



Consultations on Proposed Regulations Amending the Firearms Licences Regulations – Protection Orders (March 2026)

**Brief submitted by
the National Association of Women and the Law**

And endorsed by

PolySeSouvient	Danforth Families for Safe Communities
Women’s Shelters Canada	Plaidoyer Victimes
YWCA BC	Canadian Council of Muslim Women
Action Canada for Sexual Health and Rights	Ottawa Victim Services
Fédération des femmes du Québec	Public Legal Education Association of Saskatchewan
WomenatthecentrE	Provincial Association of Transition Houses and Services of Saskatchewan
Sexual Assault Centre Kingston	Manitoba Association of Women’s Shelters
Ending Sexual Violence Association of Canada	Kamloops Sexual Assault Counselling Centre
Canadian Federation of University Women	

About NAWL

The National Association of Women and the Law (NAWL) is an award-winning organization dedicated to advancing women's rights in Canada through feminist law reform advocacy.

Since its creation over 50 years ago, NAWL has had a major role in achieving significant milestones for women's rights, including in the areas of criminal, family, health and constitutional law.

Since 2022, NAWL has been heavily involved in the study, adoption, and advocacy for enforcement of former Bill C-21.

Summary

This brief responds to the Government of Canada's second consultation on the definition of protection orders for the purpose of the *Regulations Amending the Firearms Licences Regulations*. In our view, the regulations must define "protection order" to include **any** order made by a court or other competent authority for the safety or security of a person, without limiting the definition to peace bonds or to civil orders. Parliament deliberately adopted a broad definition in former Bill C-21 to ensure that all binding protection orders – civil or criminal – would trigger licence revocation. By proposing to exclude all criminal protection orders except peace bonds from the definition of "protection order", the Government contradicts clear legislative intent, risks exceeding its delegated authority, and arbitrarily puts women's safety at risk. A comprehensive definition covering *all* protection orders is necessary to respect Parliament's will and to ensure consistent, meaningful protection for women.

Legislative Intent is Clear

In 2023, the House of Commons' Standing committee on Public Safety and National Security studied former Bill C-21, receiving 105 witnesses and devoting 18 meetings to the study.

During the study of the bill, **Members of Parliament made the deliberate choice to constrain regulatory powers by defining protection orders as "any binding order" made for the protection of a person.** Instead of keeping a subsection that merely stated: "protection order has the meaning assigned by the regulations," they included a broad definition:

protection order has the meaning assigned by the regulations but **is intended to include any binding order** made by a court or other competent authority in the interest of the safety or security of a person; this includes but is not limited to orders that prohibit a person from:

- (a) being in physical proximity to an identified person or following an identified person from place to place;

- (b) communicating with an identified person, either directly or indirectly;
- (c) being at a specified place or within a specified distance of that place;
- (d) engaging in harassing or threatening conduct directed at an identified person;
- (e) occupying a family home or a residence; or
- (f) engaging in family violence. (*ordonnance de protection*)

It is rare for Parliament to signal its intent in such an explicit way, deliberately preventing the executive branch from restricting legislative protections. [The record](#) clearly indicates that this was done **to ensure all protection orders would be covered**. Members did not want to fully define protection orders in the bill, fearing they would miss some, but they also heard the call from the [National Association of Women and the Law](#) to include the broadest possible definition rather than leaving it up to the regulations.

Despite Members of Parliament having already defined protection orders, it took over a year after Royal Assent before the Government started the process of adopting regulations. In March 2025, the Government consulted on a definition of protection orders that would limit them to “civil order[s] made ... in the interests of the safety or security of a person”. This definition thus excluded all orders that were not civil in nature. A new consultation now suggests the government is considering including peace bonds, but no other criminal order, to the definition of “protection order”.

Because the proposed definitions are so clearly contrary to explicit Parliamentary intent, the regulations may not even be legally valid. As described in the Government of Canada’s own [Guide to making Federal Acts and Regulations](#), “Regulations must stay within the scope of the authority that the enabling Act grants and must not conflict with it or restrict or extend the scope of its application.” In other words, regulations must be written in a way that respects the limits of delegated authority, since they are not made by Parliament.

Still missing the mark on protecting women

In March 2025, NAWL participated in consultations to explain the need to cover all protection orders in the definition. We explained that

- 1) The choice to exclude criminal orders such as peace bonds puts women at risk;
- 2) The narrow definition does not reflect the legislative intent of former Bill C-21 or respect the scope of delegated authority;
- 3) The exclusion of criminal orders such as peace bonds is illogical.

NAWL was clear in its submission that **“the word ‘civil’ should be removed from the definition.”** This would ensure that the definition in regulations match the definition in the law.

Another year has passed, and now **this [new consultation](#) suggest that the Government still intends to restrict protections for women by contradicting clear legislative intent.** Indeed, instead of consulting on whether to include all protection orders in the definition, a piecemeal approach is proposed, where only peace bonds would be included. As NAWL has stated before, **government must respect democratically adopted legislation and write regulations that are legally valid under that framework. This entails defining protection orders as *any* order made for protection, rather than limiting to a few types of orders.**

Arbitrary distinction

The choice to allow protection where there is no criminal conviction (810 orders), but not in other circumstances where criminal protection orders are made is arbitrary. All protection orders made to protect someone from another person signal danger. Therefore, all protection orders should come with the automatic revocation of the person's firearms licence. It is not clear why this Government would choose to arbitrarily include some and exclude other protection orders, twisting the law to rob some women of an important safety measure.

Protection orders that are excluded from the proposed definition include the following:

- Bail release orders: When someone is charged with a crime and not released by the police, they are held for a bail hearing. If bail is granted, the court issues a release order. This release order may include safeguards against family violence and thus be a form of criminal protection order that meets the definition of protection order in the legislation, but not in the proposed regulations.
- Probation order: A probation order is a criminal order made when sentencing a person convicted of a crime. A probation order may include conditions that seek to prevent intimate partner violence, including no-contact conditions.
- [Bill C-16](#), which was recently introduced by this Government, even allows for new protection orders to be made by the Parole Board of Canada (section 188 of the bill) as well as when an offender is convicted or discharged with regard to certain offences (section 69 of the bill).

While some criminal protection orders will overlap with the ineligibility of holding a firearms licence for people convicted of violent offences, that will not always be the case. There is therefore no reason to deny victims whose abuser is subject to a protection order the safety measure of license revocation.

Women's safety at risk

Whether issued in a civil or criminal context, protection orders are made because a court has identified a need to protect someone from harm. This includes bail release orders and probation orders that include no-contact or family violence conditions.

Excluding these orders creates an arbitrary and dangerous distinction. A survivor who has obtained a peace bond where no charges were laid will be protected by the automatic license revocation, while a survivor whose abuser has been charged and released on bail with similar no-contact conditions may not.

Given the well-documented link between firearms access and intimate partner violence and femicide, failing to include all protection orders weakens a key prevention mechanism. Survivors should not be left with less protection because of the procedural path their case followed.

Proposed solution

The only way to respect legislative intent and protect women’s safety is to remove the word “civil” from the definition of “protection orders”, such that the definition is as follows:

For the purposes of the Act, *protection order* means an order made by a court or other competent authority in the interests of the safety or security of a person, including an order that prohibits the person from

- (a) being in proximity to an identified person or following that person from place to place;
- (b) communicating with an identified person, either directly or indirectly;
- (c) being at a specified place or within a specified distance of that place;
- (d) engaging in harassing or threatening conduct directed at an identified person;
- (e) occupying a family home or a residence;
- (f) engaging in *family violence* as defined in subsection 2(1) of the *Divorce Act*; or
- (g) engaging in *domestic violence* as defined in subsection 70.1(2) of the Act.

(2) In subsection (1), *other competent authority* means a justice of the peace or a council, government or other entity that is authorized to act on behalf of an Indigenous group, community or people that holds rights recognized and affirmed by section 35 of the *Constitution Act, 1982*.

Conclusion

A year ago, NAWL concluded its brief with the following:

“Former bill C-21 was a government bill. It passed after an extensive study period. Now at the regulatory stage, there should be no space for putting women’s lives at risk by bypassing the legislative intent of key (and clear) domestic violence provisions.”

NAWL has been raising the importance and urgency of preparing regulations on protection orders since 2022, when it warned the government that regulations should be ready to go as soon

as Bill C-21 was adopted. With that advice, NAWL hoped to ensure women's safety would not be delayed as it has been, for over two years. We have been met with delay after delay, and now curtailing after curtailing of protections meant to ensure women's safety.

If the government fails to include all protection orders in these regulations, women and children will remain at greater risk of intimate partner gun violence.

How many more years and consultations before the Government finally operationalizes a democratically adopted life-saving measure, in a way that respects Parliament's intent to protect women's safety?