



NOVA SCOTIA  
PUBLIC PROSECUTION SERVICE

DOCUMENT TITLE:

**FIREARMS REGISTRATION OFFENCES**

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**NOTE:**

THIS POLICY DOCUMENT IS TO BE READ IN THE CONTEXT PROVIDED BY THE **PREFACE** TO THIS PART OF THE MANUAL.

CERTAIN WORDS AND PHRASES HAVE THE MEANINGS ESTABLISHED IN THE "**WORDS & PHRASES**" SECTION OF THIS PART OF THE MANUAL.

## FIREARMS REGISTRATION OFFENCES

To utilize valuable prosecution resources responsibly and effectively, it is essential that these resources be focused on the prosecution of substantive criminal offences. Only rarely would it be in the public interest to expend prosecution resources in the pursuit of alleged offences arising from the registration scheme relating to rifles and shotguns, unless the possession or use of such firearms was connected to other unlawful activity.

I hereby direct that:

1. Offences under the Firearms Act are not to be prosecuted by members of the Nova Scotia Public Prosecution Service.
2. Where an option exists as to whether a charge should be laid under the Firearms Act or under the Criminal Code, and the contemplated charge arises from an incident not involving any other unlawful activity, prosecutors should advise the police to lay the charge under the Firearms Act.
3. If a Criminal Code registration offence [Section 91(1) or 92(1)] is laid by the police or any other informant, the matter will be referred to the Deputy Director of Public Prosecutions. The Deputy Director will refer the matter to the Federal Prosecution Service for prosecution. If the Federal Prosecution Service declines to prosecute, the charge will not be prosecuted by the provincial prosecution service unless public interest circumstances exist for doing so. Public interest circumstances which may justify proceeding would include such matters as a history of firearms offences, or the blatant disregard of police warnings. Prosecution of such charges will only occur with the approval of the Chief Crown Attorney for the region where the charge arose.

June 3, 2003.