

QUÉBEC, QUEBEC, THIS 10th DAY OF FEBRUARY 1997

CORAM: THE HONOURABLE MR. JUSTICE MARCEAU
THE HONOURABLE MR. JUSTICE HUGESSEN
THE HONOURABLE MADAME JUSTICE DESJARDINS

BETWEEN: MICHEL FECTEAU,

Applicant,

- AND -

ATTORNEY GENERAL OF CANADA,

Respondent,

- AND -

THE HONOURABLE ELMER SMITH, Umpire, Office of the Umpire,

Mis en cause.

J U D G M E N T

This application for review is dismissed.

Louis Marceau
J.A.

Certified true translation

C. Delon, L.L.L.

CORAM: MARCEAU J.A.
HUGESSEN J.A.
DESJARDINS J.A.

BETWEEN:

MICHEL FECTEAU,

Applicant,

- and -

ATTORNEY GENERAL OF CANADA,

Respondent,

- and -

**THE HONOURABLE ELMER SMITH, Umpire,
Office of the Umpire,**

Mis en cause.

Hearing held at Québec, Quebec, on Monday, February 10, 1997.

Judgment delivered from the bench on February 10, 1997.

REASONS FOR JUDGMENT OF THE COURT BY:

MARCEAU J.A.

CORAM: MARCEAU J.A.
HUGESSEN J.A.
DESJARDINS J.A.

BETWEEN:

MICHEL FECTEAU,

Applicant,

- and -

ATTORNEY GENERAL OF CANADA,

Respondent,

- and -

**THE HONOURABLE ELMER SMITH, Umpire,
Office of the Umpire,**

Mis en cause.

REASONS FOR JUDGMENT OF THE COURT

(Delivered from the bench at Québec, Quebec,
on Monday, February 10, 1997)

MARCEAU J.A.

It is clear that the only issue in this application for judicial review is purely a question of the assessment of the facts and circumstances in which the applicant made the false statements for which he has been penalized, and the Court has no ground for intervening in the decision of the Board of Referees, which was affirmed by the umpire.

The application must be dismissed.

"Louis Marceau"
J.A.

Certified true translation

C. Delon, LL.L.

FEDERAL COURT OF APPEAL

A-182-96

BETWEEN:

MICHEL FECTEAU,

Applicant,

- and -

ATTORNEY GENERAL OF CANADA,

Respondent,

- and -

**THE HONOURABLE ELMER SMITH, Umpire,
Office of the Umpire,**

Mis en cause.

**REASONS FOR JUDGMENT
OF THE COURT**

**FEDERAL COURT OF CANADA
COURT OF APPEAL**

NAMES OF COUNSEL AND SOLICITORS OF RECORD

COURT FILE NO: A-182-96

STYLE OF CAUSE: Michel Fecteau v. Attorney General of Canada et al.

PLACE OF HEARING: Québec, Quebec

DATE OF HEARING: February 10, 1997

REASONS FOR JUDGMENT OF THE COURT (Marceau, Hugessen & Desjardins JJ.A.)

DELIVERED FROM THE BENCH BY: Marceau J.A.

APPEARANCES:

Léonce-E. Roy	FOR THE APPLICANT
Carole Bureau	FOR THE RESPONDENT

SOLICITORS OF RECORD:

Léonce-E. Roy	FOR THE APPLICANT
George Thomson Deputy Attorney General of Canada Ottawa, Ontario	FOR THE RESPONDENT