 <p>Royal Canadian Mounted Police</p>	<p>Gendarmerie royale du Canada</p>	<p>ES&amp;M No: 14-02-022 No. des SE&amp;M: 14-02-022 Pages : 2 CCMF :14-000522</p>	<p>Security Classification : Classification sécuritaire :  Protected A</p>
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**BRIEFING NOTE  
TO THE MINISTER OF  
PUBLIC SAFETY AND  
EMERGENCY PREPAREDNESS**

**NOTE D'INFORMATION  
AU MINISTRE DE LA  
SÉCURITÉ PUBLIQUE ET DE  
LA PROTECTION CIVILE**

**ISSUE:**

To provide an update on the status of the Swiss Arms Classic Green rifle.

**BACKGROUND:**

In 2001, a Canadian importer, \_\_\_\_\_ requested a classification opinion on the Swiss Arms Blue Star and Swiss Arms Classic Green (hereafter referred to as the Classic Green) rifles in order to authorize their importation and registration in Canada. The RCMP reviewed documentation provided by the importer and the manufacturer, claiming that both rifles were semi-automatic variants of the Swiss Arms SG 540, the military variant of the firearm. Based on these documents, the RCMP assessed the firearms to be either non-restricted or restricted. Subsequently, records were created in the Firearms Reference Table (FRT) allowing for their registration and sale in Canada.


In December 2012, the \_\_\_\_\_ received a complaint from \_\_\_\_\_ regarding recent imports of the Classic Green rifle. The complainant alleged that a \_\_\_\_\_ firearms business, \_\_\_\_\_ was importing a prohibited variant of the Classic Green rifle and matching it to the FRT record of either the non-restricted or restricted variants. \_\_\_\_\_ referred the complaint to the RCMP Canadian Firearms Program (CFP).

Samples of three Classic Green rifles were submitted to the RCMP CFP for inspection on February 5, 2013.

On June, 7, 2013, the RCMP provided a briefing note to the Minister of Public Safety on this issue (see Tab A).

**CURRENT STATUS:**

The RCMP CFP has determined that all Classic Green rifles and its variants are descendants of the prohibited Swiss Arms SG 550 firearm, a firearm named as prohibited in the Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted. Consequently, they all fall under the *Criminal Code* definition of prohibited firearm.

	Royal Canadian Mounted Police	Gendarmerie royale du Canada	ES&MI. No: No. des SE&LM: Pages : 2 CCM# :	Security Classification Classification sécuritaire :
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**STRATEGIC CONSIDERATIONS:**

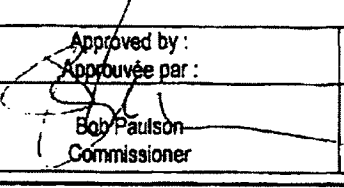
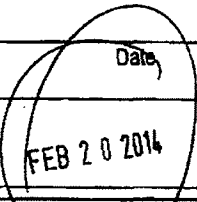
There are currently 304 restricted Classic Green rifles and its variants registered in Canada. The number of non-restricted Classic Green rifles and its variants, which are in fact prohibited, currently in Canada is unknown. The CBSA may be able to provide an estimate of the number of the Classic Green rifles and its variants imported into Canada since 2001.

Since 2009, the RCMP performs a mandatory physical inspection of all semi-automatics that may be variants of automatic firearms before determining the firearms classification to mitigate the risks of similar issues re-occurring.

Automatic firearms and their derivatives are a threat to public safety and considered more lethal because of their fast reloading action and their ability to discharge multiple shots each time the trigger is pulled.

Now that it has been determined that the Classic Green rifle is a prohibited firearm, measures should be taken to address the fact that any individual who may possess that rifle is not in compliance with the *Firearms Act*.

The RCMP is available to discuss how to best address the issue of the Classic Green rifle and its variants and develop options for the Minister's consideration.

Approved by : Approuvée par :	Date
 Bob Paulson Commissioner	

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	Royal Canadian Mounted Police Gendarmerie royale du Canada	ES&ML No.: 13-06-065 No. des SE&LM: Pages : 1	Security Classification : Classification sécuritaire  Protected A
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**BRIEFING NOTE  
TO THE MINISTER OF  
PUBLIC SAFETY**

**NOTE D'INFORMATION  
AU MINISTRE DE LA  
SÉCURITÉ PUBLIQUE**

**ISSUE:** To provide information on the Swiss Arms PE90 Classic Green rifle, as requested by your office.

**BACKGROUND:** Firearms are classified as prohibited, restricted, and non-restricted in accordance with Part III of the *Criminal Code*, and the *Regulations Prescribing Certain Firearms and other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunitions and Projectiles as Prohibited or Restricted*. The Regulations list a number of firearms by name as restricted or prohibited, and the Code and the Regulations provide criteria as to how firearms are to be considered restricted or prohibited.

Many new firearms have been imported into or manufactured in Canada since the Regulations were introduced in 1995, and therefore are not explicitly covered by the present Regulations.

**CURRENT STATUS:** The RCMP received a complaint in December 2012 from a firearms business regarding the Swiss Arms PE90 Classic Green rifle. This complaint alleged that another business was importing a similar version of this firearm, declaring it to be non-restricted and thus not subject to registration, when in fact, the complaint alleged, it was prohibited and should be registered and controlled as such.

The RCMP is investigating the PE90 Classic Green rifle in order to determine whether it should be considered a prohibited firearm based on the criteria in the *Criminal Code* and its supporting regulations.

**STRATEGIC CONSIDERATIONS**

***Firearms classification, registration and the Firearms Reference Table (FRT)***

Firearms are classified under the *Criminal Code* and its supporting regulations. As such, the RCMP does not have authority to classify firearms. However, in order to fulfill its statutory role of registering firearms, the RCMP must form an opinion as to the classification of a firearm if the classification is not explicitly set out in the *Criminal Code* and its supporting regulations. This expert technical opinion is captured in the FRT. At present, the RCMP has not received complaints pertaining to other firearms. However, depending on the results of the current Swiss Arms Classic Green rifle investigation, other models of the Swiss Arms PE90 family of firearms could be subject to a review. 302 Restricted and Prohibited PE90 firearm variants are currently registered to individuals and businesses.

***New Reviews (firearms not already in FRT)***

In 2012, the RCMP technically reviewed 3,793 new types/models of firearms in order to form an expert classification opinion and register where appropriate. If the RCMP did not review these firearms, they could not be registered or legally imported into Canada, preventing thousands of private purchases and transfers.

Prepared by : Rédigé par :	Recommended by : Recommandée par :	Approved by : Approuvée par :	Date
Guylaine A. Dansereau Director General Canadian Firearms Program	Peter Henschel Deputy Commissioner Specialized Policing Services	Bob Paulson Commissioner	2013-06-07

Page 17

Royal Canadian Mounted Police



Gendarmerie royale du Canada

**SWISS ARMS CLASSIC GREEN AND OTHER PE90 MODEL RIFLE CLASSIFICATION  
OPINIONS**

**ISSUE:**

To provide information on the status of the RCMP Canadian Firearms Program's classification opinion review of the Swiss Arms Classic Green and other PE90 model rifles.

**BACKGROUND:**

In 2002, the Canadian Firearms Program formulated an expert opinion that the design of the Swiss Arms Classic Green and other PE90 model rifles met the criteria of a either non-restricted or restricted firearm, depending on the barrel length, pursuant to subsection 84(1) of the *Criminal Code*. This opinion was formulated based on information provided by the firearm's manufacturer.

A record in the Firearms Reference Table reflecting this opinion was created. Pursuant to the Canadian Firearms Program's opinion, Swiss Arms Classic Green and other PE90 model rifles were imported into Canada and sold as non-restricted or restricted firearms. Since non-restricted firearms are no longer registered, it is impossible for the Canadian Firearms Program to determine the total number of firearms imported.

In December 2012, an owner of a licenced firearms business sent an e-mail to the Canadian Firearms Program indicating that another owner of a firearms business was importing a prohibited variant of the Swiss Arms Classic Green rifle and selling it as a non-restricted firearm.

As a result of this complaint, the Canadian Firearms Program launched an investigation and is currently conducting a review of the classification opinion for the Swiss Arms Classic Green and other PE90 model rifles.

**CURRENT STATUS:**

To assist in the review of the classification opinion, samples of the both the Swiss Arms Classic Green rifle and the purported prohibited variant were submitted to the Canadian Firearms Program on January 17, 2013 for inspection. The Canadian Firearms Program is also awaiting information from the manufacturer.

**STRATEGIC CONSIDERATION:**

Since it is not possible to determine the total number Swiss Arms Classic Green and other PE90 model rifles currently in circulation, it would prove operationally difficult to identify and communicate with all affected owners should the classification opinion be changed. Consequently, certain owners may inadvertently be in possession of a prohibited firearm and subject to possible criminal liability.

Further, should the classification opinion be revised,

The value of the Swiss

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Arms Classic Green rifle is estimated at approximately \$4000. There are currently 301 restricted Swiss Arms Classic Green rifles registered in Canada. Forty-four non-restricted Swiss Arms Classic Green rifles are registered in Québec, which is still subject to a court order requiring registration of non-restricted firearms.

This issue has begun to receive media attention. On June 5, 2013, Sun Media published a story on its website on possible changes to the classification of the Swiss Arms rifles, perpetuating the perception within the firearms community and in the media that the CFP arbitrarily reclassifies firearms. This perception may be exacerbated by the fact that variants of these firearms have been in circulation for over 11 years.

The result of the Swiss Arms review may impact other related firearms.