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September 30, 2015

Memorandum to: FSESO Members

Re: More Q & A's regarding Bill C42 and Licencing Changes

The recent changes in Bill C 42 related to the POL to PAL transition and the ATT changes have generated a number of questions.

The questions were sent to us by a member from Region who was receiving them from students in his courses. We have researched the questions through the Chief Firearms Office and have been provided the following responses from them (in red ink):

1. Can an R-PAL holder who has 6 conditions on their R-PAL and who purchases a restricted firearm bring it home immediately after purchase? **Yes, they can bring the firearm home so long as the transfer has been approved.**
2. When a new R-PAL holder purchases their first restricted firearm will they be issued a paper ATT to take it home? **(NO)**

Can they take it home immediately since now electronically they have the ATT conditions on the R-PAL? **(YES)**

Do they have to wait until their new R-PAL is issued with the new ATT conditions on it before they can take it home? **New R-PALs are not necessarily and automatically being re-issued as the conditions are not affixed to the licence (card).**

3. R-PAL condition #1: *“Transportation of restricted firearms and/or prohibited handguns (Sec 12, 6.1 of the Firearms Act) possessed for the purpose of target practice to and from all shooting clubs and ranges approved under Sec 29 of the Firearms Act”*.
What about Sec 12 (7) handguns? Can we no longer take them to the range to shoot? If not, what is the process? Are 12 (7) transfers considered 12 (6.1) handguns for the purpose of transport to a shooting range? **Subsection “12(7)” are 12(6.1) prohibited handguns. Subsection 12(7) of the Firearms Act allows for the inheritance by a spouse, common-law partner, sibling, child, or grandchild of certain prohibited handguns - 12(6.1). These firearms can be taken to a range to shoot.**

4. R-PAL condition #3: *“Transportation of restricted firearms and/or prohibited firearms to and from a business that holds a licence authorizing it to repair or appraise prohibited or restricted firearms”*.

There are no restrictions defined in this condition. However the CFO has created a restriction on “the reason for transport” specifically stating that this provision does not apply for consignment sale. **The CFO has not created a restriction on the reason for transport, rather the legislation is clear with respect to the type of “ATTs” that are now conditions on a licence. Consignment sale is not one of those purposes listed in the *Common Sense Firearms Licensing Act*.**

What about the outright sale of the restricted firearm to that business? **The seller needs an ATT to bring the firearm to the business for sale.**

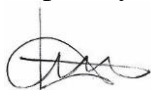
5. If an R-PAL holder brings a restricted firearm in for repair and decides the repair is cost prohibitive and decides to sell it to that business can the R-PAL holder do the transaction right there or do they have to take it back home and arrange for a paper ATT to take it back to the store to sell? **Currently, staff have been directed that if someone is attending a business to have their firearm appraised with the possibility of putting the firearm on consignment, an ATT is to be issued for appraisal / consignment.**

6. If an R-PAL holder has some firearms for collection and some for target shooting and receives all 6 conditions on their R-PAL can they take any of their restricted/prohibited firearms to the range to shoot or just the ones that are registered for target shooting? **The legislation stipulates that only restricted firearms and / or prohibited handguns possessed for target practice can be transported to and from all shooting clubs and ranges approved under section 29 of the Firearms Act.**

If only the ones registered for target shooting are permitted the permit holder have the reason changed for acquiring those firearms from collection to target shooting to facilitate their use as a target shooting firearm as well? **A licensee can make the request to change the purpose for the possession of restricted firearms and / or prohibited handguns upon renewal of their firearms licence.**

7. If a new R-PAL holder buys their first restricted firearm and receives their new R-PAL in the mail with the ATT conditions on it, then sells that restricted firearm, what happens to the special conditions on the R-PAL? **Conditions are removed.**
Does the R-PAL continue to hold those conditions even though the permit holder no longer owns a restricted firearm or are the conditions electronically removed and a new R-PAL issued without the special conditions? **No. The conditions are only valid if the licence holder has restricted firearms and / or prohibited handguns registered.**

Hopefully this will be of assistance to you in answering questions about these recent changes.



Dave Wall
Executive Manager

FSESO