

Gouvernement du Québec

O.C. 1195-2017, 6 December 2017

Firearms Registration Act
(2016, chapter 15)

Regulation

Regulation respecting the application of the Firearms Registration Act

WHEREAS, under the third paragraph of section 1 of the Firearms Registration Act (2016, chapter 15), the Government may, by regulation and in the cases and under the conditions it determines, exempt certain firearms and firearm owners from the application of all or part of the Act;

WHEREAS, under the first paragraph of section 3 of the Act, a firearm owner must apply to the Minister for its registration, subject to the conditions and according to the procedure prescribed by government regulation;

WHEREAS, under the first paragraph of section 4 of the Act, the Minister registers a firearm by recording, in a file the Minister keeps for that purpose, the information prescribed by government regulation;

WHEREAS, under the first paragraph of section 6 of the Act, within 90 days after a firearm has been assigned a unique firearm number, the owner must, if the number is not already inscribed indelibly and legibly on the firearm, affix it to the firearm in the manner prescribed by government regulation;

WHEREAS, under the first paragraph of section 7 of the Act, the owner of a registered firearm must, within the time and in the manner prescribed by government regulation, notify the Minister of any change in the information provided for registration purposes or of the loss of the unique firearm number or the registration number;

WHEREAS, under the second paragraph of section 7 of the Act, as soon as the owner of a registered firearm transfers ownership of the firearm, he or she must notify the Minister in the manner prescribed by government regulation and the regulation must also prescribe the terms for transferring ownership of a firearm;

WHEREAS, under the third paragraph of section 13 of the Act, a government regulation prescribes the information that must be included in the table to monitor operations of a firearms business;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the application of the Firearms Registration Act was published in Part 2 of the *Gazette officielle du Québec* of 13 September 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation respecting the application of the Firearms Registration Act, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation respecting the application of the Firearms Registration Act

Firearms Registration Act
(2016, chapter 15, ss. 1, 3, 4, 6, 7 and 13)

1. The firearm owners and firearms referred to in the Public Agents Firearms Regulations (SOR/98-203) are exempt from the application of the Firearms Registration Act (2016, chapter 15).

Firearms referred to in subsection 84(3) of the Criminal Code (R.S.C. 1985, c. C-46) are also exempt from the application of the Act.

2. A registration application must be made using the form prescribed by the Minister of Public Security and contain

(1) the owner's name, address, telephone numbers and, if applicable, fax number and email address;

(2) if the owner is a natural person, the date of birth;

(3) if the owner is not a natural person, the name of the owner's representative;

(4) the unique firearm number of the firearm, if any;

(5) the firearm's serial number and, if applicable, any other number indelibly and legibly inscribed or affixed on the firearm for identification purposes;

(6) the firearm's make, model, barrel length, mechanism, type and caliber; and

(7) the place where the firearm is kept.

The application must also contain the information necessary to validate the owner's identity.

3. The firearm's registration number assigned by the Minister and the information provided for in the first paragraph of section 2 are recorded in the file kept by the Minister.

4. The unique firearm number must be inscribed indelibly and legibly on a visible place of the firearm's frame or receiver.

Despite the foregoing, the unique firearm number may be inscribed indelibly and legibly on a place of the frame or receiver that is visible only when the firearm is disassembled if

(1) it is a practice that complies with the practices established by the firearm's manufacturer;

(2) there is no visible place on the firearm that is appropriate;

(3) the firearm is rare; or

(4) the firearm's value is exceptionally high for that kind of firearm and such value would be significantly reduced should the unique firearm number be visible when the firearm is not disassembled.

5. The notice to the Minister regarding a change in the information provided for registration purposes must be sent not later than 30 days after a change in the information referred to in subparagraph 1, 3 or 6 of section 2 and not later than 15 days after a change in the information referred to in subparagraph 7 of that section. The notice must be given using the form prescribed by the Minister and must contain the changed information.

6. The notice to the Minister regarding a loss of the unique firearm number or the registration number must be sent as soon as the unique firearm number or registration number is lost, using the form prescribed by the Minister.

7. A firearm owner must, when transferring ownership of his or her firearm, make sure that the person to whom ownership is transferred holds the licence referred to in paragraph 23(a) the Firearms Act (Statutes of Canada 1995, c. 39) and that the person is still eligible for the licence.

8. The notice to the Minister regarding the transfer of a firearm's ownership must be given using the form prescribed by the Minister and contain

(1) the name and address of the person transferring ownership of the firearm and of the person to whom ownership is transferred;

(2) their telephone numbers and, if applicable, their fax numbers and email addresses;

(3) the unique firearm number of the transferred firearm;

(4) the registration number assigned to the firearm of the person transferring ownership; and

(5) confirmation that the verification provided for in section 7 has been done.

9. The table to monitor the operations of a firearms business must contain the following information in respect of each firearm it owns or has in its possession:

(1) the dates on which the firearm enters and leaves the business;

(2) the name and address of the person who entrusted the firearm to the business or from whom it was acquired;

(3) its make, model, type and serial number;

(4) its unique firearm number and registration number; and

(5) the name and address of the person to whom ownership is transferred and, if applicable, the registration number assigned to that person's firearm.

10. This Regulation comes into force on the date of coming into force of section 1 of the Firearms Registration Act (2016, chapter 15).

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