

**INSPECTION REPORT
CZECH SMALL ARMS
MODEL SA VZ.58 SPORTER
SERIAL NUMBER - 5800327CA
CASE NUMBER GFC-2000-7-1-145026**

2014-08-26

SUBJECT AND PURPOSE OF INSPECTION

Czech Small Arms (CSA), Model SA VZ58 Sporter, 7.62 serial number 5800327CA.



Fig -1

RCMP - Specialized Firearms Support Services (SFSS) requested an inspection to determine the legal classification of the subject firearm.

DESCRIPTION

The firearm as received at Specialized Firearms Support Services Section was missing the upper and lower, front hand guards:

Make: Czech Small Arms
Manufacturer: Czech Small Arms (CSA)
Model: SA VZ58 Sporter 7.62
Caliber: 7.62X39MM RUSSIAN
Barrel length: 303mm
S/N: 5800327CA
FRT #: 145026
Fin: 12149761
Certificate: 17492954

FINDINGS



Fig -2 CSA, Model SA VZ58 Sporter, 7.62 serial number 5800327CA



Fig -3 CSA, Model SA VZ58 Sporter, 7.62 Rifle Serial Number 5800003CA

1. The CSA, Model SA VZ58 Sporter, undergoing inspection by SFSS is essentially a CSA, Model SA VZ 58 Sporter 7.62 rifle (which can be found at FRT # 132489) with the buttstock and the upper and lower hand guards removed (as shown in **Fig -2**) compared to the **Fig -3** rifle version with folding butt-stock (that was inspected in 2010 file GFC-2000-7-1-132489).
2. The CSA Model SA VZ58 Sporter, S/N 5800327CA was exported by Czech Small Arms located in the Czech Republic to a business known as “CZECHPOINT” located in Knoxville, TN, USA, as a “Pistol” and then CZECHPOINT exported this firearm to Canada where it ultimately ended up in the possession of Mr Edward Osborne as a “restricted rifle”.

3. Mr Edward Osborne is in the process of registering this firearm as a “hand gun” with a ten shot magazine. It should be noted that the CSA, Model SA VZ58 Sporter 7.62 S/N 5800327CA had an upper and lower hand guard fitted when the documentation was processed by SFSS – FTU-Leikin for Registration as a “handgun” before the firearm was sent to SFSS for inspection. The attempt to register this firearm as a “handgun” and not a “restricted rifle” is the event that triggered this inspection.
4. The CSA, Model SA VZ58 Sporter 7.62 firearm undergoing inspection was imported into USA as a “pistol”. The sole difference between the short barreled “restricted” rifle and the “pistol” is the removal of the stock and insertion of a cover plate having the sling swivel nut welded in place so the cover plate cannot be easily removed. It is conceded that the firearm undergoing inspection is a “handgun” adapted from a “restricted” rifle.
5. It should also be noted that the term “Pistol” in the CSA model designation is an artifice or contrivance tailored to United States of America Legal requirements for the purpose of avoiding the requirement to pay a “transfer Tax” on short barreled rifles. The model designation of “pistol” carries with it no such requirement or penalties under Canadian law; further these legal requirements have no applicability in Canada. The firearm under inspection is a “handgun” which has been adapted from a “restricted” rifle and remains in the “restricted” legal class as a “handgun”.

CONCLUSIONS

1. The Czech Small Arms, Model SA VZ58 Sporter 7.62, serial number 5800327CA is a purpose built centre-fire, semi-automatic firearm which may be found at Firearms Reference Table Record # 145026. This firearm, although it fits the CC definition of “handgun” is adapted from a rifle that has had the butt stock removed and the butt-stock mounting point filled with an adaptor block.
2. The CSA, Model SA VZ58 Sporter 7.62, serial number 5800327CA is a “handgun” that is “restricted” for two reasons; a) by barrel length of 303mm with an over-all length of less than 660mm; and, b) by the definition of “handgun”.
3. The Criminal Code PART III, S. 84 definition of “restricted” firearm; ***restricted firearm means*** “ (a) a handgun that is not a prohibited firearm, (b) a firearm that (i) is not a prohibited firearm, (ii) has a barrel length less than 470mm in length, (iii) is capable of discharging centre-fire ammunition in a semi-automatic manner, (c) a firearm designed or adapted to be fired when reduced to a length of less than 660mm by folding, telescoping or otherwise, or (d) a firearm of any other kind that is prescribed to be a restricted firearm;
4. The Criminal Code PART III, S. 84 definition of “handgun”; ***handgun means*** “a firearm that is designed or intended to be aimed and fired by action of one hand, whether or not it has been redesigned or subsequently altered to be aimed and fired by the action of both hands.”

5. As the firearm in question, serial number 5800327CA, is a “handgun”, adapted from a rifle it follows that the ten shot cartridge magazine portrayed as a “pistol” cartridge magazine is indeed a rifle cartridge magazine.
6. The cartridge magazine received with the CSA, Model SA VZ58 Sporter 7.62, serial number 5800327CA is capable of containing ten (10) cartridges of the kind or type for which the cartridge magazine was designed. A semi –automatic rifle cartridge magazine it is considered to be a “prohibited device” unless reduced to a capacity of 5 shots or less. Cartridge magazine capacities are covered by CC PART III, Section 84 Part (4) titled the "Former Cartridge Magazine Control Regulations" paragraph 3, 1 (a).
7. It is not legally permitted for a member of the general public to come into possession of a “prohibited device”. RCMP-SFSS cannot return the ten shot rifle cartridge magazine to Mr Edward Osborne’s possession.

REPORT REVIEWED BY

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