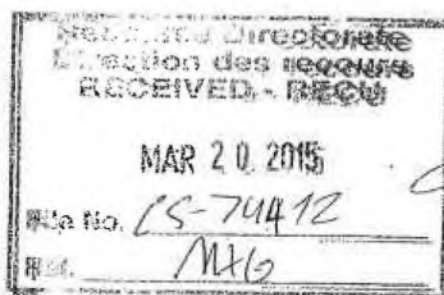


Radu Hociung

226 Willowdale Ave, Waterloo, ON, Canada, 3M1 N2J
☎ (519) 883-8454 ✉ radu.vs-cbsa-Oct21-2014@ohmi.org

Radu Hociung, 226 Willowdale Ave, Waterloo, ON, Canada, 3M1 N2J

Canada Border Services Agency
Recourse Directorate
1686 Woodward Drive
Ottawa ON K1A 0L8



03/17/15

Subject: Request for a Ministerial Decision CS – 74472 / 4273-14-0724

Mr. Gagnon,

Thank you for your letter dated March 9, 2015. Based on the content of this letter, it appears you have not yet reviewed the documentation that has already been provided as part of this request for ministerial decision, and that as a response, you have provided an argument based on poor reading comprehension.

You quoted the PCMLTFR's definition of "cash", but you (or the "Legal Services Unit") made an important reading comprehension error. The correct phrase, as given by the text of PCMLTFR, is "intended for circulation **in Canada**", followed by "**or** coins or bank notes of countries other than Canada". In plain English, "cash", according to PCMLTFR is:

- Canadian coins and notes that are intended for circulation in Canada **or**,
- foreign coins and bank notes.

I.e., the "intended for circulation in Canada" part applies only to currency issued under the authority of the Currency Act (ie, Canadian currency), while the "**or** coins or bank notes of countries other than Canada" part, which you disregarded, applies to my coins.

Please take note of the fact that the part that applies to foreign currency **does not include any circulation requirements**.

Your error is that you shortened the full phrase to "intended for circulation" and completely ignored the second half of the definition which deals with foreign currency. Due to this error, the remainder of your argument is nonsensical, as you imply that there exist foreign coins that are indeed "intended for circulation" in Canada. Surely you can see the fallacy in your interpretation, as other countries cannot issue currency for circulation in Canada. The other fallacy of your interpretation, is that no foreign currency can be considered "cash", as it is not intended for circulation (in Canada, as the full definition provides). I do not believe it can be concluded that Parliament's intent is to only subject Canadian currency to the PCMLTFA, and treat all other currencies as "goods", though this is what you effectively claim.

Radu Hociung

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It is my understanding that you made the representations in your letter in support of, and with the intent of obtaining from me a payment of \$1606.97. Please confirm this understanding.

Additionally, my coins are U.S. Legal tender, and thus "intended for circulation". See my previous correspondence for references to the applicable U.S. Legislation. Furthermore, even the Canadian equivalent gold and silver coins are issued as under the authority of the Currency Act and "intended for circulation", which is plainly and explicitly stated by the Finance Minister in a sworn affidavit which you will also find in my previous correspondence.

Sincerely

Radu Hociung

Kado Hosiway
226 WILLOWDALE AVE
WATERLOO, ON
N2J 3M1

1503180927
3805 MAL

