

Federal Court of Appeal



Cour d'appel fédérale

Date: 20190807

Docket: A-102-18

Ottawa, Ontario, August 7, 2019

CORAM: GAUTHIER J.A.  
WEBB J.A.  
RIVOALEN J.A.

BETWEEN:

RADU HOCIUNG

Appellant

and

MINISTER OF PUBLIC SAFETY AND  
EMERGENCY PREPAREDNESS

Respondent

**JUDGMENT**

The appeal is granted in part as follows: the judgment of the Federal Court dismissing the action in its entirety is quashed. The matter is returned to the Federal Court for determination of which claims and relief can be properly dismissed on the basis that Mr. Hociung had contravened section 12 of the *Customs Act* and the CBSA was entitled to seize these goods under the said Act, and any other order the Federal Court may choose to issue under Rule 215(3).

"Johanne Gauthier"

J.A.