



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

Magistrate Dr Monica Vella LL.D., M.Jur.

Case Number: 1414/2023

**The Police
[Inspector Joseph Xerri]**

VS

Vasily Zhebriakov

Today, 24th February 2023

The Court;

Having seen the charges brought against:

**“Vasily Zhebriakov, holder of the Russian passport number
76 7546465 and the Georgian passport number 16BA01104;**

And charge him for having on the 23rd February of the year
2023 at around quarter past seven in the evening (1915hrs)
inside the Malta International Airport and/or other localities in
these islands:

1. Failed to declare with the Commissioner for Revenue that he was carrying a sum of the value of ten thousand euro (€10,000) or more in cash while entering, leaving or transiting through Malta in breach of Regulation 3 of Subsidiary Legislation 233.07 (Cash Controls Regulations) of the External Transactions Act (Chapter 233 of the Laws of Malta);

The Court is humbly requested that in case of finding guilt of the accused, apart from applying the punishment prescribed by law, orders the confiscation of the objects exhibited in these proceedings;

The Court is also being requested that in case of finding guilt, apart from applying the judgement according to Law, orders the accused to pay the expenses incurred in engaging experts according to Article 533 (1) of Chapter 9 of the Laws of Malta;

Thus, while exhibiting the Order of the Attorney General, the conviction sheet of the accused and a copy of the passport of the accused, the Prosecution requests that this case is investigated according to Law.”

Having seen all documents exhibited by the Prosecution;

Having seen the records of the case;

Having seen the consent of the Attorney General;

Having duly considered all the records of the case and all submissions made;

Having explained to both the accused the charges brought against them;

Having heard the accused **Vasily Zhebriakov** plead guilty to said charges in today's sitting;

Having warned the accused of the legal consequences of such guilty plea and having given the accused further time to reconsider his guilty plea and having heard the accused reconfirm his guilty plea during his arraignment before this Court and thus said guilty plea was registered in the acts of today's sitting, the 24th of February 2023;

Having heard the submissions made by the Prosecution and by the Defence;

Considers:

The Facts of the Case

The accused is being charged of failing to declare with the Commissioner for Revenue that he was carrying a sum of the value of ten thousand euro (€10,000) or more in cash while leaving through Malta in breach of Regulation 3 of Subsidiary Legislation 233.07 (Cash Controls Regulations) of the External Transactions Act (Chapter 233 of the Laws of Malta).

Considers:

That thus upon such guilty plea the Court can only find the accused guilty as charged;

That in pronouncing its judgement the Court is hereby taking into consideration the fact that the accused registered an early guilty plea, that the accused collaborated with the Police, and the nature and gravity of the accusations with which he is charged;

Decides:

Thus, the Court, after having seen Regulation 3 of Subsidiary Legislation 233.07 (Cash Controls Regulations) of the External Transactions Act (Chapter 233 of the Laws of Malta) hereby finds the accused guilty as charged and condemns the accused to a fine multa of fourteen thousand, three hundred, and fifty-seven Euros and seventy cents (€14,357.70).

The Court explained to the accused in simple and clear language his obligations arising out of this judgement.

(ft) Magistrate Dr. Monica Vella LL.D., M.Jur

(ft) Angelo Buttigieg
Deputy Registrar