



THE COURT OF MAGISTRATES (MALTA)

As a Court of Criminal Judicature

MAGISTRATE

DR. CAROLINE FARRUGIA FREUDO

*B.A. (Legal and Humanistic Studies), LL.D.,
M.Juris (International Law), Dip. Trib. Eccl. Melit.*

The Police

Inspector Anthony Scerri

vs

Samuel Hall

Today Saturday 17th August, 2019

The Court:

Having seen the charges brought against Samuel Hall, holder of GBR passport number 526772459.

Charged him with having in these islands on the 16th August 2019 and on the previous days:

1. 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 his 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 Dangerous Drugs (G.N. 292/1939) as subsequently amended by the Dangerous Drugs Ordinance Chapter 101 of the Laws of Malta.

2. Had in his possession (otherwise than in the course of transit through Malta of the territorial waters 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.

The Court is also requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the Court appointed Experts.

Having seen the Prosecuting Officer read out and confirming on oath the charges brought against the accused during the sitting of the 17th August, 2019.

Having seen all the documents exhibited in this case which are; the Order of the Attorney General marked as Doc AS1; conviction sheet marked as Doc AS2; true copy of the passport of the accused marked as Doc AS3; statement dated 16th August, 2019 marked as Doc AS4; application marked as Doc AS5; alleged drugs in evidence bag S014692917 as Doc AS6 which contains 6.645 grams cannabis and 0.649 grams cocaine; passport marked as Doc AS7; evidence bag S01492918 containing EUR225 marked as Doc AS8.

The Court heard the accused register a guilty plea;

The Court has given the accused sufficient time to reconsider such guilty plea, has ordered the accused to consult with his lawyer of such guilty plea, and has explained the punishment that may be given in relation to the charges brought against his. The accused confirmed his guilty plea.

After hearing oral submissions regarding punishment.

Decide:

The Court, after having seen G.N. 292/1939 as amended by the Dangerous Drugs Ordinance Chapter 101 of the Laws of Malta, Section 8(d) of Chapter 101 of the Laws of Malta and Article 533(1) of Chapter 9 of the Laws of Malta, finds the accused **Samuel Hall**, guilty of the charges brought against him upon his own guilty plea, and condemns him to a fine (multa) of seven hundred and fifty euro (€750.00).

The Court orders that Doc AS6 and the drugs exhibited in evidence bag S014692917 be confiscated and destroyed according to law, and order the confiscation in favour of the Government of Malta of the amount found in Doc AS8 in evidence bag SO 1492918.

Dr. Caroline Farrugia Frendo LL.D.
Magistrate

Nadia Ciappara
Deputy Registrar