



Ruger 10/22 10+ Round Capacity Magazine Re-Interpretation Information Sheet

- On July 21st, 2016, the RCMP Criminal Operations Branch released an E Division Broadcast declaring all 10+ round 10/22 magazines as prohibited devices based on the following section of the Criminal Code: *“Specifically, paragraph 3 (1)(b) of the Regulations prohibit a cartridge magazine that is capable of containing more than 10 cartridges of the type for which the magazine was originally designed and that is designed or manufactured for use in a semi-automatic handgun that is commonly available in Canada.”*
- The RCMP interpretation that these magazines are prohibited is incorrect. These magazines were originally designed for use in a semi-automatic rimfire rifle therefore they are not regulated no matter what firearm they may fit into.

Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted

SOR/98-462

Former Cartridge Magazine Control Regulations

3 (1) Any cartridge magazine

(a) that is capable of containing more than five cartridges of the type for which the magazine was originally designed and that is designed or manufactured for use in

(i) a semi-automatic handgun that is not commonly available in Canada,

(ii) a semi-automatic firearm other than a semi-automatic handgun,

(iii) an automatic firearm whether or not it has been altered to discharge only one projectile with one pressure of the trigger,

(iv) the firearms of the designs commonly known as the Ingram M10 and M11 pistols, and any variants or modified versions of them, including the Cobray M10 and M11 pistols, the RPB M10, M11 and SM11 pistols and the SWD M10, M11, SM10 and SM11 pistols,

(v) the firearm of the design commonly known as the Partisan Avenger Auto Pistol, and any variant or modified version of it, or

(vi) the firearm of the design commonly known as the UZI pistol, and any variant or modified version of it, including the Micro-UZI pistol; or

(b) that is capable of containing more than 10 cartridges of the type for which the magazine was **originally designed and that is designed or manufactured for use in a semi-automatic handgun** that is commonly available in Canada.

(2) Paragraph (1)(a) does not include any cartridge magazine that (a) was originally designed or manufactured for use in a firearm that (i) is chambered for, or designed to use, rimfire cartridges,

- While there has been no change in the statute governing the status of these magazines, this new and arbitrary interpretation of it has effectively caused hundreds of thousands of law abiding firearms owners to be in possession of a prohibited device.
- Possession of a prohibited device carries severe criminal and financial penalties, and can result in imprisonment up to 10 years and/or heavy fines. Section 91 & 92 Canadian Criminal Code.

Possession of firearm knowing its possession is unauthorized

92 (1) Subject to subsection (4), every person commits an offence who possesses a prohibited firearm, a restricted firearm or a non-restricted firearm knowing that the person is not the holder of

- (a) a licence under which the person may possess it; and
- (b) in the case of a prohibited firearm or a restricted firearm, a registration certificate for it.

Marginal note:

Possession of prohibited weapon, device or ammunition knowing its possession is unauthorized

(2) Subject to subsection (4), every person commits an offence who possesses a prohibited weapon, a restricted weapon, a prohibited device, other than a replica firearm, or any prohibited ammunition knowing that the person is not the holder of a licence under which the person may possess it.

Marginal note:

Punishment

(3) Every person who commits an offence under subsection (1) or (2) is guilty of an indictable offence and liable

- (a) in the case of a first offence, to imprisonment for a term not exceeding ten years;
- (b) in the case of a second offence, to imprisonment for a term not exceeding ten years and to a minimum punishment of imprisonment for a term of one year; and
- (c) in the case of a third or subsequent offence, to imprisonment for a term not exceeding ten years and to a minimum punishment of imprisonment for a term of two years less a day.

- These magazines, designed for use in one of the most popular sporting rifles in Canada, have been legally sold for decades as a popular accessory, and are used responsibly by a significant numbers of lawful firearms owners.
- The Ruger 10/22 – a .22 rimfire calibre semi-automatic sporting rifle – has been on the market since 1964.
- The RCMP cannot testify as to what firearm these magazines were designed for and evidence shows that the rifle was created first.
- This new and poorly communicated interpretation is based on the existing rifle magazine's ability to fit a restricted firearm (the Ruger Charger, based on the 10/22 platform) which was introduced in 2007. The Charger was introduced long **after** the Ruger 10/22 magazines in question were designed and commonly available in Canada.
- Administrative re-classifications or re-interpretations such as this contribute in no way to the enhancement of public safety, and criminalize law abiding firearms owners which are statistically one of the safest demographics in the country.
- Some Provincial Crown Counsels are refusing to approve charges as they agree these magazines are not prohibited devices. This is a situation where the RCMP is acting alone and not only changing their interpretation of the law, but using the resources entrusted to them to inappropriately act on it.
- Facing appropriate criticism, the RCMP had recently changed their story and said that these magazines were always prohibited. This is not true. They have been legally imported for decades and been sold at hundreds of RCMP-licensed (and frequently inspected) firearm businesses. These include large retailers like Walmart and Cabelas. RCMP officers themselves own these magazines including employees of the RCMP Specialized Firearms Laboratory.
- The RCMP must not be allowed to revise their statements and positions nor simply declare what is legal or illegal. This is dishonest and is incredibly corrosive to Canada's institutions. No public safety benefit exists concerning this action nor is there any need for this conflict. This action damages the relationship between millions of Canadians and the RCMP.
- A positive relationship between police and the citizenry is **foundational** to maintaining our society and must be respected.

For more information, refer to:

[CCFR Press Release on Ruger 10/22](#)

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