions set out in section 84 of the Criminal Code,
 - (B) if known, the make, model, type, action, calibre and barrel length of the firearm, and
 - (C) subject to subsection (2), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; and
 - (ii) other goods, a description that is sufficiently detailed to permit the identification of the goods in accordance with the definitions set out in section 84 of the Criminal Code;
- (c) the name of the country from which the goods are being imported and, where available, the name of any country in which the goods stopover;
- (d) the name and address of the consignee of the goods and, if known, the final destination of the goods;
- (e) the name and address of the business that is making the application for an authorization to import the goods;

*See comments
for s. 4.*

? A business that applies for an authorization to import the goods described in section 43 of the Act shall provide the Registrar with the following information:

(f) the licence number and the expiry date of the ~~export~~ ^{action} ~~licence~~ issued to the business pursuant to the *Export and Import Permits Act*, ⁱ in respect of the goods?

(g) the proposed date of import of the goods;

(h) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and

(i) the name and licence number of the carrier.

(2) Where the serial number for a firearm exists but is not available at the time the application is made, an authorization to import the firearm may be issued to a business by the Registrar on the condition that the business provides the serial number to the Registrar at least 48 hours prior to the import of that firearm.

Add *Mandatory Condition 2(2) a+b*
Disposal of Forfeited Goods

10. Goods that are forfeited pursuant to subsection 47(4) of the Act shall be disposed of in the following manner:

They
may
be

(a) destroyed by a customs officer; or

(b) given (transferred) to the Royal Canadian Mounted Police or a chief firearms officer of the ~~appropriate~~ province for

the

(i) destruction or disposal, or

(ii) donation to a museum or forensics laboratory.

? which province?
the one in which
the goods are
forfeited?

PART III

GENERAL

Notice of Refusal or Revocation

to issue an authorization

Issue

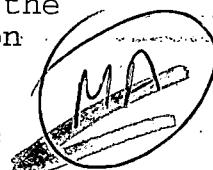
11. (1) A notice of a decision to refuse to confirm an authorization or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and it is

(a)

(a) delivered personally during normal business hours of the business;

(b)

(b) sent by registered or certified mail;



Others?

(c) transmitted by electronic means that can produce a paper record, or

(d) delivered personally to the person who produces the authorization at the customs office.

(2) The notice is deemed to be received

(a) on the day of delivery, if delivered personally;

(b) on the fifth working day, excluding Saturdays and Sundays, after the postmark date, if mailed; and

(c) on the day of transmission, if sent by electronic means.

Where

Manner of Identification

the Registrar now has 12. The Registrar who issues an authorization for the export or import of goods, shall attach to it the condition that where the amount of goods contained in a package exceeds 50 (?), the information required under sections 4 or 9 for each of the goods in the package shall be marked in writing and in a machine-readable form on the outer packaging of the goods.

more than 50 of those goods are contained in a package? units? (amount, significant quantity)

Revocation of Authorizations

13. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

issued to a business #

14. The Registrar shall revoke an authorization for the export or import of goods prior to the export or import of the goods in respect of which the authorization was issued, if the Registrar has reason to believe that the export licence issued pursuant to the Export and Import Permits Act to the business to which the authorization was issued is no longer valid.

before are exported or imported

Add - Refusal to Confirm

45(2) + 47(2)

or import?

CFO will ...

permit?

as the case may be,



Department of Justice
Canada

Ministère de la Justice
Canada

Return to
Supt



Return to
Julia MacLraith 000779

(corrections
only)
3rd edit

26/9/96
Dr. edit

SEP 24 1996
5:00 pm

JUS-96-560-01
(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons^a*, the Minister of Justice has had a copy of the proposed ~~Authorization to Export or Import Firearms Regulations (Businesses)~~, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons^a*, hereby makes the annexed ~~Authorizations to Export or Import Firearms Regulations (Businesses)~~.

^a S.C. 1995, c. 39

JUS-96-560-01
(SOR/DORS)

AUTHORIZATIONS TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

-INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
- (d) the name and address of the consignee of the goods;
- (e) the name and address of the business that is making the application for an authorization to export the goods;
- (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
- (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

(h) the proposed date of export of the goods;

(i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;

(j) the name and licence number of the carrier; and

(k) if known, whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

(a) if known, the make, model, type, action, calibre and barrel length of the firearm; and

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provides the serial number to the Registrar before the export of the firearm.

Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and

(ii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

with any definitions set out in section 84 of the Criminal Code that are applicable.

Disposal of Goods

Detained

*compares
heading to*

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

(a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;

(b) destroy the goods; or

(c) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are detained for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale.

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

(a) the quantity of each type of goods;

(b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the Criminal Code that are applicable;

(c) the name of the country from which the goods are imported;

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- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act; ✓
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
 - (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.
- (3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the import of the firearm.

*note
that "may" was changed to the
mandatory
"shall"
in 7(3)*

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,

- (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the Criminal Code,

(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; and ✓

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. For the purposes of subsection 47(4) of the Act, a customs officer shall dispose of goods forfeited under that subsection in the following manner:

(a) destroy the goods; or

(b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are forfeited for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale.

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to import or export goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and the notice is, as the case may be, ✓

(a) delivered personally during normal business hours of the business;

(b) sent by registered or certified mail;

(c) transmitted by electronic means that can produce a paper record; or

(d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.

(2) The notice is deemed to be received

- 6 -

- (a) on the day of delivery, if it is delivered personally;
- (b) on the fifth working day, excluding Saturdays and Sundays, after the postmark date, if it is mailed; and
- (c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to import or export under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.

• •
Sent to Bill A.
Sept 24th
+ to editor

JUS-96-560-01
(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons*^a, the Minister of Justice has had a copy of the proposed *Authorizations to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this Order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons*^a, hereby makes the annexed *Authorizations to Export or Import Firearms Regulations (Businesses)*.

^a S.C. 1995, c. 39

DRAFT

SEP 24 1996
000787

JUS-96-560-01
(SOR/DORS)

AUTHORIZATIONS TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:
 - (a) the quantity of each type of goods;
 - (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
 - (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
 - (d) the name and address of the consignee of the goods;
 - (e) the name and address of the business that is making the application for an authorization to export the goods;
 - (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
 - (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

- (h) the proposed date of export of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;
- (j) the name and licence number of the carrier; and
- (k) if known, whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm, and
- (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar may issue the authorization on the condition that the business provides the serial number to the Registrar before the export of that firearm.

Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall issue the authorization with the condition that those goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,
 - (ii) if known, the make and model, and
 - (iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;
- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

- 3 -

with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Goods

5. (1) For the purposes of subsection 45(4) of the Act, the manner of disposing of goods detained under subsection 45(3) of the Act is as follows:

- (a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;
- (b) have the goods destroyed; or
- (c) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the appropriate province for their own use or for any legitimate purpose other than sale.

(2) Before goods are disposed of, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) the name of the country from which the goods are being imported;

- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit, the name and address of the final destination of the goods outside of Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a);
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm, and
 - (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.
- (3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar may issue the authorization on the condition that the business provides the serial number to the Registrar before the import of that firearm.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall issue the authorization with the condition that those goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

- 5 -

- (ii) if known, the make and model, and
 - (iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;
- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. For the purposes of subsection 47(4) of the Act, the manner of disposing of goods forfeited under that subsection is as follows:

- (a) have a customs officer destroy the goods; or
- (b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the appropriate province for their own use or for any legitimate purpose other than sale.

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to import or export goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and it is, as the case may be,

- (a) delivered personally during normal business hours of the business;
 - (b) sent by registered or certified mail;
 - (c) transmitted by electronic means that can produce a paper record; or
 - (d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.
- (2) The notice is deemed to be received
- (a) on the day of delivery, if it is delivered personally;

- 6 -

(b) on the fifth working day, excluding Saturdays and Sundays, after the postmark date, if it is mailed; and

(c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences or permits referred to in paragraphs 3(1)(f) and (g) and paragraph 7(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to import or export under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.

SEP 26 1996
edited
JUS-96-560-01
(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons*^a, the Minister of Justice has had a copy of the proposed *Authorization to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this ~~order~~;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons*, hereby makes the annexed *Authorization to Export or Import Firearms Regulations (Businesses)*.

^a S.C. 1995, c. 39

JUS-96-560-01
(SOR/DORS)

AUTHORIZATION TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:
- (a) the quantity of each type of goods;
 - (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
 - (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
 - (d) the name and address of the consignee of the goods;
 - (e) the name and address of the business that is making the application for an authorization to export the goods;
 - (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
 - (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

- 2 -

- (h) the proposed date of export of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;
- (j) the name and licence number of the carrier; and
- (k) if known, whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
- (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the export of the firearm.

Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,
 - (ii) if known, the make and model, and
 - (iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;
- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Detained Goods

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

(a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;

(b) destroy the goods; or

(c) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are detained for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale.

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

(a) the quantity of each type of goods;

(b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;

(c) the name of the country from which the goods are imported;

- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act;
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
- (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the import of the firearm.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; **and**

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. For the purposes of subsection 47(4) of the Act, a customs officer shall dispose of goods forfeited under that subsection in the following manner:

(a) destroy the goods; or

(b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are forfeited for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale.

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to import or export goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and **the notice** is, as the case may be,

(a) delivered personally during normal business hours of the business;

(b) sent by registered or certified mail;

(c) transmitted by electronic means that can produce a paper record; or

(d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.

(2) The notice is deemed to be received

- 6 -

- (a) on the day of delivery, if it is delivered personally;
- (b) on the fifth working day, excluding Saturdays and Sundays, after the postmark date, if it is mailed; and
- (c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to import or export under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.

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JUS-96-560-01
(DORS/SOR)

Atteindu que, conformément à l'article 118 de la *Loi concernant les armes à feu et certaines autres armes*^a, le ministre de la Justice a fait déposer le projet de règlement intitulé *Règlement sur les autorisations d'exportation ou d'importation d'armes à feu (entreprises)*, conforme en substance au texte ci-après, devant chaque chambre du Parlement le 1996, laquelle date est antérieure d'au moins trente jours de séance à la date du présent décret,

À ces causes, sur recommandation du ministre de la Justice et en vertu des articles 44 à 47, des alinéas 117a), b) et i), du sous-alinéa 117k)(iii) et de l'alinéa 117w) de la *Loi concernant les armes à feu et certaines autres armes*^a, Son Excellence le Gouverneur général en conseil prend le *Règlement sur les autorisations d'exportation ou d'importation d'armes à feu (entreprises)*, ci-après.

^a L.C. 1995, ch. 39

JUS-96-560-01
(DORS/SOR)

RÈGLEMENT SUR LES AUTORISATIONS D'EXPORTATION OU D'IMPORTATION
D'ARMES À FEU (ENTREPRISES)

DÉFINITION

1. La définition qui suit s'applique au présent règlement.
« Loi » La *Loi sur les armes à feu*. (Act)

PARTIE I

AUTORISATION D'EXPORTATION

Finalité de l'exportation — marchandises prohibées

2. Pour l'application de l'alinéa 44b) de la Loi, la finalité de l'exportation des marchandises visées à cet alinéa est l'une ou l'autre des fins mentionnées à l'article 21 du Règlement sur les permis d'armes à feu.

Renseignements à communiquer au directeur

3. (1) Pour l'application de l'alinéa 44e) de la Loi, l'entreprise qui demande l'autorisation d'exporter des marchandises visées à l'article 43 de la Loi communique au directeur les renseignements suivants :
 - a) la quantité de marchandises de chaque type;
 - b) une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*;
 - c) le nom du pays de la destination finale des marchandises ainsi que le nom des pays ~~des escales~~, s'ils sont connus; *conexión*
 - d) les nom et adresse du destinataire;
 - e) les nom et adresse de l'entreprise qui fait la demande;
 - f) les numéro et date d'expiration du permis visé à l'alinéa 44c) de la Loi; *le cas échéant,*
 - g) ~~les~~ numéros et date d'expiration de la licence d'exportation délivrée à l'entreprise aux termes de la *Loi sur les licences d'exportation et d'importation*;
 - h) la date d'exportation prévue;

i) le bureau de douane, désigné par le ministre du Revenu national aux termes de l'article 52 de la Loi, par où passeront les marchandises;

j) les nom et numéro du permis du transporteur;

k) le fait que les marchandises seront réimportées au Canada, si ce fait est connu.

(2) Dans le cas d'une demande visant une arme à feu, les renseignements suivants sont communiqués en plus des renseignements visés au paragraphe (1) :

a) la marque, le modèle, le type, le mécanisme et le calibre et la longueur du canon, si ces renseignements sont connus;

b) sous réserve du paragraphe (3), le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement.

(3) Lorsque le numéro de série d'une arme à feu existe mais n'est pas connu au moment de la présentation de la demande, l'entreprise peut présenter la demande sans le donner et le directeur assortit l'autorisation qu'il délivre de la condition selon laquelle l'entreprise le lui fournisse avant le moment de l'exportation de l'arme à feu.

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4. Lorsqu'une entreprise demande l'autorisation d'exporter des marchandises visées à l'article 43 de la Loi, le directeur assortit l'autorisation d'exportation qu'il délivre de la condition selon laquelle l'emballage extérieur des marchandises doit être marqué, en une forme lisible par machine, de façon à indiquer la quantité de marchandises de chaque type qu'il contient et les renseignements suivants :

a) dans le cas des armes à feu :

(i) une description de celles-ci suffisamment détaillée pour en permettre l'identification selon les définitions de l'article 84 du *Code criminel*,

(ii) la marque et le modèle, s'ils sont connus,

(iii) le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement;

b) dans les autres cas, une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*.

- 3 -

Sort des marchandises retenues *comme en anglais?*
et vont-elles être vendues?

5. (1) Pour l'application du paragraphe 45(4) de la Loi, l'agent des douanes dispose des marchandises retenues en vertu du paragraphe 45(3) de la Loi de l'une des manières suivantes :

a) les marchandises sont retournées à l'entreprise qui a présenté la demande d'autorisation d'exportation, si celle-ci paie à Sa Majesté du chef du Canada les frais engagés par elle pour l'entreposage des marchandises;

b) elles sont détruites;

c) elles sont remises à la Gendarmerie royale du Canada ou au contrôleur des armes à feu de la province en cause pour leur utilisation ou pour toute autre fin légitime, sauf la vente.

(2) Avant de disposer des marchandises, l'agent de douane avise le directeur ~~des douanes~~ des marchandises retenues et de la manière d'en disposer.

PARTIE II

AUTORISATION D'IMPORTATION

Finalité de l'importation — marchandises prohibées

6. Pour l'application de l'alinéa 46d) de la Loi, la finalité de l'importation des marchandises visées à cet alinéa est l'une ou l'autre des fins mentionnées à l'article 21 du Règlement sur les permis d'armes à feu.

Renseignements à communiquer au directeur

7. (1) Pour l'application de l'alinéa 46f) de la Loi, l'entreprise qui demande l'autorisation d'importer des marchandises visées à l'article 43 de la Loi communique au directeur les renseignements suivants :

a) la quantité de marchandises de chaque type;

b) une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du Code criminel;

c) le nom du pays ~~d'origine~~ *duquel les marchandises sont importées*;

d) les nom et adresse des escales au Canada et du destinataire au Canada;

peut ne pas être dans ce pays d'origine

e) lorsque les marchandises sont en transit ~~dans le Canada~~, les nom et adresse de la destination finale en dehors du Canada;

au
et
à l'étranger

f) les nom et adresse de l'entreprise qui fait la demande; *conclusion*

g) les numéro et date d'expiration du permis visé à l'alinea 46a) de la Loi;

h) la date d'importation prévue;

i) le bureau de douane, désigné par le ministre du Revenu national aux termes de l'article 52 de la Loi, par où passeront les marchandises;

j) les nom et numéro de permis du transporteur.

(2) Dans le cas d'une demande visant une arme à feu, les renseignements suivants sont communiqués en plus des renseignements visés au paragraphe (1) :

a) la marque, le modèle, le type, le mécanisme et le calibre et la longueur du canon, si ces renseignements sont connus;

b) sous réserve du paragraphe (3), le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement.

(3) Lorsque le numéro de série d'une arme à feu existe mais n'est pas connu au moment de la présentation de la demande, l'entreprise peut présenter la demande sans le donner et le directeur assortit l'autorisation qu'il délivre de la condition selon laquelle l'entreprise le lui fournisse avant le moment de l'importation de l'arme à feu.

dit
à (2)
Condition

8. Lorsqu'une entreprise demande l'autorisation d'importer des marchandises visées à l'article 43 de la Loi, le directeur assortit l'autorisation d'importation qu'il délivre de la condition selon laquelle l'emballage extérieur des marchandises doit être marqué, en une forme lisible par machine, de façon à indiquer la quantité de marchandises de chaque type qu'il contient et les renseignements suivants :

a) dans le cas des armes à feu :

- selon tout
de l'industrie
applicable*
- { (i) une description de celles-ci suffisamment détaillée pour en permettre l'identification selon les définitions de l'article 84 du Code criminel,
(ii) la marque et le modèle, s'ils sont connus,

- 5 -

- (iii) le numéro de série ou, à défaut de celui-ci, le numéro d'identification assigné par le directeur à l'enregistrement;
- b) dans les autres cas, une description des marchandises suffisamment détaillée pour en permettre l'identification selon toute définition applicable de l'article 84 du *Code criminel*.

Sort des marchandises confisquées

9. Pour l'application du paragraphe 47(4) de la Loi, l'*agent des douanes dispose* des marchandises confisquées en vertu de ce paragraphe de l'une des manières suivantes :

- a) elles sont détruites par l'*agent des douanes*, *de confiscation*
usez
+ idem
- b) elles sont remises à la Gendarmerie royale du Canada ou au contrôleur des armes à feu de la province *en cause* pour leur *utilisation* ou pour toute autre fin légitime, sauf *pour la vente.*

PARTIE III

DISPOSITIONS GÉNÉRALES

Avis de refus ou de révocation

10. (1) L'*avis de refus de la délivrance d'une autorisation d'exportation ou d'importation ou l'*avis de révocation d'une telle autorisation est dûment transmis s'il est envoyé à la dernière adresse connue de l'entreprise qui a demandé l'autorisation ou qui est titulaire de l'autorisation et s'il est, selon le cas :**

- a) remis en mains propres durant les heures normales de bureau de l'*entreprise*;
- b) envoyé par courrier recommandé ou par poste certifiée;
- c) expédié par un moyen électronique pouvant produire une transcription sur papier;
- d) *dans le cas* de l'*avis de révocation*, remis en mains propres à la personne qui présente l'*autorisation au bureau de douane.*

(2) L'*avis est réputé reçu* :

- a) le jour de sa livraison, s'il est remis en mains propres;
- b) le cinquième jour ouvrable, à l'*exclusion du samedi et du dimanche*, suivant la date du cachet postal, s'il est envoyé par courrier;

- 6 -

c) le jour de sa transmission, s'il est expédié par un moyen électronique.

Révocation des autorisations

11. Le directeur peut révoquer une autorisation d'exportation ou d'importation à tout moment avant son attestation par l'agent des douanes aux termes des paragraphes 45(2) ou 47(2) de la Loi.

12. Le directeur révoque une autorisation d'exportation ou d'importation, avant le moment de l'exportation ou de l'importation des marchandises, s'il a des motifs raisonnables de croire que les permis visés aux alinéas 3(1)f) et 8(1)g) ou la licence visée à l'alinéa 3(1)g) ne sont plus valides.

Avis de refus d'attester

13. Dans le cas où l'agent de douanes refuse d'attester une autorisation d'exportation ou d'importation aux termes des paragraphes 45(2) ou 47(2) de la Loi, il avise l'entreprise et le directeur, par écrit, des raisons du refus et lorsque les marchandises sont retenues en vertu du paragraphe 45(3) de la Loi, des raisons de la rétention des marchandises.

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JUS-96-560-01
(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons^a*, the Minister of Justice has had a copy of the proposed *Authorization to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons^a*, hereby makes the annexed *Authorization to Export or Import Firearms Regulations (Businesses)*.

^a S.C. 1995, c. 39

JUS-96-560-01
(SOR/DORS)

AUTHORIZATION TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:
 - (a) the quantity of each type of goods;
 - (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
 - (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
 - (d) the name and address of the consignee of the goods;
 - (e) the name and address of the business that is making the application for an authorization to export the goods;
 - (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
 - (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

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- 2 -

(h) the proposed date of export of the goods;

(i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;

(j) the name and licence number of the carrier; and

(k) if known, whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

(a) if known, the make, model, type, action, calibre and barrel length of the firearm; and

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the export of the firearm.

Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the Criminal Code,

(ii) if known, the make and model, and

(ii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Detained Goods

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

(a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;

(b) ~~destroy the goods~~; or

(c) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are detained for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale. *Melissone*

(2) Before ~~disposing of goods~~, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

(a) the quantity of each type of goods;

(b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;

(c) the name of the country from which the goods are imported;

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- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act;
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
- (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the import of the firearm.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,

- (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the Criminal Code,

*Doesn't that
all
apply to
not in this
case?*

(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; **and**

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. For the purposes of subsection 47(4) of the Act, **a customs officer shall dispose of** goods forfeited under that subsection in the following manner:

(a) **destroy the goods;** or

(b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are **forfeited for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale.**

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to **import or export** goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and **the notice is, as the case may be,**

*order
or ref &
in part*

(a) delivered personally during normal business hours of the business;

(b) sent by registered or certified mail;

(c) transmitted by electronic means that can produce a paper record; or

(d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.

(2) The notice is deemed to be received

- 6 -

- (a) on the day of delivery, if it is delivered personally;
- (b) on the fifth working day, excluding Saturdays and Sundays, after the postmark date, if it is mailed; and
- (c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to ~~import [or] export~~ under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.

To BB Sept 27/96
(For Minister's
consideration)

SEP 27 1996

JUS-96-560-01

(SOR/DORS)

- edited + revised

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons^a*, the Minister of Justice has had a copy of the proposed *Authorization to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons^a*, hereby makes the annexed *Authorization to Export or Import Firearms Regulations (Businesses)*.

^a S.C. 1995, c. 39

JUS-96-560-01
(SOR/DORS)

AUTHORIZATION TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation For Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
- (d) the name and address of the consignee of the goods;
- (e) the name and address of the business that is making the application for an authorization to export the goods;
- (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
- (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

- 2 -

- (h) the proposed date of export of the goods;
 - (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;
 - (j) the name and licence number of the carrier; and
 - (k) if known, whether the goods will be imported back to Canada.
- (2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):
- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
 - (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.
- (3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the export of the firearm.

Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,
 - (ii) if known, the make and model, and
 - (iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;
- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Detained Goods

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

- (a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;
- (b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are detained for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or
- (c) destroy the goods.

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) the name of the country from which the goods are imported;

- 4 -

- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act;
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
- (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the import of the firearm.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

- 5 -

- (ii) if known, the make and model, and
- (iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; and
- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. For the purposes of subsection 47(4) of the Act, a customs officer shall dispose of goods forfeited under that subsection in the following manner:

- (a) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are forfeited for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or
- (b) destroy the goods.

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to export or import goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and the notice is, as the case may be,

- (a) delivered personally during normal business hours of the business;
 - (b) sent by registered or certified mail;
 - (c) transmitted by electronic means that can produce a paper record; or
 - (d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.
- (2) The notice is deemed to be received

- (a) on the day of delivery, if it is delivered personally;
- (b) on the fifth working day, excluding Saturdays and holidays, after the postmark date, if it is mailed; and
- (c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to export or import under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.

Instructions BB-

Sept 26/96 ✓

SEP 26 1996
- edited + revised
JUS-96-560-01
(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons^a*, the Minister of Justice has had a copy of the proposed *Authorization to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons^a*, hereby makes the annexed *Authorization to Export or Import Firearms Regulations (Businesses)*.

^a S.C. 1995, c. 39

JUS-96-560-01
(SOR/DORS)

AUTHORIZATION TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.

"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
- (d) the name and address of the consignee of the goods;
- (e) the name and address of the business that is making the application for an authorization to export the goods;
- (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
- (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

- 2 -

(h) the proposed date of export of the goods;

(i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;

(j) the name and licence number of the carrier; and

(k) if known, whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

(a) if known, the make, model, type, action, calibre and barrel length of the firearm; and

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the export of the firearm.

Mandatory Conditions

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Detained Goods

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

(a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;

(b) destroy the goods; or

b(c) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are detained for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale; or

(2) Before disposing of goods, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

(a) the quantity of each type of goods;

(b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;

(c) the name of the country from which the goods are imported;

- 4 -

- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act;
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
 - (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.
- (3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar shall attach to an authorization issued in respect of that firearm the condition that the business provide the serial number to the Registrar before the import of the firearm.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall attach to an authorization issued in respect of those goods the condition that the goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

- (ii) if known, the make and model, and
 - (iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; and
- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. For the purposes of subsection 47(4) of the Act, a customs officer shall dispose of goods forfeited under that subsection in the following manner:

- b*
(a) destroy the goods; *or*
a
(b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the province in which the goods are forfeited for the use of the Royal Canadian Mounted Police or the chief firearms officer or for any other legitimate purpose other than sale. *or*

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to export or import goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and the notice is, as the case may be,

- (a) delivered personally during normal business hours of the business;
 - (b) sent by registered or certified mail;
 - (c) transmitted by electronic means that can produce a paper record; or
 - (d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.
- (2) The notice is deemed to be received

- 6 -

- (a) on the day of delivery, if it is delivered personally; *and holidays*
- (b) on the fifth working day, excluding Saturdays and Sundays, after the postmark date, if it is mailed; and
- (c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to export or import under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.

J. M. Martin Sh 24/9/96

SEP 24 1996
JUS-96-560-01
(SOR/DORS)

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons*^a, the Minister of Justice has had a copy of the proposed *Authorizations to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

lc ✓

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons*^a, hereby makes the annexed *Authorizations to Export or Import Firearms Regulations (Businesses)*.

"and" ? see note inside (long title)

(if idea is to

focus on one at a time

- export, then import - ,

title OK as is)

^a S.C. 1995, c. 39

JUS-96-560-01
(SOR/DORS)

AUTHORIZATIONS TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.

"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences* ^{assume} ~~Regulations~~ is a prescribed purpose for the exportation of goods described in that paragraph. ^{ok?}

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:

- (a) the quantity of each type of goods;
- (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
- (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
- (d) the name and address of the consignee of the goods;
- (e) the name and address of the business that is making the application for an authorization to export the goods;
- (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
- (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

- (h) the proposed date of export of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported; ✓
- (j) the name and licence number of the carrier; and
- (k) if known, whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm, and ✓
- (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar ~~may~~ issue the authorization on the condition that the business provides the serial number to the Registrar before the export of that firearm.

Mandatory Conditions *MR*

4. Where a business applies for an authorization to export goods described in section 43 of the Act, the Registrar ~~shall~~ issue the authorization ~~with~~ the condition that those goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,

m b. is there a difference between these 2 re who satisfies the condition?

- (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the Criminal Code,

- (ii) if known, the make and model, and

- (ii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;

- (b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

with any definitions set out in section 84 of the Criminal Code that are applicable.

Disposal of Goods

5. (1) For the purposes of subsection 45(4) of the Act, the manner of disposing of goods detained under subsection 45(3) of the Act is as follows: "in the following manner":

"a customs officer shall is to (?) my preference."

(a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;

(b) have the goods destroyed; or

rather than "destroy the goods" see 9(a), p. 5
now determined?

(c) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the appropriate province for their own use or for any legitimate purpose other than sale.

(2) Before goods are disposed of, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the Firearms Licences Regulations is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

(a) the quantity of each type of goods;

(b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the Criminal Code that are applicable;

(c) the name of the country from which the goods are being imported;

OK to combine these? are they related?

(d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;

(e) where the goods are in transit, the name and address of the final destination of the goods outside of Canada;

(f) the name and address of the business that is making the application for an authorization to import the goods;

(g) the number and the expiration date of the licence referred to in paragraph 46(a); ✓ of the Act ✓

(h) the proposed date of import of the goods; ✓

(i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and

(j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

(a) if known, the make, model, type, action, calibre and barrel length of the firearm; ✓

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar may issue the authorization on the condition that the business provides the serial number to the Registrar before the import of that firearm.

Mandatory Conditions

? its not leg that meets either

8. Where a business applies for an authorization to import cond. goods described in section 43 of the Act, the Registrar shall = situation issue the authorization with the condition that those goods be identified by marking the quantity of each type of goods in the same package and the following information in a machine-readable form so on the outer packaging of the goods:

(a) in the case of firearms,

use same word.

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the Criminal Code, I know

what you mean by "with"

(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; *and*

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the Criminal Code that are applicable.

Disposal of Forfeited Goods

a customs officer shall dispose of

9. For the purposes of subsection 47(4) of the Act, the manner of disposing of goods forfeited under that subsection is as follows:

"the goods are destroyed by a customs officer"

who?

(a) have a customs officer destroy the goods; or

in the following manner

(b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the appropriate province for their own use or for any legitimate purpose other than sale.

PART III

GENERAL

Notice of Refusal or Revocation

customs officer refuses news media

10. (1) A notice of a decision to refuse to issue an authorization to import or export goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and it is, as the case may be,

(a) delivered personally during normal business hours of the for business;

(b) sent by registered or certified mail;

(c) transmitted by electronic means that can produce a paper record; or

(d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.

I don't understand -
is it not
gov't agent
that authorizes &
presumably
gives notices.

then who is this
"person" that is to
get a notice? is it not

this person at the customs office
who is issuing the notice, + when he presents himself to him
it is the business that is being what is really at
should be telling what board what is talking about?
the notice + the authorizati

- 6 -

(b) on the fifth working day, excluding Saturdays and Sundays, after the postmark date, if it is mailed; and

(c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences or permits referred to in paragraphs 3(1)(f) and (g) and paragraph 7(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to import or export under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.

on OK?
the permit referred to in

no CIF provision?

Sept 25/96

JUS-96-560-01
(SOR/DORS)

OKE : MAR

Whereas, pursuant to section 118 of *An Act respecting firearms and other weapons^a*, the Minister of Justice has had a copy of the proposed *Authorization to Export or Import Firearms Regulations (Businesses)*, substantially in the form annexed hereto, laid before each House of Parliament on _____, 1996, which date is at least thirty sitting days before the date of this order;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to sections 44 to 47, paragraphs 117(a), (b) and (i), subparagraph 117(k)(iii) and paragraph 117(w) of *An Act respecting firearms and other weapons^a*, hereby makes the annexed *Authorizations to Export or Import Firearms Regulations (Businesses)*.

^a S.C. 1995, c. 39

JUS-96-560-01
(SOR/DORS)

AUTHORIZATIONS TO EXPORT OR IMPORT FIREARMS REGULATIONS
(BUSINESSES)

INTERPRETATION

1. The definition in this section applies in these Regulations.
"Act" means the *Firearms Act*. (*Loi*)

PART I

AUTHORIZATION TO EXPORT

Purposes of Exportation for Prohibited Goods

2. For the purposes of paragraph 44(b) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the exportation of goods described in that paragraph.

Information to be Provided to the Registrar

3. (1) For the purposes of paragraph 44(e) of the Act, a business that applies for an authorization to export goods described in section 43 of the Act shall provide the Registrar with the following information:
 - (a) the quantity of each type of goods;
 - (b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;
 - (c) if known, the name of the country that is the final destination of the goods and the name of any country in which the goods stop over;
 - (d) the name and address of the consignee of the goods;
 - (e) the name and address of the business that is making the application for an authorization to export the goods;
 - (f) the number and expiration date of the licence referred to in paragraph 44(c) of the Act;
 - (g) where applicable, the permit number and the expiration date of the export permit issued to the business pursuant to the *Export and Import Permits Act*;

- 2 -

- (h) the proposed date of export of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, from which the goods are to be exported;
- (j) the name and licence number of the carrier; and
- (k) if known, whether the goods will be imported back to Canada.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

(a) if known, the make, model, type, action, calibre and barrel length of the firearm; and

(b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar ~~may issue the authorization on the condition that the business provides the serial number to the Registrar before the export of that firearm.~~

Mandatory Conditions

4. Where a business applies for an authorization to export ~~may~~ goods described in section 43 of the Act, the Registrar ~~shall~~ ~~issue the authorization on the condition that those goods be identified by marking the quantity of each type of goods and the following information in a machine-readable form on the outer packaging of the goods:~~

(a) in the case of firearms,

(i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the Criminal Code,

(ii) if known, the make and model, and

(ii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration;

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance

~~I shall attach to any issued authorization issued the condition~~

with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Goods

5. (1) For the purposes of subsection 45(4) of the Act, a customs officer shall dispose of goods detained under subsection 45(3) of the Act in the following manner:

(a) release the goods to the business that made the application for the authorization to export if the business pays to Her Majesty in right of Canada any costs incurred by Her Majesty for the storage of those goods;

(b) ~~destroy the goods~~; or

(c) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the appropriate province for their own use or for any legitimate purpose other than sale.

(2) Before ~~disposing of goods~~, a customs officer shall advise the Registrar of the goods that were detained and the manner in which those goods are to be disposed.

PART II

AUTHORIZATION TO IMPORT

Purposes of Importation for Prohibited Goods

6. For the purposes of paragraph 46(d) of the Act, any of the purposes described in section 21 of the *Firearms Licences Regulations* is a prescribed purpose for the importation of goods described in that paragraph.

Information Provided to the Registrar

7. (1) For the purposes of paragraph 46(f) of the Act, a business that applies for an authorization to import goods described in section 43 of the Act shall provide the Registrar with the following information:

(a) the quantity of each type of goods;

(b) a description of the goods that is sufficiently detailed to permit them to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable;

(c) the name of the country from which the goods are imported;

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- (d) the name and address of any place in Canada in which the goods stop over and of the consignee of the goods in Canada;
- (e) where the goods are in transit through Canada, the name and address of the final destination of the goods outside Canada;
- (f) the name and address of the business that is making the application for an authorization to import the goods;
- (g) the number and the expiration date of the licence referred to in paragraph 46(a) of the Act;
- (h) the proposed date of import of the goods;
- (i) the customs office, designated by the Minister of National Revenue under section 52 of the Act, where the goods are to be imported; and
- (j) the name and licence number of the carrier.

(2) Where the application is in respect of a firearm, the following information shall be provided in addition to the information referred to in subsection (1):

- (a) if known, the make, model, type, action, calibre and barrel length of the firearm; and
- (b) subject to subsection (3), the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration.

(3) Where a serial number for a firearm exists but is not available at the time the application is made, the business may make the application without providing the serial number and the Registrar ~~may issue the authorization on the~~ condition that the business provides the serial number to the Registrar before the import of that firearm.

shall do so.

Mandatory Conditions

8. Where a business applies for an authorization to import goods described in section 43 of the Act, the Registrar shall issue the authorization ~~on~~ the condition that those goods be identified by marking the quantity of each type of goods in the package and the following information in a machine-readable form on the outer packaging of the goods:

- (a) in the case of firearms,
 - (i) a description that is sufficiently detailed to permit the firearms to be identified in accordance with the definitions set out in section 84 of the *Criminal Code*,

(ii) if known, the make and model, and

(iii) the serial number or, where no serial number exists, the firearms identification number assigned by the Registrar at the time of registration; **and**

(b) in any other case, a description that is sufficiently detailed to permit the goods to be identified in accordance with any definitions set out in section 84 of the *Criminal Code* that are applicable.

Disposal of Forfeited Goods

9. For the purposes of subsection 47(4) of the Act, **a customs officer shall dispose of** goods forfeited under that subsection in the following manner:

(a) **destroy the goods;** or

(b) give the goods to the Royal Canadian Mounted Police or the chief firearms officer of the appropriate province for their own use or for any legitimate purpose other than sale.

PART III

GENERAL

Notice of Refusal or Revocation

10. (1) A notice of a decision to refuse to issue an authorization to import or export goods or to revoke such an authorization is sufficiently given if the notice is addressed to the last known address of the business that applied for or is the holder of the authorization and **the notice is**, as the case may be,

(a) delivered personally during normal business hours of the business;

(b) sent by registered or certified mail;

(c) transmitted by electronic means that can produce a paper record; or

(d) in the case of a notice of a decision to revoke, delivered personally to the person who produces the authorization at the customs office.

(2) The notice is deemed to be received

(a) on the day of delivery, if it is delivered personally;

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(b) on the fifth working day, excluding Saturdays and Sundays, after the postmark date, if it is mailed; and

(c) on the day of transmission, if it is sent by electronic means.

Revocation of Authorizations

11. The Registrar may revoke an authorization for the export or import of goods at any time before the authorization is confirmed by a customs officer pursuant to subsection 45(2) or 47(2) of the Act.

12. The Registrar shall revoke an authorization, issued to a business, for the export or import of goods before the goods are exported or imported, as the case may be, if the Registrar has reason to believe that the licences referred to in paragraphs 3(1)(f) and 7(1)(g) or the permit referred to in paragraph 3(1)(g) are no longer valid.

Notice of Refusal to Confirm Authorization

13. Where a customs officer refuses to confirm an authorization to import or export under subsections 45(2) or 47(2) of the Act, the customs officer shall notify, in writing, the business and the Registrar of the reasons for the refusal and, where the goods are detained under subsection 45(3) of the Act, the reasons for detaining the goods.