



MALTA

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

**MAGISTRATE
DR. CHARMAINE GALEA**

Today, 1st of January 2019

**The Police
(Inspector Lianne Bonello)**

Vs

**Enzo Giovanni Romano
(American Passport number 485321057 and
Italian Passport number YB3896057)**

The Court;

Having seen that the offender **Enzo Giovanni Romano** was charged with having, in these Islands, on the 31st December 2018, at about 13.00pm, at the Malta International Airport, Gudja, failed to declare to the Comptroller of Customs, that he was carrying a sum equivalent to Euro10,000 or more in cash, whilst entering Malta, in breach of Article 3 of Subsidiary Legislation 233.07 (Cash Controls Regulations) of the External Transactions Act (Chapter 233 of the Laws of Malta).

The Court was kindly requested that in case of a finding of guilt of the accused, apart from inflicting the punishment prescribed at Law, also orders the forfeiture of all the objects exhibited in these proceedings.

The Court was also kindly requested that, in pronouncing judgement or in any subsequent order, sentence the person/s convicted, jointly or severally, to the payment, wholly or in part, to the Registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in such amount as shall be determined in the judgment or order, as per Section 533 of Chapter 9 of the Laws of Malta.

Having seen the consent of the Attorney General in terms of Regulation 3 (6) of Subsidiary Legislation 233.07;

Having seen the documents exhibited by the Prosecution;

Having heard the offender plead guilty to the charge at an early stage of the proceedings, which guilty plea was confirmed by the same offender after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences of that guilty plea, and allowed him sufficient time to re-consider his reply, and to change it;

Considered that:

From the evidence brought forward and from the guilty plea registered by the offender, the Court concludes that the offender is guilty of the charge laid against him.

As regards the punishment, the Court took into consideration the fact that the penalty for the offence in question is established in Regulation 3 (4) of Subsidiary Legislation 233.07, being a fine (multa) equivalent to twenty-five per cent of the value of the cash carried by the offender, represented in local currency on the date of entry in Malta.

For these reasons, the Court, after having seen Regulation 3 (4) of Subsidiary Legislation 233.07, on his admission, finds offender **Enzo Giovanni Romano** guilty of the charge brought against him and condemns him to the payment of a fine (multa) of four thousand one hundred and seventy five euro (€4175).

In terms of Regulation 3 (5) of Subsidiary Legislation 233.07 the Court also orders that the sum in excess found in possession of the accused amounting to six thousand five hundred and eighty five euro (€6585) and one hundred and fourteen US Dollars (\$114) be confiscated in favour of the Government of Malta.

Finally, the Court is not taking cognisance of the request to order the offender to pay any expenses relating to experts in terms of section 533 of the Criminal Code since no experts were nominated in these proceedings.

Dr. Charmaine Galea
Magistrate

Diane Gatt
Deputy Registrar