



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

Magistrate Dr. Donatella M. Frendo Dimech LL.D., Mag. Jur. (Int. Law)

St. Julians District Sitting

The Police

-vs-

Aleksandar Kovacic, holder of Identity Card no.178074A

Case No. 530/2025

Today the 28th day of January, 2025

The Court,

Having seen that the defendant was charged with having:

On the 27th of October 2024 at around 2331hrs and/or in the times before, whilst at 'Footloose Club' situated in St Georges Road, Paceville, St Julians:

1. Was either employed as a private guard, specialised guard or private guard at a place of entertainment, or community officer without a licence issued by the relevant Authority. Art.25(b) Cap.389

The Court is requested that in the event of a guilty plea, the accused be disqualified from holding or obtaining such warrant, licence, permit or authority, for a period of time which the Court deems appropriate in accordance with Article 30 of the Criminal Code.

Having heard witnesses.

Having seen all the acts and documents exhibited.

Having heard the prosecution and defence counsel make their final submissions.

Having considered,

In her affidavit **PS2418 Analise Teuma** describes how, upon inspecting the premises Footloose in Paceville, the defendant *"was dressed in black from head to toe and had 'Security' written on his shirt"*. The only licence the defendant was in possession of was his 'Private Guard Licence' (the blue licence) whereas what was required was the 'Private Guard with Places of Entertainment Licence' (the grey Licence).

PS1157 Bertly Aquilina in her affidavit confirms that the defendant was not licenced as a Private Guard with Places of Entertainment but only possessed a "Private Guard Licence".

Regulation 2 of the *Maintenance of Good Order at Places of Entertainment Regulations* provides:

"place of entertainment" means any dancing hall, discotheque or dancing theatre, excluding places where seats are provided for stage performances or plays to be watched by a completely seated audience, and includes any other **premises licensed for the sale of wine, beer and spirituous liquor**, and any place in the open air, where any **entertainment, show or dancing** is carried out but does not include a concert venue. Any unlicensed venue that is being used to host outdoor events for persons under the age of seventeen shall, for the purposes of these regulations, be considered as a place of entertainment

The Licence conditions presented by Malcolm Zerafa and attached to his affidavit show that Footloose Club is licensed by the Malta Tourism Authority as a **"Bar with Amplified Music"**. Moreover, it is permitted **"To keep a shop for the sale of wines, beers and spiritsto keep the playing of amplified music"**

In view of the foregoing the Court, after seeing Articles 3 and 25(b) of the Private Guards and Community Officers Act, Chapter 389 of the Laws of Malta, finds the defendant guilty of the charge brought against him and condemns him to the payment of a fine, *multa*, of **two thousand five hundred Euros (€2,500)**.

Finally in terms of Article 30 of the Criminal Code, is disqualifying the defendant to be disqualified from holding or obtaining such licence for a period of nine (9) months.

Dr. Donatella M. Frendo Dimech
Magistrate