

# FIREARMS LEFT IN AN ESTATE

## IF YOU ARE THE EXECUTOR

While the *Firearms Act* states how firearms may be transferred and who may have them, estate laws, which may vary in each province, determine the role of the executor.

As the executor of an estate with firearms, you are responsible for ensuring the firearms are transferred and registered to a properly licensed individual or business, or disposed of in a safe and lawful manner within a reasonable length of time. Until such time, you must ensure that the firearms are safely stored.

The executor must also determine if a valid firearms licence and registration certificate exist. Should either document not exist at the time death, the Canada Firearms Centre (CAFC) will work with you to resolve this situation.

Please note, if a court has prohibited you from possessing firearms, you cannot take possession of firearms left in an estate. However, you are able to act as executor in transferring the firearms to someone who can lawfully acquire them.

For information on a firearm that is registered to someone else, or to transfer a firearm to someone else, you must provide documentation that you are in a lawful position to do so.

## IF YOU ARE THE HEIR

To acquire a firearm through inheritance, an individual must be 18 years of age and hold a valid Possession and Acquisition Licence (PAL) with the appropriate privileges (non-restricted, restricted, prohibited). Individuals who have a Possession-Only Licence (POL) cannot acquire the firearm(s) until they upgrade their licence to a PAL. Businesses must have a valid firearms business licence to acquire firearms.

When a firearm is transferred to a new owner, a specific process is followed. This ensures that the new owner is eligible to have the firearm, the Chief Firearms Officer (CFO) for the province or territory and Registrar of Firearms are notified of the transfer and the firearm is registered to the new owner.

## UNWANTED FIREARMS

If there is no eligible heir, or if the heir does not wish to inherit a firearm, the estate may:

- sell or give the firearm to any individual, museum or business with a licence to acquire that particular type of firearm through the official transfer process; or
- export it to a country that allows it: please call the Department of Foreign Affairs and International Trade at 1 800 267-8376 for information on requirements for an export permit; or
- have the firearm permanently deactivated so that it no longer meets the definition of a firearm, and therefore, is exempted from the requirements of the *Firearms Act*; or
- turn the firearm in to a police officer or firearms officer for disposal: Please call first to arrange for disposal.

## ADDITIONAL INFORMATION

Should you require more information, please contact us by phone or visit the Fact Sheets Section of our (CAFC) website or at the number provided below.

1 800 731-4000

[www.cfc-cafc.gc.ca](http://www.cfc-cafc.gc.ca)

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