



**IN THE COURT OF MAGISTRATES (MALTA)  
AS A COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE NATASHA GALEA SCIBERRAS B.A., LL.D.**

**Today: 15<sup>th</sup> November 2017**

**The Principal Immigration Officer  
(Inspector Darren Buhagiar)**

**vs**

**Eduardo Aquino Dumalag**

The Court,

Having seen the charges brought against Eduardo Aquino Dumalag, 48 years, Filipino national, son of Custango and Victoria, born in Gingoog Mis Or, Philippines on 29<sup>th</sup> December 1968, residing at 8, Triq Hal-Saflieni, Paola and holder of Philippines passport number EC7499538;

Charged with having in the year 2017 in Malta:

While having in his possession a document issued by a competent authority, that is a Philippines passport bearing number EC7499538 issued in the name of Eduardo Aquino Dumalag, had transferred this document to another person, or received this document which was transferred to him by another person (Chapter 61, Sec 3 of the Laws of Malta);

Having seen the records of the case;

Having heard the accused plead guilty to the charge brought against him, which plea was confirmed by the accused even after the Court, in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences thereof, and allowed him sufficient time to reconsider his reply and to retract it;

Having heard final oral submissions by the parties about the punishment to be inflicted.

**Considered that:**

In view of the guilty plea filed by the accused, the Court cannot but find him guilty of the charge brought against him.

For the purpose of the punishment to be inflicted, the Court took into account the clean criminal record of the accused, his early guilty plea and that he cooperated with the police during its investigation. It also took into consideration the nature of the offence of which accused is being found guilty and the circumstances of the case and that the Prosecution informed the Court that the accused shall be returned to his country of origin on the first available flight.

**Conclusion**

For these reasons the Court, after having seen Section 3 of Chapter 61 of the Laws of Malta, upon his guilty plea, finds the accused guilty of the charge brought against him and condemns him to five (5) months imprisonment, which by application of Section 28A of Chapter 9 of the Laws of Malta, is being suspended for a period of eighteen (18) months from today.

The Court explained to the accused, in clear and simple terms, the legal consequences of this judgement should he commit any other offence punishable by imprisonment, within the operative period of the suspended sentence.

Natasha Galea Sciberras  
Magistrate