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Imitation Firearms Regulation Act, 2000

[S.O. 2000, Chapter 37](https://www.ontario.ca/laws/statute/s00037)

**Consolidation Period:** From October 8, 2020 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2020, c. 11, Sched. 17, s. 7](https://www.ontario.ca/laws/statute/S20011" \l "BK20).

Legislative History: [2020, c. 11, Sched. 17, s. 7](https://www.ontario.ca/laws/statute/S20011" \l "BK20).

Definitions

**1** In this Act,

“convertible starter pistol” means a device designed for signalling that,

(a) discharges a blank cartridge,

(b) can be adapted for use as a firearm, and

(c) when so adapted can discharge a live cartridge; (“pistolet de départ convertible”)

“deactivated firearm” means a device that,

(a) was designed or adapted to discharge,

(i) a shot, bullet or other projectile at a muzzle velocity exceeding 152.4 metres per second, or

(ii) a shot, bullet or other projectile that is designed or adapted to attain a velocity exceeding 152.4 metres per second, and

(b) has been permanently altered so that it is no longer capable of discharging any shot, bullet or other projectile; (“arme à feu neutralisée”)

“firearm” means a firearm as defined in section 2 of the *Criminal Code* (Canada); (“arme à feu”)

“imitation firearm” includes any object other than a starter pistol to which section 2 applies or a deactivated firearm to which section 3 applies, if the object,

(a) could reasonably be mistaken for a firearm but is not a firearm or a replica firearm as defined in section 84 of the *Criminal Code* (Canada), or

(b) is a firearm but is not designed or adapted to discharge,

(i) a shot, bullet or other projectile at a muzzle velocity exceeding 152.4 metres per second, or

(ii) a shot, bullet or other projectile that is designed or adapted to attain a velocity exceeding 152.4 metres per second; (“fausse arme à feu”)

“transfer” includes provide, barter, give, lend, lease or rent. (“cession”, “céder”) 2000, c. 37, s. 1.

Restriction re transfer

**2** (1)  No person shall buy, receive by transfer, sell or transfer a convertible starter pistol. 2000, c. 37, s. 2 (1).

Search and seizure

(2)  If a person has sold or transferred a convertible starter pistol contrary to subsection (1) or is suspected of having done so, subsection 158 (1) of the *Provincial Offences Act* shall be deemed to permit a justice of the peace issuing a warrant to authorize the police officer or person named in the warrant to search for, seize and carry before a justice of the peace not only the convertible starter pistol that the person sold or transferred but also any other convertible starter pistols in the person’s possession for the purpose of sale or transfer. 2000, c. 37, s. 2 (2).

Offence

(3)  A person who contravenes subsection (1) is guilty of an offence and on conviction is liable to a fine of not more than $50,000. 2000, c. 37, s. 2 (3).

Forfeiture

(4)  If a person is convicted of an offence under subsection (3), the court shall also order any convertible starter pistol seized from that person under subsection (2) or at common law forfeited to the Crown. 2000, c. 37, s. 2 (4).

Restriction re purchase of deactivated firearm

**3** (1)  No individual shall purchase or receive by transfer a deactivated firearm unless he or she is at least 18 years of age and at the time of purchase or receipt presents valid identification in accordance with section 5. 2000, c. 37, s. 3 (1).

Restriction re sale of deactivated firearm

(2)  No person shall sell or transfer a deactivated firearm to an individual unless the individual is at least 18 years of age and presents valid identification in accordance with section 5. 2000, c. 37, s. 3 (2).

Reliance on documentation

(3)  A person who sells or transfers a deactivated firearm to an individual on the basis of the documentation described in section 5 is not in contravention of subsection (2) if there is no apparent reason to doubt the authenticity of the documentation or that it was issued to the individual providing it. 2000, c. 37, s. 3 (3).

Search and seizure

(4)  If a person has sold or transferred a deactivated firearm contrary to subsection (2) or is suspected of having done so, subsection 158 (1) of the *Provin*cial Offences Act shall be deemed to permit a justice of the peace issuing a warrant to authorize the police officer or person named in the warrant to search for, seize and carry before a justice of the peace not only the deactivated firearm that the person sold or transferred but also any other deactivated firearms in the person’s possession for the purpose of sale or transfer. 2000, c. 37, s. 3 (4).

Offence

(5)  A person who contravenes subsection (1) or (2) is guilty of an offence and on conviction is liable to a fine of not more than $25,000. 2000, c. 37, s. 3 (5).

Forfeiture

(6)  If a person is convicted of an offence under subsection (5), the court shall also order any deactivated firearms seized from that person under subsection (4) or at common law forfeited to the Crown. 2000, c. 37, s. 3 (6).

Restriction re sale of imitation firearms

**4** (1)  No person shall, in the course of running a business, sell or transfer an imitation firearm to an individual unless the individual is at least 18 years of age and presents valid identification in accordance with section 5. 2000, c. 37, s. 4 (1).

Exception

(2) Subsection (1) does not apply with respect to a temporary transfer of an imitation firearm to an individual to permit the individual to use the imitation firearm on the business premises or in an area that is under the control of the business. 2000, c. 37, s. 4 (2).

Reliance on documentation

(3)  A person who sells or transfers an imitation firearm to an individual on the basis of the documentation described in section 5 does not contravene subsection (1) if there is no apparent reason to doubt the authenticity of the documentation or that it was issued to the individual providing it. 2000, c. 37, s. 4 (3).

Search and seizure

(4)  If a person has sold or transferred an imitation firearm contrary to subsection (1) or is suspected of having done so, subsection 158 (1) of the *Provincial Offences Act* shall be deemed to permit a justice of the peace issuing a warrant to authorize the police officer or person named in the warrant to search for, seize and carry before a justice of the peace not only the imitation firearm that the person sold or transferred but also any other imitation firearms in the person’s possession for the purpose of sale or transfer. 2000, c. 37, s. 4 (4).

Offence

(5)  A person who contravenes subsection (1) is guilty of an offence and on conviction is liable to a fine of not more than $15,000. 2000, c. 37, s. 4 (5).

Forfeiture

(6)  If a person is convicted of an offence under subsection (5), the court may also order any imitation firearms seized from that person under subsection (4) or at common law forfeited to the Crown. 2000, c. 37, s. 4 (6).

Identification

**5** (1)  Either of the following two types of identification is acceptable for the purposes of sections 3 and 4:

1. Valid identification issued as required by subsection (2) that has the individual’s photograph and age or date of birth.

2. Valid identification issued as required by subsection (2) that has the individual’s age or date of birth and a valid permit issued by the chief firearms officer for Ontario that states that the individual named in the permit may purchase a deactivated firearm, imitation firearm or both, as the case may be, without presenting photo identification. 2000, c. 37, s. 5 (1).

Issuance of identification

(2)  Identification for the purposes of paragraph 1 of subsection (1) must be issued by,

(a) the Government of Canada;

(b) the government of a province or territory in Canada;

(c) a municipality in Canada;

(d) an agency, board or commission of a government or municipality described in clause (a), (b) or (c); or

(e) a foreign government or an agency of a foreign government. 2000, c. 37, s. 5 (2).

Issuance of permit

(3)  The permit described in paragraph 2 of subsection (1) shall be issued to every applicant who is at least 18 years old and who submits to the chief firearms officer for Ontario a document,

(a) stating that the applicant objects on religious grounds to having his or her photograph taken; and

(b) signed by a person who is of the same religion as the applicant and who is eligible under subsection 20.1 (1) or 20.3 (1) of the *Marriage Act* to be registered as a person authorized to solemnize marriage. 2000, c. 37, s. 5 (3); 2020, c. 11, Sched. 17, s. 7.

Same

(4)  The document required under subsection (3) shall be in a form provided or approved by the chief firearms officer for Ontario. 2000, c. 37, s. 5 (4).

**Section Amendments with date in force (d/m/y)**

[2020, c. 11, Sched. 17, s. 7](https://www.ontario.ca/laws/statute/S20011" \l "BK20) - 08/10/2020

**6** Omitted (provides for coming into force of provisions of this Act). 2000, c. 37, s. 6.

**7** Omitted (enacts short title of this Act). 2000, c. 37, s. 7.

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