



**Court of Magistrates (Malta)  
As a Court of Criminal Judicature**

**Magistrate Dr. Doreen Clarke LL.D.**

**Today, 16<sup>th</sup> April 2018**

**The Police  
(Inspector Frank Anthony Tabone)  
vs  
Mohamed Omar Isse**

The Court,

Having seen the charges against Mohamed Omar Isse, and holder of Identity Card number 128641A.

Charged him with having in these islands on the 15<sup>th</sup> April 2018 and on the previous days:-

- a. Produced, sold or otherwise dealt with the whole or any portion of the plant Cannabis in terms of section 8(e) of the Chapter 101 of the Laws of Malta;
- b. Had in his possession (otherwise than in the course of transit through Malta of the territorial water thereof) the whole or any portion of the plant Cannabis in terms of section 8(d) of the Chapter 101 of the Laws of Malta, which drug was found under circumstances denoting that it was not intended for his personal use;

- c. Had in his possession the drugs (cocaine) specified in the First Schedule of the Dangerous Drug Ordinance, Chapter 101 of the Laws of Malta, when he was not in possession of an import or an export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of paragraphs 4 and 6 of the Ordinance, and when he was not licensed or otherwise authorised to manufacture or supply the mentioned drugs, and was not otherwise licensed by the President of Malta or authorised by the Internal Control of Dangerous Drugs Regulations (G.N.292/1939) to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs was supplied to him for personal use, according to a medical prescription as provided in the said regulations, and this in breach of the 1939 Regulations, of the Internal Control of the Dangerous Drugs (G.N. 292/1939) as subsequently amended by the Dangerous Drugs Ordinance Chapter 101, of the Laws of Malta which drug was found under circumstances denoting that it was not intended for his personal use;
- d. Committed these offences in, or within 100 meters of the perimeter of a school, youth club or centre, or such other place where young people habitually meet in breach of Article 22(2) of the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta.

Having seen the order of the Attorney General for these proceedings to be heard summarily by this Court sitting as a Court of Criminal Judicature.

Having seen that the defendant admitted the charges brought against him, and that he confirmed this admission of guilt even after having been given time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

Having heard the submissions regarding the penalty to be meted out.

Having considered

That defendant admitted the charges brought against him; these are consequently sufficiently proven.

With regards to the penalty to be meted out the Court took into consideration the nature of the offences of which the defendant is being found guilty, his cooperation with the investigating officer, his admission at the earliest stage of these proceedings and his clean conviction sheet.

Wherefore the Court, after having seen sections 8(d)(e), as well as parts 4 and 6 and section 22(2) of Chapter 101 of the Laws of Malta and the regulations of Legal Notice 292 of the year 1939, on his admission finds defendant guilty of the charges brought against him and condemns him to nine (9) months imprisonment and to a fine of seven hundred Euros (€700). The Court is ordering the destruction of the substance, formally exhibited by the prosecuting officer, under the supervision of Registrar of this Court.

**DR. DOREEN CLARKE**  
**MAGISTRAT**