



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

**MAGISTRATE DR.
JOSEPH CASSAR**

Sitting of the 30 th April, 2003

Number 776/2002

The Police

(Insp. N. Harrison & Insp. S. Zarb, Immigration Officer)

vs

**Charette Maria Ferdinand &
Edlyn Josephine Jennifer Blasse**

The Court,

Having seen the charges against:-

Edlyn Josephine Jennifer Blasse of 28 years, daughter of Peter Albert Blasse and Marcella, born in Curacao (Antillen) on 08th July 1974 and presently detained under preventive custody at Corradino Correctional Facility and holder of Dutch passport with number ND 0940746, issued in Curacao on 06.09.02.

And

Charette Maria Ferdinand, Of 29 years wife of Marlon Martina (divorced) and daughter of Ernesto Obispo and Luciana, born in Curacao (Antillen) on 19th January 1973 and residing in Amsterdam (The Netherlands) and holder of Dutch Passport with number N60095520, issued in Curacao on 15th November 1997.

For having in these islands on the night of 16th and 17th September 2002, and during the last preceding days:-

a) imported or caused to be, or took any steps preparatory to importing any dangerous drug (cocaine) into Malta in breach of section 15A of Chapter 101 of the Laws of Malta,

b) together with another one or more persons in Malta or outside Malta, conspired for the purpose of selling or dealing in a drug (cocaine) in these islands against the provisions of the 'The Dangerous Drugs Ordinance', Chapter 101 of the Laws of Malta, or promoted, constituted, organised or financed the conspiracy.

c) Had in their possession the drug cocaine, specified in the first schedule of the 'Dangerous Drugs Ordinance', Chapter 101 of the Laws of Malta, when they were not in possession of an import authorisation , or of any export authoristaion issued by the Chief Government Medical Officer in pursuance of part 4 and part 6 of the Ordinance, when they were not licensed or otherwise authorised to manufacture or or to supply the drug , and were not otherwise licensed by the President of Malta, or authorised by the Dangerous Drugs Internal Control Rules (G.N. 292/1939), to be in possession of the drug , and failed to prove that the mentioned drug was supplied for their personal use according to a medical prescription as provided in the said rules and this in breach of regulation 8 of the Internal Control of Dangerous Drugs Regulations (G.N. 292/1939) as subsequently amended and in breach of the dangerous drugs ordinance chapter 101 of the

Informal Copy of Judgement

Laws of Malta, which drugs were found in such circumstances indicating that the possession was not intended for their use.

Having seen that the accused admitted the said charges;

Finds them guilty.

Having seen Chapter 101 of the Laws of Malta and G.N. 292/1939;

Condemns each of the accused to two (2) years and three (3) months imprisonment, from which are to be deducted the terms of provisional arrest served by the accused, and fines them two thousand Malta Pounds each (LM 2000), which amount if not paid shall be converted into imprisonment.

Having seen Section 533 of Chapter 9 of the Laws of Malta condemns the guilty parties to pay the expenses incurred by the Court after the appointment of experts.

Having seen the prosecution's request in terms of Chapter 217 of the Laws of Malta, grants same, declares the guilty parties illegal immigrants and orders the issue of a removal order against them, effective after the accused have served the above prison sentence and paid the said fines and expenses.

Dr. J. Cassar B.A., LLD
MAGISTRATE.

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