

**CIVIL AVIATION TRIBUNAL**

BETWEEN:

**Minister of Transport, Appellant**

- and -

**James Edward Garrow, Respondent**

**LEGISLATION:**

*Aeronautics Act, R.S., c. 33 (1st Supp), s. 7.7*

*Canadian Aviation Regulations, SOR/96-433, ss. 202.13(2), 406.05(1), 406.05(2), 606.02(8)*

**Ultra-Light Aircraft, Insurance, Increase of Monetary Penalty, Failure to Appear at Hearing, Certificate of Registration**

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**Appeal decision**

**Allister W. Ogilvie, Samuel J. Birenbaum, Suzanne Racine**

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**Decision: December 28, 2001**

*In view of the Appellant's failure to appear, there was no case for the Respondent to meet. We determined that the Appeal was to be dismissed, and that the Review Determination be upheld. The total amount of \$2,850.00 is to be made payable to the Receiver General for Canada and must be received by the Civil Aviation Tribunal within fifteen days of service of this determination.*

In accordance with a duly served Notice of Hearing, a hearing was convened to address the Appeal filed by Mr. James Edward Garrow of the Review Determination rendered by Tribunal Member, Mr. Philip Jardim, dated June 25, 2001.

The hearing convened at 10:00 a.m., December 13, 2001, in Toronto, Ontario. The Respondent Minister of Transport was represented by Mr. G. Hector. The hearing was adjourned until 10:15 to allow for a possible late appearance. During that time, it was verified that the Tribunal's registrar had not received any message from Mr. Garrow regarding his absence.

The hearing reconvened at 10:15 a.m. In view of the Appellant's failure to appear, there was no case for the Respondent to meet. We determined that the Appeal was to be dismissed, and that the Review Determination be upheld.

Reasons for the appeal determination:

Allister Ogilvie, Chairperson

Concurred:

Dr. Samuel Birenbaum, Member

Suzanne Racine, Member