

BILL

No. 117

An Act respecting Saskatchewan Firearms

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(Assented to _____)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

PART 1

Preliminary Matters**Short title**

1-1 This Act may be cited as *The Saskatchewan Firearms Act*.

Definitions

1-2 In this Act:

“**ammunition**” means ammunition as defined in section 84 of the *Criminal Code*;

“**automatic firearm**” means an automatic firearm as defined in section 84 of the *Criminal Code*;

“**chief firearms officer**” means the chief firearms officer designated as the chief firearms officer for Saskatchewan pursuant to the *Firearms Act* (Canada);

“**commissioner**” means the Saskatchewan firearms commissioner designated pursuant to section 2-2;

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“firearms officer” means a firearms officer designated by the chief firearms officer or the minister pursuant to the *Firearms Act* (Canada);

“minister” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;

“municipality” means:

- (a) a municipality as defined in *The Municipalities Act*;
- (b) a city as defined in *The Cities Act*; or
- (c) a municipality as defined in *The Northern Municipalities Act, 2010*;

“non-restricted firearm” means a non-restricted firearm as defined in section 84 of the *Criminal Code*;

“police service” means a police service as defined in *The Police Act, 1990*;

“prescribed” means prescribed in the regulations;

“prohibited ammunition” means prohibited ammunition as defined in section 84 of the *Criminal Code*;

“prohibited device” means a prohibited device as defined in section 84 of the *Criminal Code*, but only if the prohibited device is related to or with respect to a firearm;

“prohibited firearm” means a prohibited firearm as defined in section 84 of the *Criminal Code*;

“replica firearm” means a replica firearm as defined in section 84 of the *Criminal Code*;

“restricted firearm” means a restricted firearm as defined in section 84 of the *Criminal Code*;

“Saskatchewan firearms licence” means a Saskatchewan firearms licence mentioned in section 3-1;

“Saskatchewan firearms licensee” means the holder of a Saskatchewan firearms licence.

Crown bound

1-3 The Crown in right of Saskatchewan and Crown in right of Canada are bound by this Act and the regulations.

Purpose

1-4 The purposes of this Act are to:

- (a) enhance public safety;
- (b) promote compliance with firearms laws;
- (c) promote best practices with respect to the possession, use, storage and transfer of firearms; and

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(d) establish an orderly administrative process for the seizure, storage, destruction or deactivation of restricted firearms and prohibited firearms, pursuant to certain laws of the Crown in right of Canada, that:

(i) protects public safety and the safety of Saskatchewan's lawful firearms owners from the increased risk presented by the seizure, storage and possible destruction or deactivation of those firearms; and

(ii) protects public safety and the safety of Saskatchewan's lawful firearms owners from the increased risk presented by the collection and storage of information and data respecting firearm ownership, and the potential sharing, loss or theft of that information and data through data breaches or otherwise.

PART 2

Responsibilities of Minister**Responsibilities of minister**

2-1(1) The minister is responsible for all matters not by law assigned to any other minister or agency of the government relating to the matters governed by this Act and the regulations.

(2) Without limiting the generality of subsection (1), for the purposes of carrying out the minister's responsibilities, the minister may do any of the following:

(a) coordinate, develop, implement and promote policies, strategies, objectives, guidelines, programs, services and administrative procedures or similar instruments related to firearms, including:

(i) establishing licensing programs relating to firearms;

(ii) conducting or promoting education related to firearms use, ownership or possession;

(iii) establishing training requirements related to firearms use, ownership or possession;

(iv) establishing requirements for firearms storage and transport;

(v) establishing requirements for the destruction or deactivation of firearms;

(vi) establishing requirements for privacy protection for firearms owners;

(vii) establishing the process for the seizure of firearms in Saskatchewan;

(viii) establishing the process for setting fair compensation for seized firearms in Saskatchewan;

(ix) ensuring that evidence of potential firearms offences is properly preserved;

(x) coordinating firearms-related program delivery and enforcement with other provincial agencies, police services and the Royal Canadian Mounted Police, including for the purposes of protecting persons, property and the environment; and

(xi) enforcement of the matters mentioned in subclauses (i) to (x);

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- (b) provide financial, administrative, technical and other support services respecting firearms;
- (c) enter into agreements with any government, person, agency, organization, association or institution for matters respecting firearms;
- (d) sponsor, undertake and coordinate planning and research respecting firearms;
- (e) collect, process, correlate, analyze and maintain data respecting firearms.

Saskatchewan firearms commissioner

2-2(1) The minister may designate an individual as the Saskatchewan firearms commissioner.

(2) The minister may delegate to the commissioner the exercise of any of the powers given to, or the fulfilment of any of the responsibilities imposed on, the minister pursuant to this Act and the regulations.

(3) The minister may impose any terms and conditions on a delegation pursuant to this section that the minister considers appropriate.

(4) A decision or action of the commissioner in relation to the exercise or performance of any power or responsibility delegated to the commissioner pursuant to subsection (2) is deemed to be a decision or action of the minister.

Advisory committee

2-3(1) The minister may establish one or more advisory committees to advise the minister with respect to any matter related to firearms.

(2) No action or proceeding lies or shall be commenced against any member of an advisory committee established pursuant to subsection (1) if that member is acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that member pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any duty imposed by this Act or the regulations.

PART 3

Regulation of Firearms and Related Activities

DIVISION 1

Saskatchewan Firearms Licence**Saskatchewan firearms licence**

3-1(1) Every person that holds a valid licence pursuant to the *Firearms Act* (Canada) authorizing the individual to possess and acquire firearms and whose current address is in Saskatchewan is deemed to be the holder of a Saskatchewan firearms licence.

(2) The minister may, in writing, adopt any rule, standard or guideline for the purposes of determining whether a person is deemed to be the holder of a Saskatchewan firearms licence pursuant to subsection (1), including exempting any person or category of persons as the holder of a Saskatchewan firearms licence.

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Suspension of licence

3-2(1) A Saskatchewan firearms licence is immediately suspended if the holder of the licence is convicted of any of the following offences pursuant to the *Criminal Code*:

- (a) using firearm in commission of offence (section 85);
 - (b) possession of weapon for dangerous purpose (section 88);
 - (c) possession of weapon by commission of offence (section 96);
 - (d) breaking and entering to steal firearm (section 98);
 - (e) robbery to steal firearm (section 98.1);
 - (f) weapons trafficking (section 99);
 - (g) possession for purpose of weapons trafficking (section 100);
 - (h) making automatic firearm (section 102);
 - (i) murder (section 229);
 - (j) manslaughter (section 236);
 - (k) attempt to commit murder (section 239);
 - (l) discharging firearm with intent (section 244);
 - (m) causing bodily harm with intent – air gun or pistol (section 244.1);
 - (n) discharging firearm – recklessness (section 244.2);
 - (o) assault with a weapon or causing bodily harm (section 267);
 - (p) sexual assault with a weapon, threats to a third party or causing bodily harm (section 272);
 - (q) any other prescribed offence.
- (2) If a Saskatchewan firearms licence is suspended pursuant to subsection (1), the minister may, after taking into consideration any factors the minister considers appropriate, including the specific offence for which the Saskatchewan firearms licensee was convicted, any prior convictions of the Saskatchewan firearms licensee, and any outstanding appeal process respecting the conviction:
- (a) maintain the suspension for a period determined by the minister;
 - (b) cancel the suspension; or
 - (c) terminate the licensee's Saskatchewan firearms licence.

DIVISION 2

Rules and Requirements re Saskatchewan Firearms Licensees**Possession and use**

3-3(1) No person whose current address is in Saskatchewan shall use, carry, handle, ship, transport or store a firearm, a prohibited device or any ammunition or prohibited ammunition unless that person is a Saskatchewan firearms licensee.

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- (2) Subsection (1) does not apply to:
- (a) a person mentioned in sections 117.07 to 117.09 of the *Criminal Code*, during the course of that person's duties or employment;
 - (b) a common carrier in the course of the common carrier's duties; or
 - (c) any other prescribed person or category of persons.

Careless use of firearm

3-4(1) No person shall, without lawful excuse, use, carry, handle, ship, transport or store a firearm, a prohibited device or any ammunition or prohibited ammunition in a careless manner or without reasonable precautions for the safety of other persons.

(2) Subject to subsection (3), no person shall contravene the requirements of a regulation made pursuant to paragraph 117(h) of the *Firearms Act (Canada)* respecting the storage, handling, transportation, shipping, display, advertising or mail-order sales of firearms.

(3) There is no contravention pursuant to subsection (2) if the storage, handling, transportation, shipping, display, advertising or mail-order sales of a firearm is in a manner that is equal or superior to the regulation mentioned in that subsection.

(4) No person shall use a firearm, a prohibited device or any ammunition or prohibited ammunition while that person is intoxicated due to the use of alcohol, cannabis or any other drug or substance.

Pointing a firearm

3-5 No person shall, without lawful excuse, point a firearm at another person, whether the firearm is loaded or unloaded.

Carrying a concealed weapon

3-6 No person shall carry a firearm, a prohibited device or any prohibited ammunition concealed, unless the person is authorized pursuant to the *Firearms Act (Canada)* to carry the firearm, prohibited device or prohibited ammunition concealed.

Unauthorized possession of a firearm

3-7(1) Subject to subsection (3), no person shall possess a prohibited firearm, a restricted firearm or a non-restricted firearm without being the holder of:

- (a) a licence issued pursuant to the *Firearms Act (Canada)* under which the person may possess the prohibited firearm, restricted firearm or non-restricted firearm; and
- (b) in the case of a prohibited firearm or a restricted firearm, a registration certificate for the prohibited firearm or restricted firearm.

(2) Subject to subsection (3), no person shall possess a prohibited device, other than a replica firearm, or any prohibited ammunition, without being the holder of a licence issued pursuant to the *Firearms Act (Canada)* under which the person may possess the prohibited device or prohibited ammunition.

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(3) Subsections (1) and (2) do not apply to:

- (a) a person who possesses a prohibited firearm, restricted firearm, a non-restricted firearm, a prohibited device or any prohibited ammunition while the person is under the direct and immediate supervision of a person who may lawfully possess the firearm, device or ammunition, for the purpose of using that item in a manner in which the supervising person may lawfully use the firearm, device or ammunition;
- (b) a person who comes into possession of a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device or any prohibited ammunition by the operation of law and who, within a reasonable period after acquiring possession of the firearm, device or ammunition:
 - (i) lawfully disposes of the firearm, device or ammunition; or
 - (ii) obtains a licence under which the person may possess the firearm, device or ammunition, and in the case of a prohibited firearm or a restricted firearm, a registration certificate for the firearm.

Possession at unauthorized place

3-8(1) A person who is the holder of an authorization or licence granted pursuant to the *Firearms Act* (Canada) under which the person may possess a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device or prohibited ammunition shall not possess that firearm, device or ammunition at a place that is:

- (a) indicated on the authorization or licence as being a place where the person may not possess the firearm, device or ammunition;
 - (b) other than a place indicated on the authorization or licence as being a place where the person may possess the firearm, device or ammunition; or
 - (c) other than a place where the firearm, device or ammunition may be possessed under the *Firearms Act* (Canada).
- (2) Subsection (1) does not apply to a person who possesses a replica firearm.

Unauthorized possession in a motor vehicle

3-9 No person shall occupy a motor vehicle in which the person knows there is a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device, other than a replica firearm, or any prohibited ammunition, unless:

- (a) in the case of a prohibited firearm, a restricted firearm or a non-restricted firearm:
 - (i) the person or any other occupant of the motor vehicle is the holder of a licence and, if applicable, authorization and registration certificate, under which the person or other occupant may possess the firearm; or
 - (ii) the person has reasonable grounds to believe that any other occupant of the motor vehicle:
 - (A) is the holder of a licence and, if applicable, authorization and registration, under which that other occupant may possess the firearm; or
 - (B) is a person mentioned in sections 117.07 to 117.09 of the *Criminal Code*;

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- (b) in the case of a prohibited device or any prohibited ammunition:
 - (i) the person or any other occupant of the motor vehicle is the holder of an authorization or licence under which the person or other occupant may transport the prohibited device or prohibited ammunition; or
 - (ii) the person has reasonable grounds to believe that any other occupant of the motor vehicle:
 - (A) is the holder of an authorization or licence under which the other occupant may transport the prohibited device or prohibited ammunition; or
 - (B) is a person mentioned in sections 117.07 to 117.09 of the *Criminal Code*;
- (c) on becoming aware of the presence of the firearm, device or ammunition in the motor vehicle, the person leaves the motor vehicle or attempts to leave the motor vehicle to the extent that it was feasible to do so; or
- (d) the person or any other occupant of the motor vehicle is a person who came into possession of the firearm, device or ammunition by the operation of law.

Possession of prohibited or restricted firearm with ammunition

3-10(1) Subject to subsection (2), no person shall, in any place, possess a loaded prohibited firearm or restricted firearm, or an unloaded prohibited firearm or restricted firearm together with readily accessible ammunition that is capable of being discharged in the firearm, without being the holder of:

- (a) an authorization or a licence under which the person may possess the firearm in that place; and
- (b) the registration certificate for the firearm.

(2) Subsection (1) does not apply to a person who is using the firearm under the direct and immediate supervision of another person who is lawfully entitled to possess it and is using the firearm in a manner in which that other person may lawfully use it.

Transfer without authority

3-11 No person shall transfer a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device, any ammunition or any prohibited ammunition to any person otherwise than pursuant to the authority of the *Firearms Act* (Canada) or any other Act of the Parliament of Canada.

Importing or exporting knowing it is unauthorized

3-12 No business shall import or export a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device, any prohibited ammunition or any component or part designed exclusively for use in the manufacture of or assembly into an automatic firearm otherwise than pursuant to the authority of the *Firearms Act* (Canada) or any other Act of the Parliament of Canada.

Losing or finding

3-13(1) Every person who loses or has had stolen from the person's possession a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device, any prohibited ammunition or an authorization, licence or registration certificate issued pursuant to the *Firearms Act* (Canada) shall immediately report the loss or theft to a peace officer, a firearms officer or the chief firearms officer.

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(2) Every person who finds a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device or any prohibited ammunition that the person has reasonable grounds to believe has been lost or abandoned shall immediately report the finding of that item to a peace officer, a firearms officer or the chief firearms officer.

Destruction

3-14(1) Every person who destroys a prohibited firearm, a restricted firearm, a prohibited device or any prohibited ammunition shall immediately report the destruction to a peace officer, a firearms officer or the chief firearms officer.

(2) Every person who becomes aware of the destruction of a prohibited firearm, a restricted firearm, a prohibited device or any prohibited ammunition that was in the person's possession before its destruction shall immediately report the destruction to a peace officer, a firearms officer or the chief firearms officer.

False statements

3-15(1) No person shall knowingly make, before a peace officer, a firearms officer, the chief firearms officer or the commissioner, a false report or statement concerning the use, storage, transportation, loss, theft or destruction of a prohibited firearm, a restricted firearm, a non-restricted firearm, a prohibited device or any prohibited ammunition, or any authorization, licence or registration certificate issued pursuant to the *Firearms Act* (Canada).

(2) In this section, “**report or statement**” means an assertion of fact, opinion, belief or knowledge, whether material or not and whether admissible or not.

Offences under Division

3-16(1) Subject to subsection (2), any person who contravenes any provision of this Division or any regulations made with respect to this Division is guilty of an offence and liable on summary conviction to:

- (a) a fine of not more than \$5,000 for an individual and not more than \$20,000 for a corporation;
- (b) imprisonment for a term of not more than 6 months; or
- (c) both the fine and imprisonment.

(2) A person is not guilty of an offence pursuant to this Division if that person would not be guilty of an offence pursuant to the *Criminal Code* or the *Firearms Act* (Canada) pursuant to sections 117.07 to 117.09 of the *Criminal Code*.

Alternative measures

3-17(1) In this section, “**alternative measures**” means measures other than judicial proceedings used to deal with a person who is alleged to have committed an offence.

(2) Alternative measures may be used to deal with a person alleged to have committed an offence pursuant to this Division if the following conditions are met:

- (a) the measures are part of a program of alternative measures authorized by the Attorney General for Saskatchewan;
- (b) the person who is considering whether to use the measures is satisfied that the alternative measures would be appropriate, having regard to the needs of the person alleged to have committed the offence and the public interest;

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- (c) the person, having been informed of the alternative measures, fully and freely consents to participate;
 - (d) the person has, before consenting to participate in the alternative measures, been advised of the right to be represented by counsel and has been given a reasonable opportunity to consult with counsel;
 - (e) there is, in the opinion of the Attorney General for Saskatchewan, sufficient evidence to proceed with the prosecution of the offence;
 - (f) the prosecution of the offence is not in any way barred at law.
- (3) Alternative measures must not be used to deal with a person alleged to have committed an offence if the person:
- (a) denies participation or involvement in the commission of the offence; or
 - (b) expresses the wish to have any charge against the person dealt with by a court.
- (4) No admission, confession or statement accepting responsibility for a given act or omission made by a person alleged to have committed an offence as a condition of the person being dealt with by alternative measures is admissible in evidence against that person in any other proceedings.
- (5) Alternative measures may include the making of an agreement between the person mentioned in subsection (1) and the Attorney General for Saskatchewan containing any terms and conditions, including terms and conditions:
- (a) respecting matters mentioned in section 3-18; and
 - (b) respecting costs associated with ensuring compliance with the agreement.
- (6) The use of alternative measures with respect to a person alleged to have committed an offence is not a bar to proceedings against the person pursuant to this Act and does not prevent a person from laying an information or summons, obtaining the issuance or confirmation of a process, or proceeding with the prosecution of an offence in accordance with the law.
- (7) Notwithstanding subsection (6), if a charge is laid against a person with respect to an offence that is dealt with through alternative measures, the court shall dismiss the charge:
- (a) if satisfied, on a balance of probabilities, that the person has completely complied with the terms and conditions of the alternative measures; or
 - (b) if satisfied, on a balance of probabilities, that the person has partially complied with the terms and conditions of the alternative measures, and if satisfied that prosecution of the charges would be unfair having regard to the circumstances and the person's performance with respect to the alternative measures.

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Alternative penalties

3-18 A court that convicts a person of an offence may, in addition to any other penalty imposed, or in substitution of any other penalty the court may impose, and having regard to the nature of the offence and the circumstances surrounding its commission, make one or more of the following orders in the prescribed form:

- (a) prohibiting the person from doing any act or engaging in any activity that the court considers could result in the continuation or repetition of the offence;
- (b) directing the person to take any action that the court considers appropriate to remedy or avoid any harm to the safety and integrity of Saskatchewan's firearms licensing system;
- (c) directing that the person must successfully complete an approved training course respecting firearm safety and use, or any other matter respecting firearms;
- (d) directing the person to pay to the Crown an amount for all or any of the cost of remedial or preventative action taken, or to be taken, on behalf of the Crown as a result of the commission of the offence;
- (e) directing the person to perform community service in accordance with any conditions the court considers appropriate;
- (f) directing the person to submit to the minister, on application to the court by the minister within 3 years after the conviction, any information that the court considers appropriate about the activities of the person in relation to matters within the scope of this Act or the regulations;
- (g) directing the person to post a bond or pay an amount into court that the court considers appropriate for the purpose of ensuring compliance with any order made pursuant to this section;
- (h) directing the person to pay, in the manner set out by the court, an amount of money that the court considers appropriate to enable research to be conducted into the safe use of firearms and prevention of illegal firearms activities;
- (i) suspending or cancelling any licence or designation granted pursuant to this Act or the regulations;
- (j) requiring the person to comply with any other conditions that the court considers appropriate for securing the person's good conduct or for preventing the person from repeating the offence or committing other offences.

Offence by corporate officers, etc.

3-19 If a corporation commits an offence pursuant to this Division or any regulations made with respect to this Division, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on conviction to the penalties provided by this Division whether or not the corporation has been prosecuted or convicted.

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PART 4
Seizure AgentsDIVISION 1
Preliminary Matters

Definitions and interpretation for Part

4-1(1) In this Part:

“**licence**” means a valid seizure agent licence issued pursuant to this Part;

“**prohibited firearm**” includes any prohibited ammunition;

“**seizure agent**”, subject to subsection (2), means a person who is engaged by the Crown in right of Canada, whether as an employee, agent or otherwise, to carry out any of the following for the purposes of enforcing a specified law:

- (a) the tracking of restricted firearms or prohibited firearms;
- (b) the seizure and collection of restricted firearms and prohibited firearms;
- (c) the storage of restricted firearms and prohibited firearms;
- (d) the destruction or deactivation of restricted firearms and prohibited firearms;

“**specified law**” means any of the following laws:

- (a) a regulation pursuant to section 117.15 of the *Criminal Code* that is made on or after May 1, 2020 and prescribes any firearm as a prohibited firearm or a restricted firearm;
- (b) section 12.2 of the *Firearms Act* (Canada);
- (c) any other prescribed Act, regulation, order or other law of the Parliament of Canada.

(2) The following persons are not seizure agents for the purposes of this Part:

- (a) the chief firearms officer;
- (b) any firearms officer;
- (c) the commissioner;
- (d) any officers or constables of any police service, including the Royal Canadian Mounted Police;
- (e) any prescribed person or class of persons.

(3) In this Part, unless otherwise provided, a reference to a seizure agent includes a person engaged in the business of providing seizure agents.

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DIVISION 2
Licensing of Seizure Agents**Licence re seizure agents**

- 4-2(1)** No person shall act as a seizure agent without a licence.
- (2) No person shall, without a licence, engage in the business of providing seizure agents.
- (3) No person engaged in the business of providing seizure agents shall employ a person to perform the duties of a seizure agent who is not the holder of a licence.
- (4) Subsection (1) applies whether or not the seizure agent is employed by a person who is engaged in the business of providing seizure agents.
- (5) A statement in a letter, advertisement, card, identification or other document that suggests that a person is acting as a seizure agent or is engaged in the business of providing seizure agents is, in the absence of evidence to the contrary, proof that the person is doing so.

Age requirements

- 4-3** No person may be licensed as a seizure agent unless that person is 18 years of age or older.

Application for licence

- 4-4(1)** Every person who wishes to be licensed as a seizure agent shall apply to the minister in the form approved by the minister.
- (2) Subsection (1) does not apply to persons who work as seizure agents in the employment of a person who:
- (a) is engaged in the business of providing seizure agents; and
 - (b) is licensed pursuant to this Act and the regulations.
- (3) Every person who is engaged in the business of providing seizure agents shall apply for a licence to the minister in the form approved by the minister.
- (4) Every person who is engaged in the business of providing seizure agents shall apply for a licence to the minister in the form approved by the minister for each employee who is to be employed as a seizure agent.
- (5) If a licence is issued on application pursuant to subsection (4), the licence is valid only during the period for which the employee is employed by the person who applied for the licence pursuant to that subsection.

Additional application requirements

- 4-5** Every application to the minister for a licence is to include:
- (a) the prescribed fee;
 - (b) the prescribed information; and
 - (c) any additional information the minister may require.

Minister may issue or renew licence

- 4-6(1)** The minister may issue or renew a licence if the minister is satisfied that the applicant has complied with this Act and the regulations.

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- (2) The minister may refuse to issue or renew a licence if:
- (a) the applicant has not paid any fee required by this Act or the regulations;
 - (b) the minister is satisfied that the applicant cannot reasonably be expected to be responsible as a licensee;
 - (c) the minister is satisfied that the past conduct of the applicant affords reasonable grounds for the belief that the applicant will not conduct the applicant's activity or business with integrity;
 - (d) the applicant or an employee of the applicant has contravened this Act, the regulations or a term or condition to which the licence is subject;
 - (e) the applicant has failed to obtain or maintain any necessary insurance or security as required by this Act or the regulations;
 - (f) the applicant is convicted of an offence pursuant to any Act, Act of the Parliament of Canada or regulation made pursuant to any Act or Act of the Parliament of Canada;
 - (g) the applicant's registration pursuant to *The Business Corporations Act, 2021* or *The Business Names Registration Act* has lapsed; or
 - (h) the minister is of the opinion that issuing or renewing the licence would be prejudicial to the public interest.

Term of licence

4-7 A licence issued pursuant to this Part is valid for 1 year.

Terms and conditions

4-8 When issuing or renewing a licence, the minister may impose any terms and conditions that the minister considers appropriate on the licence.

Suspension or cancellation of licence

4-9(1) The minister may amend, suspend or cancel a licence on any ground on which the minister might have refused to issue or renew the licence or if the minister is satisfied that:

- (a) the licensee has made a material misstatement in the application for the licence or in any of the information or material submitted by the licensee to the minister;
 - (b) the licensee has committed acts of misrepresentation, fraud or dishonesty; or
 - (c) the licensee is no longer a fit or proper person to carry out the business with respect to which the licence was issued.
- (2) If a licence is suspended or cancelled pursuant to this section, the person whose licence was suspended or cancelled shall forward the person's licence to the minister.
- (3) If a person does not forward a licence to the minister in accordance with this section, the minister or a person authorized by the minister may seize the licence.

Suspension or cancellation on termination of employment or business

4-10(1) The licence of a seizure agent obtained by that person's employer is cancelled on the termination of the person's employment with that employer.

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(2) When a person who is employed as a seizure agent ceases to be employed as a seizure agent, the person shall surrender the person's licence immediately to the person's employer, and the employer shall forward the licence to the minister.

(3) Every person licensed to engage in the business of providing seizure agents shall immediately forward the person's licence to the minister, together with the licences of the person's employees, on the termination of that business.

(4) On the suspension or cancellation of the licence of a person licensed to engage in the business of providing seizure agents, the licences of all employees of that person are suspended or cancelled, as the case may be.

(5) If a licence is suspended or cancelled pursuant to this section, the person whose licence was suspended or cancelled shall forward that licence to the minister.

(6) If a person does not forward a licence to the minister in accordance with this section, the minister or a person authorized by the minister may seize the licence.

Right to be heard

4-11(1) Subject to subsections (2) to (4), the minister shall not amend, suspend or cancel a licence until the minister has given the licensee an opportunity to provide written representations to the minister.

(2) If, in the opinion of the minister, it is in the public interest to amend, suspend or cancel a licence immediately, the minister may cancel the licence immediately without giving the licensee an opportunity to make representations.

(3) If the minister amends, suspends or cancels a licence pursuant to subsection (2), the minister shall provide the person who held the licence an opportunity to provide written representations within 15 days after the amendment, suspension or cancellation.

(4) If the minister refuses to issue or renew a licence, or amends, suspends or cancels a licence, the minister, on the request of the person whose licence or ability to obtain a licence is affected, shall give written reasons for the minister's decision.

DIVISION 3

Rules and Responsibilities re Seizure Agents**Comply with terms of licence**

4-12 No seizure agent shall fail to comply with the terms and conditions of the seizure agent's licence.

Licence not to be given to other person

4-13 No seizure agent shall give or make available to any other person the seizure agent's licence or a copy of that licence.

Liability insurance

4-14(1) No person shall apply for a licence pursuant to Division 2 of this Part unless the person has obtained a comprehensive liability insurance policy that provides liability insurance coverage for the person and every employee of the person who will act as a seizure agent.

(2) The liability insurance described in subsection (1) must be:

(a) in an amount determined by the minister; and

(b) maintained for the duration of the person's licence and any renewal of the person's licence.

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Licence by chief firearms officer

4-15 No person shall apply for a licence pursuant to Division 2 of this Part unless:

- (a) if the licence is with respect to an individual, the individual holds a valid licence issued by the chief firearms officer pursuant to the *Firearms Act* (Canada) under which the individual may possess and acquire restricted firearms; and
- (b) if the licence is with respect to a person other than an individual:
 - (i) for each location where the person will store firearms, the person holds a valid licence for a business issued by the chief firearms officer pursuant to the *Firearms Act* (Canada) under which the person may possess and acquire prohibited firearms and restricted firearms; and
 - (ii) for each location where the person will destroy or deactivate firearms, the person holds a valid licence for a business issued by the chief firearms officer pursuant to the *Firearms Act* (Canada) under which the person may possess, acquire, destroy and deactivate prohibited firearms and restricted firearms.

Seizure agent training

4-16(1) To be licensed as a seizure agent pursuant to this Part, a person must successfully complete training approved by the minister on the following matters:

- (a) the safe storage, handling and use of firearms;
 - (b) crisis intervention and de-escalation of conflict situations.
- (2) The minister may consult with the commissioner or the chief firearms officer with respect to approved training for the purposes of subsection (1).

Receipt

4-17 No seizure agent shall take possession of a restricted firearm or prohibited firearm from a person unless the seizure agent issues a receipt to the person, in the form approved by the minister, that contains:

- (a) the make, model, calibre and serial number of the firearm;
- (b) any accessories that accompany the firearm;
- (c) the date the seizure agent took possession of the firearm;
- (d) the location at which the seizure agent took possession of the firearm;
- (e) the name of the person from whom the seizure agent took possession of the firearm;
- (f) the name and contact information of the seizure agent;
- (g) if applicable, the name and contact information of the business that employs the seizure agent;
- (h) notification that the person from whom the seizure agent took possession of the firearm may provide written representations pursuant to section 4-20, including:
 - (i) the deadline for providing written representations; and
 - (ii) the address at which the written representations may be provided, which must include both a physical address for service and an email address.

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Transportation of firearms

4-18(1) No seizure agent shall transport a restricted firearm or prohibited firearm except in accordance with this Act and the regulations.

(2) A seizure agent may only transport a restricted firearm or prohibited firearm if:

- (a) the firearm is unloaded;
- (b) the firearm is rendered inoperable by means of a secure locking device;
- (c) the firearm is contained in a locked container that:
 - (i) is made of metal and is of such strength, construction and nature that it cannot readily be broken open or into or accidentally opened during transportation;
 - (ii) is constructed and sealed so as to prevent it from being opened without breaking the seal or otherwise clearly indicating that it has been opened; and
 - (iii) does not have any markings on its exterior that could indicate that the container contains a firearm;
- (d) the container described in clause (c) is contained within a compartment that is:
 - (i) securely locked; and
 - (ii) windowless; and
- (e) if the firearm is an automatic firearm that has a bolt or bolt-carrier that is removable with reasonable facility, the bolt or bolt-carrier is removed.

(3) A seizure agent shall not transport more than 3 firearms within a vehicle at one time.

(4) No seizure agent shall leave a restricted firearm or prohibited firearm in an unattended vehicle for a period that exceeds 30 minutes.

Storage of firearms

4-19(1) No seizure agent shall store a restricted firearm or prohibited firearm except in accordance with this Act and the regulations.

(2) A seizure agent may only store a restricted firearm or prohibited firearm if:

- (a) the firearm is unloaded;
- (b) the firearm is rendered inoperable by means of a secure locking device;
- (c) the firearm is stored:
 - (i) in a vault or safe that:
 - (A) has been specifically constructed or modified for the secure storage of prohibited firearms;
 - (B) contains no windows;

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- (C) is kept securely locked; and
 - (D) is fireproof up to a temperature of 1875 degrees Fahrenheit for a period of at least 120 minutes;
- (ii) on premises where:
- (A) there is an electronic burglar alarm system;
 - (B) at least 1 seizure agent is present on a 24-hour basis to monitor the premises;
 - (C) every exterior door and window that can be opened can be securely locked; and
 - (D) controls are in place to maintain proper humidity and temperature, at levels determined by the minister, to prevent any damage or degradation to the firearm while it is in storage; and
- (d) the firearm is not in close proximity to ammunition.
- (3) In addition to the requirements in subsection (2), any premises used by a seizure agent to store a restricted firearm or prohibited firearm must be located at least 1000 metres from all of the following:
- (a) a single or multi-family residential home or facility, including the home quarter section of a farm;
 - (b) a daycare, school, college or university;
 - (c) a place of worship;
 - (d) a theatre, arena, concert hall or other similar facility used to host entertainment events;
 - (e) an arena, fitness centre, stadium or any other facility used to host sporting events;
 - (f) a restaurant;
 - (g) a hospital or medical clinic;
 - (h) a grocery store, shopping centre, pharmacy, department store or other similar location regularly attended by the public for the purchase of groceries, clothing, household goods or similar items.

Representations re destruction or deactivation

4-20(1) A seizure agent who takes possession of a restricted firearm or prohibited firearm from a person must provide the person at least 45 days to demonstrate if that person or the restricted firearm or prohibited firearm has been misidentified by the seizure agent, or the person is otherwise entitled to maintain possession of the restricted firearm or prohibited firearm.

(2) A person mentioned in subsection (1) may provide written representations to the seizure agent respecting:

- (a) whether the seizure agent has misidentified the person or the restricted firearm or prohibited firearm that is in the possession of the seizure agent; and
- (b) whether the person is otherwise entitled to maintain possession of the restricted firearm or prohibited firearm.

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(3) Written representations mentioned in subsection (2) may be provided to the physical address or email address of the seizure agent, as provided pursuant to subclause 4-17(h)(ii).

(4) A seizure agent who takes possession of a restricted firearm or prohibited firearm must store the restricted firearm or prohibited firearm in accordance with section 4-19 during the period mentioned in subsection (1).

(5) A seizure agent who takes possession of a restricted firearm or prohibited firearm shall not destroy or deactivate the restricted firearm or prohibited firearm:

- (a) before the expiration of the period mentioned in subsection (1); and
- (b) except in accordance with section 4-21.

(6) No seizure agent shall destroy or deactivate a restricted firearm or prohibited firearm, or permit the destruction or deactivation of a restricted firearm or prohibited firearm, except in accordance with this Act and the regulations.

Destruction or deactivation of firearms

4-21(1) Before destroying or deactivating a restricted firearm or prohibited firearm, a seizure agent shall keep a record identifying:

- (a) the make, model, calibre and serial number of the firearm;
- (b) any accessories that accompany the firearm;
- (c) the date on which the seizure agent took possession of the firearm;
- (d) the location at which the seizure agent took possession of the firearm; and
- (e) the name of the person from whom the seizure agent took possession of the firearm.

(2) Section 4-22 applies to a record mentioned in subsection (1).

(3) The destruction or deactivation of a restricted firearm or a prohibited firearm by a seizure agent must take place on premises:

- (a) where:
 - (i) there is an electronic burglar alarm system; and
 - (ii) every exterior door and window that can be opened can be securely locked; and
- (b) located at least 1000 metres from all of the following:
 - (i) a single or multi-family residential home or facility, including a home quarter section of a farm;
 - (ii) a daycare, school, college or university;
 - (iii) a place of worship;
 - (iv) a theatre, arena, concert hall or other similar facility used to host entertainment events;
 - (v) an arena, fitness centre, stadium or any other facility used to host sporting events;

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- (vi) a restaurant;
- (vii) a hospital or medical clinic;
- (viii) a grocery store, shopping centre, pharmacy, department store or other similar location regularly attended by the public for the purchase of groceries, clothing, household goods or similar items.

Privacy

4-22(1) Every seizure agent who receives information to facilitate the seizure or possession of a restricted firearm or prohibited firearm, or who takes possession of a restricted firearm or prohibited firearm, must adopt a confidential system of record keeping that maintains the following security measures:

- (a) no electronic data respecting firearms and firearm owners is to be stored on a server or other data storage device or system that is located or accessible from outside of Saskatchewan;
- (b) any physical records or information, or physical computers or other devices used to store electronic records or information, must be stored in a vault, safe or room that is kept securely locked and protected by an electronic burglar alarm system;
- (c) subject to subsection 4-21(1), a de-identified system of tracking that avoids the use of a person's name, address or other identifying information must be maintained for the purposes of tracking the firearm owner from whom the seizure agent takes possession of a firearm;
- (d) no data or record keeping systems are to be maintained at the same location as a storage facility mentioned in section 4-19.

(2) In addition to the requirements of section 4-14, every seizure agent mentioned in subsection (1) shall obtain a comprehensive liability insurance policy that provides liability insurance coverage in an amount approved by the minister respecting each breach of privacy, data leak or other similar matter respecting the violation of privacy of another person, and that coverage must continue to apply for each breach of privacy, data leak or similar matter that occurs following the expiration, cancellation or termination of a seizure agent's licence.

Holding out prohibited

4-23 No seizure agent shall:

- (a) make any representation that the seizure agent is performing or providing services or duties connected with the police; or
- (b) engage in the business of providing seizure agents in a name other than the name under which that person is licensed.

Identification and uniforms

4-24(1) No person acting as a seizure agent shall have on the seizure agent's uniform any identification containing the word "police".

(2) No seizure agent shall wear, while performing the duties of a seizure agent, a uniform, badge or insignia that is similar in colour or design to that of a municipal police service in Saskatchewan or the Royal Canadian Mounted Police.

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(3) Every seizure agent shall personally carry the seizure agent's licence while carrying out activities as a seizure agent and shall produce it for inspection at the request of any person.

Vehicles

4-25 No seizure agent shall use or permit any other seizure agent to use a vehicle:

- (a) on which the word "police" is displayed; or
- (b) on or in which a flashing or rotating light similar to that of a police service is displayed or carried.

Safety

4-26(1) No person who employs a seizure agent licensed pursuant to this Act and the regulations shall permit the seizure agent to work alone when carrying out duties as a seizure agent.

(2) No seizure agent shall work alone when carrying out duties as a seizure agent.

(3) No person who employs a seizure agent licensed pursuant to this Act and the regulations shall fail to provide the seizure agent with an effective communication system that meets or exceeds the requirements set out in section 3-24 of *The Occupational Health and Safety Regulations, 2020*.

(4) No person who employs a seizure agent licensed pursuant to this Act and the regulations shall fail to provide the seizure agent with equipment adequate for the seizure agent's duties, and the equipment must include, where appropriate, climate-suitable clothing and an emergency first aid kit.

Incident report

4-27(1) A seizure agent shall advise the minister in the form approved by the minister of any incident involving a member of the public and seizure agent or employee of a seizure agent that involves the use of force or any other unusual intervention.

(2) The minister may suspend, cancel or refuse to renew a licence if the licensee fails to advise the minister pursuant to subsection (1).

DIVISION 4

Offences pursuant to Part**Offences pursuant to Part**

4-28 Any person who contravenes any provision of this Part or any regulations made with respect to this Part is guilty of an offence and liable on summary conviction to:

- (a) a fine of not more than \$20,000 for an individual and not more than \$100,000 for a corporation;
- (b) imprisonment for a term of not more than 6 months; or
- (c) both the fine and imprisonment.

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Offence by corporate officers, etc.

4-29 If a corporation commits an offence pursuant to this Part or any regulations made with respect to this Part, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on conviction to the penalties provided by this Part, whether or not the corporation has been prosecuted or convicted.

PART 5

Compensation and Testing re Firearms

DIVISION 1

Preliminary Matters**Definitions for Part**

5-1 In this Part:

“approved testing facility” means a facility designated by the commissioner pursuant to section 5-12 to conduct forensic and ballistic testing on firearms;

“committee” means a firearms compensation committee established pursuant to section 5-7;

“fair market value” means the fair market value of a firearm determined in accordance with this Part;

“seizure agent” has the same meaning as in section 4-1;

“specified law” has the same meaning as in section 4-1.

Compliance with Part

5-2 A person, including a seizure agent, who conducts the physical seizure of a firearm is responsible for ensuring compliance with this Part.

DIVISION 2

Compensation for Fair Market Value**Compensation re seizure of firearm**

5-3 If a firearm is seized from an owner pursuant to or for the purposes of enforcing a specified law, the person who conducts the seizure of the firearm must pay to the owner full compensation for the fair market value of the firearm in accordance with this Division.

Notice to determine fair market value

5-4(1) If a person seizes a firearm for the purposes of or in the course of enforcing a specified law, the person shall provide a request to the commissioner, in the form approved by the commissioner, for a determination of the fair market value of the firearm.

(2) On receipt of a request for a determination of fair market value mentioned in subsection (1), the commissioner shall:

(a) determine the fair market value of the firearm in accordance with section 5-6; and

(b) provide written notice of the fair market value of the firearm to the person who submitted the request.

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(3) Before determining the fair market value of a firearm pursuant to subsection (2), the commissioner may request any further information respecting the firearm, including the following:

- (a) details respecting the make, model and calibre of the firearm;
- (b) details respecting the age and condition of the firearm;
- (c) details respecting any accessories that accompany the firearm;
- (d) photographs or other documents to support the information mentioned in clauses (a) to (c).

(4) A request for further information by the commissioner pursuant to subsection (3) may be made to the following:

- (a) the person who submitted the request for a determination of fair market value;
- (b) the owner of the firearm that is the subject of the request for a determination of fair market value.

Payment of fair market value

5-5 On receiving written notice of the fair market value of a firearm pursuant to subsection 5-4(2), the person who provided a request to the commissioner for a determination of the fair market value of the firearm shall, within 45 days, provide the owner of the firearm compensation for the full fair market value of the firearm.

Determination of fair market value

5-6(1) The commissioner may determine the fair market value of a firearm or class of firearms by taking into account the following factors:

- (a) the make, model and calibre of the firearm;
- (b) the age and condition of the firearm;
- (c) the firearm's ammunition;
- (d) any accessories that accompany the firearm;
- (e) the rarity of the firearm and any other special features or similar factors that would enhance the value and collectability of the firearm;
- (f) any previous determination of the fair market value for a firearm that is a similar make, model and calibre of the firearm;
- (g) any other prescribed factors.

(2) The commissioner may refer the determination of the fair market value of a firearm to a committee.

(3) If the commissioner refers the determination of the fair market value of a firearm to a committee pursuant to subsection (2), the committee shall:

- (a) determine the fair market value of the firearm in accordance with subsection (1); and
- (b) provide the commissioner with a written recommendation for the fair market value of the firearm.

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- (4) On receiving a written recommendation pursuant to clause (3)(b), the commissioner may:
- (a) accept the committee's recommendation for the fair market value of the firearm;
 - (b) refer the determination of fair market value back to the committee for further consideration, based on any reasons the commissioner considers appropriate; or
 - (c) make a new determination of the fair market value of the firearm in accordance with subsection (1).
- (5) Notwithstanding any other provision of this Division, the commissioner, on the commissioner's own initiative, may determine the fair market value of a firearm or class of firearms in accordance with this section.
- (6) The commissioner may:
- (a) compile a registry of fair market values of firearms that have been determined in accordance with this section; and
 - (b) use the registry for the purposes of determining any future fair market valuation of a firearm.
- (7) The commissioner may publish the registry mentioned in subsection (6) in any manner the commissioner considers appropriate.
- (8) The publication of a registry pursuant to subsection (7) does not relieve a person from the requirement to provide a request for a determination of the fair market value of a firearm to the commissioner pursuant to section 5-4.

Firearms compensation committee

- 5-7(1)** The minister may appoint one or more firearms compensation committees, consisting of one or more members, to:
- (a) determine the fair market value of firearms pursuant to section 5-6; and
 - (b) provide any further assistance or advice at the request of the commissioner with respect to the fair market value of firearms.
- (2) No action or proceeding lies or shall be commenced against any member of a committee if that member is acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that member pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any duty imposed by this Act or the regulations.

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DIVISION 3
Firearms Testing**Testing of firearms for criminal history**

5-8 If a firearm is seized from an owner pursuant to or for the purposes of enforcing a specified law, the person who conducts the seizure of the firearm must submit the firearm for forensic and ballistic testing in accordance with this Division in order to:

- (a) determine if the firearm may have been used to commit an offence pursuant to any Act, Act of the Parliament of Canada or regulation made pursuant to any Act or Act of the Parliament of Canada; and
- (b) if it is determined that the firearm may have been used to commit an offence mentioned in clause (a), to preserve evidence of any potential offence pursuant to any Act, Act of the Parliament of Canada or regulation made pursuant to any Act or Act of the Parliament of Canada.

Request to commissioner

5-9(1) If a person seizes a firearm for the purposes of or in the course of enforcing a specified law, the person shall provide a request to the commissioner, in the form approved by the commissioner, for approval to submit the firearm for forensic and ballistic testing.

(2) On receipt of a request for approval to submit a firearm for forensic and ballistic testing mentioned in subsection (1), the commissioner shall provide the person who submitted the request with a direction to submit the firearm for forensic and ballistic testing to an approved testing facility.

(3) A direction from the commissioner pursuant to subsection (2) may include:

- (a) any prescribed requirements for the forensic and ballistic testing of the firearm; and
- (b) any other requirements set by the commissioner.

(4) On receiving a direction from the commissioner pursuant to subsection (2), the person who submitted the request for direction shall submit the firearm to an approved testing facility for testing in accordance with the direction.

Test results and notice of clearance

5-10(1) On receiving test results from an approved testing facility, the person who seized the firearm that was the subject of the test shall provide notice of the test results to the commissioner, in the form approved by the commissioner.

(2) On receiving a notice of test results pursuant to subsection (1):

- (a) if, based on a notice of test results, the commissioner has reason to believe that a firearm was used to commit an offence pursuant to any Act, Act of the Parliament of Canada or regulation made pursuant to any Act or Act of the Parliament of Canada, the commissioner shall refer the matter to the Attorney General for Saskatchewan or to the Attorney General for Canada, as the case may be; or
- (b) in all other cases, the commissioner shall provide a notice of clearance to the person who provided the notice of test results.

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(3) If the commissioner refers a matter to the Attorney General for Saskatchewan or the Attorney General for Canada pursuant to clause (2)(a), the commissioner may:

- (a) provide any further direction to the person who provided notice of the test results or to the approved testing facility, including a direction to submit the firearm that was the subject of the test results to a law enforcement agency; or
- (b) subject to the approval of the Attorney General for Saskatchewan or the Attorney General for Canada, provide a notice of clearance.

No destruction or deactivation of firearms

5-11(1) No person who seizes a firearm from an owner pursuant to or for the purposes of enforcing a specified law shall destroy or deactivate the firearm until the person has received a notice of clearance from the commissioner pursuant to section 5-10.

(2) A seizure agent shall store a firearm in accordance with Part 4 until the seizure agent:

- (a) receives a notice of clearance from the commissioner pursuant to section 5-10; or
- (b) receives further direction from the commissioner pursuant to clause 5-10(3)(a).

Approved testing facility

5-12(1) The commissioner may, in writing, designate one or more facilities as an approved testing facility for the purposes of this Division.

(2) An approved testing facility shall comply with:

- (a) any terms and conditions set by the commissioner; and
- (b) any prescribed requirements.

PART 6 General

Funding to municipalities and police services

6-1(1) In this section, “**specified law**” has the same meaning as in section 4-1.

(2) A municipality, police service or board of a police service must receive the written approval of the minister before:

- (a) entering into an agreement with the Government of Canada that includes funding to support the enforcement of a specified law; or
- (b) accepting a grant or any other form of financial assistance from the Government of Canada to support the enforcement of a specified law.

Investigation

6-2(1) If the minister considers it necessary, the minister, or any person authorized in writing by the minister, may investigate and inquire into any matter respecting:

- (a) the administration of this Act and the regulations; or
- (b) the granting of any licence pursuant to this Act and the regulations.

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- (2) For the purposes of an investigation, the minister or a person authorized in writing by the minister may inquire into and examine:
- (a) the possession, use, storage or transportation of firearms by the person being investigated;
 - (b) the business affairs of the person being investigated;
 - (c) any records, negotiations, transactions, investigations, loans and borrowing of the person being investigated and any payments to, by or on behalf of, in relation to or in connection with the person; and
 - (d) any property or assets of or things owned, acquired or alienated in whole or in part by the person being investigated or by any person acting on behalf of or as agent for the person being investigated.
- (3) The person being investigated shall promptly provide detailed answers to all inquiries pertaining to the investigation by the minister or a person authorized in writing by the minister.
- (4) Every seizure agent who is licensed pursuant to Part 4 shall:
- (a) cause the person's office to be open for inspection by the minister or any person authorized in writing by the minister at all reasonable times during normal business hours; and
 - (b) cause all books, records, papers, documents and equipment of the person to be available for inspection by the minister or any person authorized in writing by the minister during the times described in clause (a).
- (5) The minister or person authorized in writing by the minister shall not enter a private dwelling without a warrant issued pursuant to section 6-4 unless the occupant of the dwelling consents to the entry.
- (6) If a seizure agent who is licensed pursuant to Part 4 is the subject of an investigation pursuant to this section and that person is convicted of an offence against this Act or the regulations based on information obtained pursuant to the investigation, the convicting court may order, in addition to any penalty imposed pursuant to this Act, that the person pay all or any costs of the investigation.

Inquiry by minister into complaint against seizure agent

- 6-3(1)** If the minister receives a written complaint from a member of the public respecting any person who is licensed or designated pursuant to this Act and the regulations, the minister may conduct an investigation pursuant to section 6-2.
- (2) For the purposes of investigating the complaint, the minister, or any person authorized in writing by the minister, may make any inspection, inquiry or investigation pursuant to section 6-2 that the minister or person considers appropriate.
- (3) The minister shall advise the complainant in writing of the results of an investigation conducted pursuant to this section.

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Search warrant

6-4(1) A justice of the peace or a judge of the Provincial Court of Saskatchewan may issue a warrant authorizing the minister or a person authorized by the minister to enter or search any place or premises named in the warrant if the justice or judge is satisfied by information on oath or affirmation that there are reasonable grounds to believe that:

- (a) an offence against this Act or the regulations has been committed; and
- (b) there is evidence of the offence to be found at the place or premises proposed to be searched.

(2) With a warrant issued pursuant to subsection (1), the person named in the warrant may:

- (a) enter and search any place or premises named in the warrant;
- (b) require the production of and examine any books, records, papers or documents that the person named in the warrant believes, on reasonable grounds, may contain information related to an offence against this Act or the regulations;
- (c) subject to section 6-5, remove any books, records, papers or documents examined pursuant to this section for the purposes of making copies, if a receipt is given; and
- (d) seize and remove from any place or premises searched anything that may be evidence of an offence against this Act or the regulations.

Copies of documents and return

6-5(1) If any books, records, papers or documents are inspected pursuant to section 6-2 or seized, examined or produced pursuant to section 6-4, the person conducting the investigation may make copies of those books, records, papers or documents.

(2) The person conducting the investigation shall:

- (a) make those copies as soon as is reasonably possible; and
- (b) promptly return the books, records, papers or documents from which the copies were made to:
 - (i) the place from which they were removed; or
 - (ii) any other place that may be agreed to by the person who provided them or from whom they were seized and the person conducting the investigation.

(3) A document certified by the person conducting the investigation to be a copy made pursuant to this section:

- (a) is admissible in evidence without proof of the office or signature of the person; and
- (b) has the same probative value as the original document.

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Obstruction

6-6(1) No person shall:

- (a) resist, obstruct, hinder or interfere with a person conducting an investigation pursuant to this Part; or
 - (b) refuse to provide any record or information required by this Part to the person conducting the investigation when requested to do so.
- (2) No person shall obstruct any person who is authorized to conduct a search pursuant to section 6-4.
- (3) A person who contravenes this section is guilty of an offence and liable on summary conviction to:
- (a) a fine of not more than \$5,000 for an individual and not more than \$20,000 for a corporation;
 - (b) imprisonment for a term of not more than 6 months; or
 - (c) both the fine and imprisonment.

Immunity

6-7 No action or proceeding lies or shall be commenced against the Crown, the minister, the chief firearms officer, a firearms officer, the commissioner or any employee of the Crown if that person is acting pursuant to the authority of this Act or the regulations for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any responsibility imposed by this Act or the regulations.

Regulations

6-8 The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) exempting any person or class of persons from this Act or any provisions of this Act;
- (c) prescribing offences for the purposes of subsection 3-2(1);
- (d) prescribing persons or classes of persons for the purposes of subsection 3-3(2);
- (e) prescribing the form of an order for the purposes of section 3-18;
- (f) for the purposes of section 4-1:
 - (i) prescribing any law as a specified law; and
 - (ii) exempting any law as a specified law;

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- (g) excluding any person or class of person from the definition of a seizure agent for the purposes of subsection 4-1(2);
- (h) for the purposes of Part 4:
 - (i) respecting the issuing, renewing, amending, suspending and cancelling of licences;
 - (ii) respecting information to be provided to the minister by a licensee or an applicant for a licence;
 - (iii) requiring the payment of fees for the issuance or renewal of licences and prescribing amounts and terms of payment;
 - (iv) prescribing a code of ethical conduct for persons licensed pursuant to that Part;
 - (v) prescribing any additional standards, qualifications and training required to obtain a licence;
 - (vi) respecting the keeping of records and data, including the protection of privacy;
 - (vii) prescribing any new terms and conditions of a licence;
- (i) prescribing additional factors for the purposes of subsection 5-6(1);
- (j) prescribing requirements for the forensic and ballistic testing of the firearm for the purposes of subsection 5-9(3);
- (k) prescribing requirements for an approved testing facility for the purposes of section 5-12;
- (l) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
- (m) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

Coming into force

6-9 This Act comes into force by order of the Lieutenant Governor in Council.

THIRD SESSION

Twenty-ninth Legislature

SASKATCHEWAN

BILL

No. 117

An Act respecting Saskatchewan Firearms

Received and read the

First time

Second time

Third time

And passed

Honourable Christine Tell
