



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

Today 03rd July 2025

The Republic of Malta

vs.

Hamse Ibrahim Mohamud
Maltese Residence Permit 126716A
and
-omissis-

The Court,

Having seen that the defendant **Hamse Ibrahim Mohamud** and *omissis* were charged with having on the third (3rd) of July of the year two-thousand and twenty-five (2025), and/or in the preceding weeks and/or preceding months in St. Julians and the Maltese Islands:

1. That they supplied or procured, or offered to supply or procure the drug (cocaine), specified in the First Schedule of the Dangerous Drug Ordinance, Chapter 101, of the Laws of Malta, to or for any person, whether in these Islands or elsewhere, without being licensed by the Minister responsible for Health, or without being authorised by the Internal Control of Dangerous Drugs Rules, or by authority granted by the Minister responsible for Health, to supply this drug, and without being in possession of an import or export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of part 6, of the Ordinance and when they were not duly licensed or otherwise authorised to manufacture or supply the mentioned drug, or was not duly licensed to procure the mentioned drug, in breach of the provisions of rule 4 of the Internal Control of Dangerous Drugs Rules, Subsidiary Legislation 101.02, and of the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta;
2. That they had in their possession the drugs (cocaine) specified in the First Schedule of the Dangerous Drug Ordinance, Chapter 101 of the Laws of Malta,

when they were not in possession of an import or an export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of part 6 of the Ordinance, and when they were not licensed or otherwise authorised to manufacture or supply the mentioned drugs, and was not otherwise licensed by the Minister responsible for the Department of Health or authorised by the Internal Control of Dangerous Drugs Rules, Subsidiary Legislation 101.02 or by any authority granted by the Minister responsible for Health to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs was supplied to them for their use, in accordance with to a medical prescription, and this in breach of said rules and the Dangerous Drugs Ordinance Chapter 101, of the Laws of Malta **which drug was found under circumstances denoting that it was not intended for their own personal use;**

3. That they had in their possession the whole or any portion of the plant Cannabis in breach of article 8(d) of the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta, **which drug was found under circumstances denoting that it was not intended for their own personal use;**
4. That they committed these offences in, or within 100 metres 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;

Furthermore, *omissis* was charged that on the third (3rd) of July of the year two-thousand and twenty-five (2025), and/or in the preceding weeks and/or preceding months in St. Julians and the Maltese Islands

1. That he became a recidivist in accordance with articles 49 and 50 of Chapter 9 of the Laws of Malta after a judgment given by the Court of Magistrates (Malta) which judgement is definitive and cannot be changed.

Having seen the acts of the proceedings;

Having heard the defendant **Hamse Ibrahim Mohamud** plead guilty to the charges brought against him, which guilty plea was confirmed after the Court explained to him the punishment for the charges and gave him time to reconsider such plea;

Having heard the Prosecution request for the separation of proceedings in view of the admission by the defendant **Hamse Ibrahim Mohamud;**

Having seen the Order of the Attorney General in terms of article 22 (2) of Chapter 101 of the Laws of Malta for the defendant to be tried by this Court;

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

Having considered:

The defendant **Hamse Ibrahim Mohamud** admitted the charges brought against him and hence the Court is of the opinion that the same charges have been sufficiently proven.

Regarding the penalty to be meted out, the Court took into consideration the nature of the offences, the defendant's clean conviction sheet, his early admission in these proceedings, his cooperation with the Police and the amount of illicit substance found in his possession.

The Prosecution and the defence submitted that, if the Court deems adequate, a nine month imprisonment term and a fine (multa) of €500 would be an adequate punishment in the circumstances.

The Court notes that the relative punishment for the crimes committed by the defendant is imprisonment and a fine (multa). However the Court observes that in terms of the proviso of section 22 (2) (b) the punishment has to increase by one degree. Hence the Court has to increase both the term of imprisonment and also the fine (multa) to be imposed on the defendant by one degree, in which case the ascent from the punishment of a fine (multa) shall be to imprisonment for a term not exceeding three (3) months.

Hence the Court is of the opinion that the punishment to be awarded to the accused should be of one of a term of imprisonment.

DECIDE

Therefore the Court, after seeing Regulation 4 of Subsidiary Legislation 101.02; article 8 (d), 22 (1), 22 (2) (b) (i), Part 6 and the First Schedule of Chapter 101 of the Laws of Malta, on his admission finds the defendant **Hamse Ibrahim Mohamud** guilty of all the charges brought against him and condemns him to the punishment of ten (10) months imprisonment.

Dr. Charmaine Galea
Magistrate

Antonella Cassar
Deputy Registrar