

T-1194-96

OTTAWA, ONTARIO, THIS 28th DAY OF MAY 1997
BEFORE THE HONOURABLE MR. JUSTICE ROULEAU

IN THE MATTER OF THE *Citizenship Act*,
R.S.C. 1985, c. C-29,

AND IN THE MATTER OF an appeal from a decision
of a Citizenship judge,

AND IN THE MATTER OF

Sitki Olgun,

Appellant.

JUDGMENT

The appeal is dismissed.

"P. ROULEAU"

JUDGE

Certified true translation

C. Delon, LL.L.

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REASONS FOR JUDGMENT

ROULEAU J.

The appellant has appealed the decision of the citizenship judge dated March 29, 1996, denying him Canadian citizenship on the ground that he had not proved that he had an adequate knowledge of either of the two official languages, as required by paragraph 5(1)(d) of the Act and section 14 of the Regulations. The Citizenship judge decided not to recommend to the Minister, pursuant to subsection 15(1) of the Act, that he exercise his discretion under subsection 5(3) or (4) in order to grant citizenship on compassionate grounds or because of a case of special hardship.

Since appeals filed in the Federal Court under subsection 14(5) of the *Citizenship Act* are appeals *de novo*, I may consider all of the evidence before me, including the testimony of the appellant and of any other witness.

The appellant was born in Denizli, Turkey, on February 20, 1955. He entered Canada with his wife for the first time on December 12, 1986, and they were both granted permanent resident status on March 2, 1991, at Mirabel. Since their arrival in Canada, Mr. Olgun and his wife have always lived in Montréal.

Mr. Olgun appeared before me at Montréal on May 13, 1997. He seemed to understand French and was able to answer a few general questions. Unfortunately,

when I questioned him as to his knowledge about Canada it became apparent that his knowledge of French is not adequate to express himself properly.

Accordingly, the appeal is dismissed.

"P. ROULEAU"

JUDGE

OTTAWA, Ontario
May 28, 1997

Certified true translation

C. Delon, LL.L.

FEDERAL COURT OF CANADA
TRIAL DIVISION

NAMES OF COUNSEL AND SOLICITORS OF RECORD

COURT FILE NO: T-1194-96

STYLE OF CAUSE: CITIZENSHIP v. SITKI OLGUN

PLACE OF HEARING: MONTRÉAL, QUEBEC

DATE OF HEARING: MAY 13, 1997

REASONS FOR JUDGMENT OF ROULEAU J.

DATED MAY 28, 1997

APPEARANCES:

SITKI OLGUN FOR HIMSELF

JEAN CAUMARTIN AMICUS

SOLICITORS OF RECORD:

JEAN CAUMARTIN AMICUS