



Royal Canadian Mounted Police Gendarmerie royale du Canada

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[Signature]
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Classification / Désignation sécuritaire

JAN 13 2014

Mr. Dennis Young
1330 Ravenswood Dr. SE
Airdrie, Alberta
T4A 0P8

Your file Votre référence
 026

Our file Notre référence
 A-2012-04323

Dear Mr. Young:

This is the final response to your request under the Access to Information Act received on July 9, 2012, in which you were seeking a copy of any records (correspondence, e-mails, policies, proposals, directives, memoranda, reports, papers, briefing notes) originating from M. Smith regarding the classification and reclassification of firearms from January 1, 2011 to present.

Enclosed is a copy of all the information to which you requested. Please note that some of the information has been exempted under Sections 19(1) of the Access to Information Act. A copy of this section has been enclosed for your easy reference.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Office of the Information Commissioner of Canada
Place de Ville, Tower B
112 Kent Street, 22nd Floor
Ottawa, Ontario
K1A 1H3

Should you wish to discuss this matter further, contact Ms. Crystal Holub at (613) 843-5216 or by writing to Crystal.Holub@rcmp-grc.gc.ca or the address below. For ease of reference, please quote the file number appearing on this letter.

Yours truly,

[Signature]

Michael Jeffrey, Supt.
Departmental Coordinator
Mailstop #61
73 Leikin Drive
Ottawa, Ontario
K1A 0R2

Encl.

Canada

Murray Smith - Short factory barrels for the Ruger 10/22 rifle

From: Murray Smith
To: Dahlstrom, Dean B.
Date: 3/9/2012 11:09 AM
Subject: Short factory barrels for the Ruger 10/22 rifle

Hi Dean,

Nice to speak with you this morning.

We looked into the Ruger 10/22 market for short barrels. The research was not exhaustive but does give a flavour of what is in circulation. The records in the FRT list the firearm as restricted only when a third party short barrel is used and not a sawed off barrel (and of course when all the other criteria for a restricted classification apply).

Known Ruger factory barrel lengths for the model 10/22: 410 mm, 470 mm, 508 mm.

Third party manufacturers/vendors of short barrels for the Ruger 10/22 rifle (not exhaustive):

Blask
Green Mountain (the biggest and best known at present)
Krinker Plinker
Majestic Arms
Butler Creek
Volquartsen Custom
Lilja

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Murray Smith - Re: [REDACTED] reference hearing

From: Murray Smith
To: Zhang, Grace
Date: 3/7/2012 4:22 PM
Subject: [REDACTED] reference hearing

Thanks Grace for a copy of your affidavit. As it turns out I found a bit of spare time to finish mine.

I observed a few aspects of your CV that you may wish to address:

para 17: Strictly speaking this statement is not entirely true. The AK47 family was not mentioned in the OICs prior to July, 1992. However there were some that were prohibited (the full auto version) and restricted (semiauto, barrel less than 470 mm, and grandfathered full auto version); the latter two had to be registered.
para 18: Likewise, the ungrandfathered full auto and converted auto versions were prohibited, not restricted. The grandfathered versions were also restricted, but not because of the OICs. It is only the semiautomatic versions that were affected by the OIC.

paras 25 to 27: I note you are covering only the grandfathering of the owner. The firearm also needs to be grandfathered, and in this case, probably does not qualify either.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Grace Zhang 2012-03-07 10:42 >>>
Hi Mike,

Please find attached my draft affidavit for the [REDACTED] matter. I attached all but two of the exhibits because the system has been down since yesterday and I couldn't generate any reports. However, it shouldn't affect the reading.

Murray will prepare his draft as well. However, he is out of office next week so you probably will get his draft after that.

Let me know if you have any questions.

Grace

Coordinator or Regional Intelligence Firearms Liaison Officer as outlined in D19-13-2.

Contact Information:

Any questions regarding this bulletin should be directed to

OGD Programs Unit
Commercial Border Programs Division
Programs Branch
Email: faw.aaf@cbsa-asfc.gc.ca

Approved by: Brent Patten
Director
Commercial Border Programs Division
Border Programs Directorate

Effective Date: 29 Feb 2012 **Updated:**

Additional bulletins: http://atlas/ob-dqo/bsa-asf/bulletin/index_eng.asp



OPERATIONAL BULLETIN: -
TITLE: - Classification of Airsoft Guns

Date of Issue: 29 Feb 2012	Mode(s): All	Target Audience: National	Area of Interest: All
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Details:

The purpose of this notice is to advise of changes affecting the classification of 6mm calibre airsoft guns.

This information has also been published in Customs Notice 12-005 at <http://cbsa-asfc.gc.ca/publications/cn-ad/cn12-005-eng.html>

Section 2 of the *Criminal Code* defines a firearm as “a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon, as well as anything that can be adapted for use as a firearm”.

As outlined in D-Memorandum D19-13-2 *Importing and Exporting Firearms, Weapons and Devices*, it was previously established that an airsoft gun, firing a .22g 6mm plastic pellet, must have a muzzle velocity in excess of 124 m/s (407 fps), in order to be considered a firearm

Based on the latest research of the RCMP, it is now established that the muzzle velocity at which a .20g 6mm plastic airsoft projectile is capable of causing serious bodily injury is 111.6 m/s (366 fps).

Airsoft guns, firing a .20g 6mm plastic pellet, with a muzzle velocity above 111.6 m/s (366 fps), will be classified as firearms. Please refer to D19-13-2 for the import requirements of low muzzle velocity firearms, including low muzzle velocity “uncontrolled” firearms.

If an airsoft gun, firing a .20g 6mm plastic pellet, shoots below 111.6 m/s (366 fps), and resembles with near precision an existing make and model of a firearm, other than an antique firearm, it will be classified as replica firearm. Replica firearms are prohibited devices and must meet import requirements as listed in D19-13-2.

If you require technical assistance in classifying firearms, please consult your Regional Firearms

Murray Smith - CBSA V50 memo

From: Murray Smith
To: Francis, Geoffrey
Date: 3/6/2012 2:59 PM
Subject: CBSA V50 memo
CC: McClure, Lloyd
Attachments: CBSA D Memo - Classification of Airsoft Guns.doc

Geoff,

Attached is the CBSA "D" Memo released Feb 29 implementing the V50 velocity policy for CBSA. This is an internal CBSA document. Your call as to how widely it is distributed.

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

Murray Smith - Re: Fwd: [REDACTED] copy of T016123 Version 1.pdf - Adobe Acrobat Professional

From: Murray Smith
To: Zhang, Grace
Date: 3/2/2012 12:58 PM
Subject: [REDACTED] copy of T016123 Version 1.pdf - Adobe Acrobat Professional

Hi Grace,

I presume this Ministerial refers to the FN-FAL rifle, serial number 184682. If so, the following paragraph needs to be added to the response:

The FN FAL rifle in question was inspected because the list of modifications was not attached to the registration record, which is one of the requirements for grandfathered status as a section 12(3) converted automatic firearm. The inspection further revealed that the modifications were not sufficient to remove the full automatic capability, also a requirement of the grandfathering process. The owner has been given the opportunity to upgrade the modifications followed by reinspection to ensure compliance.
Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Grace Zhang 2012-03-01 11:27 >>>
Hi Murray,

Please take a look at the attached ministerial correspondence and my portion of the response below.

I have talked to Dan about this request. I think it will be better to let you comment on the part of the letter concerning conversion standards.

Thanks,

Grace

>>> Grace Zhang 3/1/2012 11:16 AM >>>
Hi Rose,

This client has a PAL with 12(3), 12(5) and 12(6) privileges and he also has the collector status. He has quite a few prohibited firearms registered under his licence.

On 2012/01/17, CFR received a transfer application for a FN FAL (a 12(3) converted automatic) rifle whereas the client was the buyer. As per procedure (which has been in place since the beginning of the Program), we sent a request for inspection to confirm the modification performed on the firearm. The inspection was duly completed. On 2012/02/07, this transfer application was approved by the

From: Murray Smith
To: GROSSPIETSCH, Frank, Etter, William
Date: 3/1/2012 3:17 PM
Subject: Re: Fwd: FW: Operational Bulletin - Classification of Airsoft Guns | Classement des fusils de type « airsoft »

Hi Frank,

This is CBSA coming on board with the new RCMP policy on the use of the V50 threshold criterion for the determination of firearm status.

There is a better explanation in the FIESD bulletin released earlier this week.

Murray

-----Original Message-----

From: Frank GROSSPIETSCH
To: Smith, Murray <Murray.A.Smith@rcmp-grc.gc.ca>
To: Etter, William <William.Etter@rcmp-grc.gc.ca>

Sent: 3/1/2012 1:17:45 PM
Subject: Fwd: FW: Operational Bulletin - Classification of Airsoft Guns | Classement des fusils de type « airsoft »

Gentlemen, I need this in simple language.

If the airsoft

As outlined in D-Memorandum D19-13-2 Importing and Exporting Firearms, Weapons and Devices, it was previously established that an airsoft gun, firing a .22g 6mm plastic pellet, must have a muzzle velocity in excess of 124 m/s (407 fps), in order to be considered a firearm

Does this now mean that persons possessing such items must be licensed accordingly?

A.Cpl Frank F.W. Grosspietsch
NWEST- Surrey
(604) 543-4752 office

(604) 543-4999 fax
>>> "Lothian, David" <David.Loethian@cbsa-asfc.gc.ca> 2012-03-01 10:01 >>>

Hey Frank, thought you would be interested in this. Looks like the muzzle velocity for airsoft guns has been lowered and several of these will now meet the definition of a firearm.

From: Walsh, Stephanie-CBSA On Behalf Of CBSA-ASFC_Firearms_Weapons-
Armes_à_feu_autres_armes
Sent: March 1, 2012 6:21 AM

1. The purpose of this notice is to advise of changes affecting the classification of 6mm calibre airsoft guns.
2. Section 2 of the *Criminal Code* defines a firearm as "a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barrelled weapon, as well as anything that can be adapted for use as a firearm".
3. As outlined in D-Memorandum D19-13-2 *Importing and Exporting Firearms, Weapons and Devices*, it was previously established that an airsoft gun, firing a .22g 6mm plastic pellet, must have a muzzle velocity in excess of 124 m/s (407 fps), in order to be considered a firearm
4. Based on the latest research, it is now established that the muzzle velocity at which a .20g 6mm plastic airsoft projectile is capable of causing serious bodily injury is 111.6 m/s (366 fps).
5. Airsoft guns, firing a .20g 6mm plastic pellet, with a muzzle velocity above 111.6 m/p (366 fps), will be classified as firearms. Please refer to D19-13-2 for the import requirements of low muzzle velocity firearms, including low muzzle velocity "uncontrolled" firearms.
6. Airsoft guns, firing a .20g 6mm plastic pellet, below 111.6 mps m/p (366 fps), in the absence of evidence to the contrary, will not be considered firearms for the purposes of establishing replica firearms. ~~are not firearms.~~ If they resemble with near precision an existing make and model of a firearm, other than an antique firearm, they will continue to be classified as replica firearms. Replica firearms are prohibited devices and must meet import requirements as listed in D19-13-2.
7. Inquiries and comments about this notice should be directed to:

Other Government Department Programs Unit
Programs Branch
Canada Border Services Agency
E-mail : faw-aaf@cbsa-asfc.gc.ca

Murray Smith - Fwd: RE: Airsoft Inspections

From: Murray Smith
To: Dahlstrom, Dean B.
Date: 2/22/2012 3:56 PM
Subject: Fwd: RE: Airsoft Inspections
CC: Glass, Kimberley
Attachments: Customs Notice Velocity-FINAL E mas comments.docx

Hi Dean,

Attached is the "Mark 1" amendment to the CBSA document. It does not state things exactly as would a forensic report for a criminal matter but it does establish a caveat for sub-V50 firearm status in a regulatory context. Let me know what you think.

Stephanie was indeed talking to Kimberley and had sent her the same document. Kim will be speaking with Stephanie to get CBSA views on this aspect.

Lastly, we have to determine what to do with nonstandard pellet weights for which there is no experimentally determined V50. I propose to assume constant energy and calculate the velocity based on the energy associated with the experimentally established V50 velocity and test mass. It seems to me that if the mass of the new projectile does not differ substantially from the test mass, this would be a reasonable stopgap. The result would have to be reported as a derived approximation. What do you think?

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Dean B. Dahlstrom 2012-02-22 14:41 >>>

>>> "Walsh, Stephanie-CBSA" <Stephanie.Walsh@cbsa-asfc.gc.ca> 2012-02-22 12:33 PM >>>
Dean

Does this mean that the velocity testing of 6mm airsoft guns, which was established to be 366 *fps* for a .20g 6mm plastic pellet, will only be resuming at the end of March?

Further to the letter received from Assistant Commissioner Pierre Perron and consultation with Murray Smith, please find attached a Customs Notice that is being issued for 6mm airsoft guns.

If you have any questions please don't hesitate to contact me

file://C:\Documents and Settings\000071057\Local Settings\Temp\XPgrpwise\4F7183FD... 7/24/2013

Murray Smith - Re: Fw: Letter to the Editor

From: Murray Smith
To: Francis, Geoffrey
Date: 1/12/2012 1:42 PM
Subject: Re: Fw: Letter to the Editor

Hi Geoff,

Both letters look good. I do not know who wrote them (suspect it was one of our legal counsel) but he/she did a good job. The tone is appropriate and technical content is quite accurate. I could nitpick a bit, for example, the AP80 was not always prohibited, it was restricted prior to 1995 and non-restricted prior to 1992.
Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Geoffrey Francis 2012-01-12 13:10 >>>

Murray Smith - Fwd: Re: media line BB gun

From: Murray Smith
To: Beauchamp, Monique; Depew, Robert; Lee, Hwan; Leighton, Mike; Sevigny, Linda
Date: 10/20/2011 3:17 PM
Subject: Fwd: Re: media line BB gun
CC: Beaubien, Roxanne; Richer, Marc

Hi Hwan,

The BB guns lines are OK. In the last bullet the word "frequently" would be more accurate than "generally".

As for the remainder of the media lines, it is what is left out that matters. CBSA uses the FRT to classify firearms. If they had used the correct description of the goods, "AK-47 receivers", they would have arrived at the correct answer of "prohibited firearm" using the FRT. However, CBSA did not physically inspect the goods, instead used the description supplied by the importer, and as a result looked up the wrong firearm and arrived at an incorrect conclusion. The goods are not innocuous low velocity BB guns exempted from regulatory controls, rather they contain the essential component, the receiver, of a prohibited fully automatic assault rifle, and as such, are themselves prohibited firearms. If the shipment had been physically inspected the outcome would have been different.

A more honest answer from CBSA would be that they only spot check firearms shipments based on risk parameters. This importation was of a common kind made by a reputable Canadian dealer. The screening system failed due to the goods being misdeclared by the importer.

Regards,

Murray

Murray A. Smith
Manager,
Specialized Firearms Support Services
Firearms Investigative and Enforcement Support Services Directorate
Canadian Firearms Program
Policing Support Services
Office: (613) 993-0139

>>> Hwan Lee 10/20/2011 2:51 PM >>>
proposed CBSA media line.

I see lots of problems with these lines.

please comment, soonest.

Information on BB gun appears to be wrong as well. Murray - can you confirm?

Hwan