

NOVA SCOTIA COURT OF APPEAL

Citation: *Waye v. Nova Scotia (Provincial Firearms Office)*, 2013 NSCA 154

Date: 20131220

Docket: CA 416730

Registry: Halifax

Between:

Laurie Richard Waye

Appellant

v.

Allan B. Hearn, Chief Firearms Officer for Nova Scotia

Respondent

Judges: Fichaud, Farrar and Scanlan, JJ.A.

Appeal Heard: November 27, 2013, in Halifax, Nova Scotia

Subject: Judicial review of Chief Firearms Officer's Denial of Authorization to Carry a firearm under the *Firearms Act* of Canada

Summary: Mr. Waye wished to use a .22 calibre handgun in connection with his occupation as a licensed trapper. He needed an Authorization to Carry under the *Firearms Act* of Canada. The Chief Firearms Officer denied Mr. Waye's application for the Authorization. A judge of the Supreme Court of Nova Scotia denied Mr. Waye's application for judicial review. Mr. Waye appealed to the Court of Appeal.

Issue: Did the judge err in selecting the reasonableness standard of review or in her conclusion that the Chief Firearms Officer's conclusion was reasonable?

Result:

The Court of Appeal dismissed the appeal. The judge correctly selected and applied the reasonableness standard of review. The Chief Firearms Officer's ruling was within the range of permissible outcomes under his authority from s. 20 of the *Firearms Act* and Regulation 3 of the *Authorizations to Carry Restricted Firearms and Certain Handguns Regulations* under the *Firearms Act*, and was consistent with the provisions of the *Wildlife Act* of Nova Scotia and the *Firearm and Bow Regulations* under the *Wildlife Act*.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 10 pages.